

**ORDINANCE NO. 2022-013**

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO  
AMEND TITLE 16 OF THE THOMPSON'S STATION'S MUNICIPAL CODE BY  
AMENDING CHAPTER 1 ADDRESSING RESTORATION OF PUBLIC RIGHTS-OF-  
WAY**

WHEREAS, the need to update Title 16 of the Municipal Code for the benefit of the citizens of Thompson's Station has become apparent to Town Staff, and

WHEREAS, the Board of Mayor and Aldermen have for their consideration the adoption of an amendment to Title 16 by amending Chapter 1, Sections 102 & 107, as proposed herein to, and

WHEREAS, the Board of Mayor and Alderman have further determined that it is in the best interest of the Town to amend Chapter 1, Sections 102 & 107, of Title 16; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, as follows:

**Section 1.** That the Town of Thompson's Station's Municipal Code, Title 16, is amended by adopting an amended Chapter 1, Sections 102 & 107, as provided hereinafter.

**Section 2.** That Sections 102 & 107 of Chapter 1 of Title 16 is amended as follows:

...

**16-102. Permit required.** (1) It shall be unlawful for any person, firm, corporation, public or private utility, association, or others to make any cut or excavation in any street, curb, sidewalk, alley, or public rights-of-way in the town, whether wholly or partially located within the town, without having first obtained a rights-of way construction permit, as herein required, and without complying with the provisions of this chapter . . .

...

**16-107. Restoration of public rights-of-way.** Any person, firm, corporation, public or private utility, association or others making any excavation or tunnel in or under any street, curb, alley, gutter, or public rights-of-way in the town shall backfill said street, curb, alley, sidewalk, gutter, or public rights-of-way and restore the same, including final surfacing, to town specifications and standards promptly upon the completion of the work for which the excavation or tunnel is made. Final surfacing may be done by the town at the expense of the entity for which the excavation or tunnel is made, if requested; providing that town crews can schedule the work within twenty-four (24) hours of this request. If not, the entity will be required to place final surfacing in accordance with the requirements of this chapter. No excavation or tunnel in or under any street, curb, sidewalk, alley, gutter, or public rights-of-way shall be permitted to obstruct the flow of traffic unless the permit holder coordinates with the town engineer or town administrator and provides a plan to address the impact on traffic flow. In the event final resurfacing cannot be completed

immediately after backfilling, the entity shall use temporary resurfacing materials such as coldmix or steel plate or an approved detour around such opening or excavation which would aid the flow of traffic.

~~Any~~The detour must be approved by the town administrator, or his or her designee, prior to establishing any such detour. Such detour routes must be adequately signed and marked according to the Manual on Uniform Traffic-Control Devices. Maintenance of signage and markings will be the responsibility of the permittee.

In the event any person, firm, corporation, public or private utility, association or others, who intend to make an excavation or tunnel in or under any street, curb, alley, gutter, or public right-of-way in the town, remove any tree during such excavating or tunnelling, the same shall restore any tree removed in accordance with the town's Land Development Ordinance. Prior to the removal of any tree, each tree shall be marked and measured, and the town administrator, or his or her designee, must be notified of the list of trees and their specifications, per the Land Development Ordinance, intended to be removed prior to the removal of said tree(s).

...

**Section 3.** After final passage, Town Staff is directed to incorporate these changes into an updated ordinance document and municipal code.

**Section 4.** If any section or part of the Ordinance, including any amendments thereto, is determined to be invalid for any reason, such section or part shall be deemed to be a separate and independent provision. All other sections or parts shall remain in full force and effect. If any section or part of the Ordinance is invalid in one or more of its applications, that section or part shall remain in effect for all other valid applications.

**Section 5.** This ordinance shall take effect upon the final reading and approval by the Board of Mayor and Aldermen, the public welfare requiring it.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, on the \_\_\_\_ day of \_\_\_\_\_, 2022.

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**Corey Napier, Mayor**

ATTEST:

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Regina Fowler, Town Recorder

Passed First Reading: \_\_\_\_\_

Passed Second Reading: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

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Town Attorney