

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**AGENDA
October 9, 2025
6:00 pm**

1. Call to Order
2. Invocation
3. Roll Call
4. Consent Agenda:
 - A. Approval of Minutes September 25, 2025
 - B. July 2025 Financial Report
5. Communication from Citizens
6. Communication from Councilmembers
7. Communication from City Manager
8. Old Business:
 - A. **ORDINANCE NO. 1233** - AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2026 OPERATING BUDGET, ORDINANCE NO. 1226, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd READING)
 - B. Discussion of Mobile Food Vending Ordinance
9. New Business
 - A. **ORDINANCE NO. 1234** - AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF EAST RIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF EAST RIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM (1st READING)
 - B. **ORDINANCE NO. 1235** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND TITLE 8, CHAPTERS 1 AND 2 OF THE EAST RIDGE MUNICIPAL CODE PERTAINING TO INTOXICATING LIQUORS AND BEER (1st READING)
 - C. **RESOLUTION NO. 3744** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING EMERGENCY REPAIRS TO THE “U” CHANNEL DRAINAGE DITCH LOCATED ON THE NORTH SIDE OF EAST STUMP STREET AT 4201 EAST STUMP STREET, AND APPROVING THE PROPOSAL FROM BROWN BROTHERS CONSTRUCTION FOR COMPLETION OF SAID REPAIRS
 - D. **RESOLUTION NO. 3745** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE SALE OF APPROXIMATELY FORTY-SEVEN SQUARE FEET OF CITY-OWNED PROPERTY TO ERWD, LLC, AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT

- E. **RESOLUTION NO. 3746** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A BID FOR THE REPLACEMENT OF A PORTION OF THE ROOF ON THE CITY HALL COMPLEX, SPECIFICALLY THE PORTION OF ROOF COVERING ADMINISTRATION
- F. **RESOLUTION NO. 3747** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER REQUEST FOR THE COMMUNITY CENTER RENOVATION AND EXPANSION PROJECT
- G. **RESOLUTION NO. 3748** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN EASEMENT AGREEMENT WITH EAST RIDGE ALF REAL ESTATE INVESTORS, LLC RELATIVE TO A 20-FT ELECTRICAL EASEMENT LOCATED AT 1504 MCDONALD ROAD, TAX MAP NUMBER 169M-M-010
- H. **RESOLUTION NO. 3749** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING THE SELECTION OF A FIRM TO PROVIDE PROFESSIONAL LANDSCAPING SERVICES FOR CITY-DESIGNATED OUTDOOR SPACES, CONDITIONED UPON A SUCCESSFULLY NEGOTIATED AGREEMENT
- I. Discussion of amending Section 5 of the Charter of the City of East Ridge, Tennessee
- J. Discussion of Tentative Agenda for **October 23, 2025**, City Council Meeting (Attachment A)

10. Adjournment

ATTACHMENT A
TENTATIVE AGENDA
October 23, 2025

8. Old Business:

- A. **PUBLIC HEARING FOR ORDINANCE NO. 1234** - AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF EAST RIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF EAST RIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM (2nd READING)

- B. **ORDINANCE NO. 1234** - AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF EAST RIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF EAST RIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM (2nd READING)

9. New Business

- A. **ORDINANCE NO. _____** - Rezone the parcel located at 416 Donaldson Road, Tax Map ID # 156E-L-009, from R-1 Residential District to R-2 Residential Duplex District (1st Reading)

- B. **ORDINANCE NO. _____** - Rezone the parcel located at 1438 North Smith Street, Tax Map ID # 169K-A-014, from RT-1 Residential Townhome District to R-1 Residential District (1st Reading)

- C. **RESOLUTION NO. _____** - A resolution authorizing the City Manager to issue a Request for Qualification for the development of a Stormwater Management Plan

- D. **RESOLUTION NO. _____** - A resolution to amend the 2025 Christmas Holiday Schedule

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**September 25, 2025
6:00 p.m.**

The East Ridge City Council met pursuant to the meeting notice on September 25, 2025, at 6:00 p.m. in the East Ridge City Hall Council Chambers. Mayor Williams called the meeting to order.

Senior Pastor Jeff Baden, Hamilton Life Church, gave the invocation. All joined in for the Pledge of Allegiance.

Present: Mayor Brian Williams, Vice Mayor David Tyler, Councilmember Jacky Cagle, Councilmember Jeff Ezell, Councilmember Andrea Witt, City Manager Scott Miller, Attorney Harry Cash for City Attorney Mark Litchford, Finance Director Diane Qualls, and City Clerk Jennifer Deitrick

Attendance: Thirteen

Approval of Minutes September 11, 2025

Vice Mayor Tyler moved to approve the September 11, 2025 minutes. Seconded by Councilmember Ezell. There being no discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

Communication from Citizens

Pam Whaley, 1515 Springvale Road, expressed concerns regarding property maintenance on her street, vehicles racing, noise from vehicles, and storm-related flooding damage to a neighboring residence.

Aaron Oliver, 3934 South Mission Oaks Drive, requested a crossing guard and additional traffic control on Bennett Road during school hours and game days. Chief Uselton provided an update on the crossing guard positions.

Communication from Councilmembers

Vice Mayor Tyler, Councilmember Cagle Councilmember Ezell and Councilmember Witt had no comments.

Mayor Williams asked Parks and Recreation Director Skiles to announce the upcoming Parks and Recreation events. Director Skiles announced the Fall Festival on September 27-28 and the Christmas Parade on November 22.

Mayor Williams reported that the Library is accepting donations of trick-or-treat candy.

Communication from City Manager

City Manager Miller reported on several projects including WWTa's manhole rehabilitation on John Ross Road, the resurfacing of John Ross Road through an 80/20 split grant with the state, North Mack Smith Road widening, Venue 1921 at East Ridge, and the Community Center expansion.

Old Business

ORDINANCE NO. 1232 - AN ORDINANCE TO AMEND EAST RIDGE CITY CODE, ARTICLE 12, CHAPTER 3, SECTION 12-301, IN ORDER TO ADOPT THE 2023 NATIONAL ELECTRICAL CODE AS THE OFFICIAL ELECTRICAL CODE OF THE CITY OF EAST RIDGE (2nd READING)

Attorney Cash read the ordinance by caption.

Chief Building Official stated that for the City to maintain its status as an exempt jurisdiction for commercial buildings, codes must be adopted within seven years of the most recently published edition.

Councilmember Ezell moved to approve Ordinance No. 1232. Seconded by Councilmember Witt. There being no discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

New Business

ORDINANCE NO. 1233 - AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2026 OPERATING BUDGET, ORDINANCE NO. 1226, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (1st READING)

Attorney Cash read the ordinance by caption.

Finance Director Qualls explained that the amendment updates the General Fund, Grant Fund, Solid Waste Fund, and Capital Improvements Fund. She also reviewed corrected figures that will be updated for the second reading.

Councilmember Witt moved to approve Ordinance No. 1233. Seconded by Vice Mayor Tyler. There being no discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

RESOLUTION NO. 3741 - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY TO ACCEPT TWO DONATIONS IN THE TOTAL AMOUNT OF THREE THOUSAND DOLLARS FROM THE EAST RIDGE SEVENTH-DAY ADVENTIST CHURCH TO BENEFIT THE EAST RIDGE POLICE DEPARTMENT AND THE EAST RIDGE FIRE DEPARTMENT

Attorney Cash read the resolution by caption.

Chief Uselton stated that East Ridge Seventh-Day Adventist Church donated \$1,500 each to the Police Department and Fire Department.

Vice Mayor Tyler moved to approve Resolution No. 3741. Seconded by Councilmember Ezell. There being no discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

RESOLUTION NO. 3742 - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING AN ADDITION TO THE AUDIO-VISUAL (AV) CONTRACT FOR VENUE 1921 AT EAST RIDGE THROUGH AVI-SPL'S GLOBAL SUPPORT AND MAINTENANCE PROGRAM

Attorney Cash read the resolution by caption.

Parks and Recreation Director Skiles stated that the first year of maintenance is included under the warranty and the cost for an additional four years of maintenance would be \$15,586.03. Director Skiles noted that the date of the maintenance agreement will be adjusted based on substantial completion of the project. City Manager Miller requested that this adjustment be documented in writing.

Councilmember Witt moved to approve Resolution No. 3742. Seconded by Vice Mayor Tyler. Following brief discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

RESOLUTION NO. 3743 - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A BID FOR A TROPHY VENDOR TO SUPPLY TROPHIES FOR VARIOUS SPORTS PROGRAMS FOR THE PARKS AND RECREATION DEPARTMENT EFFECTIVE FROM SEPTEMBER 2025 THROUGH AUGUST 2026

Attorney Cash read the resolution by caption.

Parks and Recreation Director Skiles stated that three bids were received through the solicitation process and staff recommend accepting the bid from Awards of Excellence.

Vice Mayor Tyler moved to approve Resolution No. 3743. Seconded by Councilmember Witt. There being no discussion, Mayor Williams asked for a roll call vote. Vice Mayor Tyler – yes; Councilmember Cagle – yes; Councilmember Ezell – yes; Councilmember Witt – yes; Mayor Williams – yes. Motion carried unanimously.

Discussion of the service of alcohol at Venue 1921 at East Ridge

Parks and Recreation Director Skiles stated that City ordinances must be updated to allow alcohol service at Venue 1921 at East Ridge. She clarified that City staff would not serve alcohol and that the City is not required to obtain a permit from the Tennessee Alcoholic Beverage Commission.

City Manager Miller presented a draft ordinance prepared by the City Attorney, which authorizes the City Manager to approve alcohol service at the facility and allows City Council to establish conditions for service by resolution. He noted that Section 3 permits the consumption of alcoholic beverages and Section 4 permits the consumption of beer.

Vice Mayor Tyler asked about enforcement for violations. Director Skiles stated that security or law enforcement would be required when alcohol is served. City Manager Miller added that violations could be brought before City Council and could result in removal from the preferred vendor list.

Discussion of Tentative Agenda for the October 9, 2025 City Council Meeting (see Attachment A)

ATTACHMENT A TENTATIVE AGENDA October 9, 2025

Old Business

ORDINANCE NO. 1233 - AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2026 OPERATING BUDGET, ORDINANCE NO. 1226, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd READING)

Finance Director Qualls stated the figures will be corrected before the second reading.

Discussion of Mobile Food Trucks

Chief Building Official Howell stated that an overlay zone has been designated as Food Truck Alley and identified zoning districts that allow food trucks. He stated that all food trucks operating in the City must pass a fire inspection and obtain a permit, except when participating in City events, and noted a correction regarding canteen trucks.

Mayor Williams asked about events lasting more than two days, distance from brick-and-mortar restaurants, hours of operations, beer permits and sales tax. Chief Building Official Howell explained that distance requirements were not included since property owner permission is required and noted that Section 5 of the draft addresses sales tax. Finance Director Qualls confirmed that the City receives sales tax from mobile vendors at Camp Jordan Arena and will research other cities' practices.

Councilmember Cagle asked about restroom and garbage requirements and permanent food trucks. Chief Building Official Howell responded that restroom requirements were not included and that vendors must remove their garbage. He then explained that one food truck per property may remain overnight with the property owner's permission and specified setbacks must be met. Councilmember Ezell confirmed that the setback is 20 feet from any structure.

Councilmember Witt requested that the City Attorney draft an ordinance for Council consideration.

New Business

ORDINANCE NO. ____ - AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF EAST RIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF EAST RIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM (1st READING)

Chief Building Official Howell stated that the updated Flood Insurance Rate Maps must be adopted by November 28. The ordinance will be presented to the Planning Commission on October 6, then presented to Council for First Reading on October 9.

RESOLUTION NO. ____ - A resolution authorizing the sale of approximately 47 square feet of city-owned property to ERWD, LLC

City Manager Miller stated that City previously acquired approximately 2,275 square feet of property that is now owned by ERWD LLC, for the widening of North Mack Smith Road. A newly constructed retaining wall is encroaching on approximately 47 square feet of City-owned property which the City will sell back to the current property owner at the same cost per square foot that the City originally paid, totaling \$2,367.86.

RESOLUTION NO. ____ - A resolution approving bids to replace a portion of the roof of the City Hall complex over Administration

City Manager Miller stated that sections of the roof over the Council Chambers, Court, Atrium and Library have been replaced, and the final section to be replaced is over Administration. Bids for the roof replacement will be opened September 30, with a recommendation for award presented to Council on October 9.

Councilmember Ezell asked whether the replacement would be metal. City Manager Miller responded that the section will be replaced with the same material as the other parts of the roof.

RESOLUTION NO. ____ - A resolution approving a proposal to provide professional landscaping services for City-designated outdoor spaces

Parks and Recreation Director Skiles stated that the city opened Request for Qualifications proposals on September 24, 2025 and a recommendation for award will be presented to Council on October 9, 2025.

Discussion of a Stormwater Master Plan

City Manager Miller stated the City does not have an inventory of stormwater infrastructure, stormwater maps, an asset management plan, or Stormwater Master Plan. He recommended issuing a Request for Qualifications (RFQ) to engage an engineering firm to create a plan that would inventory and evaluate the drainage system, identify problem areas, develop a capital improvement program and propose a funding source

Councilmember Ezell asked when City-owned culverts would be replaced and how the work would be funded. Miller stated that repairs must go to bid and, at present, could only be funded through the road resurfacing program. He noted that money has been allocated in the current fiscal year, but a program has not yet been created.

Councilmember Cagle asked if the field turf project could be delayed until three identified culverts are repaired. Miller responded that the City is under contract for the turf project. Cagle suggested the City could pay a fine to delay it, and Miller stated that decision would have to be made by Council.

City Council directed the City Manager to proceed with the RFQ process to develop a Stormwater Master Plan.

Mayor Williams asked if there are any other items to be added to the October 9, 2025 agenda. City Manager Miller requested to add the approval of an electrical easement agreement for the City's welcome sign. He explained that the City received the agreement for the electrical easement, and once signed, the City can authorize Ortwein Signs to light the welcome sign.

Adjournment

There being no further business, the September 25, 2025, Regular Meeting of the City Council of the City of East Ridge was adjourned at 7:53 p.m.

APPROVED:

MAYOR

CITY CLERK

JULY 2025 FINANCIAL REPORT

AGENDA MEMORANDUM

10/9/2025

Submitted by:

Diane Qualls

Diane Qualls, Finance Director

July is an extremely low month for revenues. Most revenue is for June and must be posted as such. Most of the revenue that we received was for building permits and Parks & Recreation. In August, this will change due to the revenues all being for FY 2026.

Please note that almost every fund is running off of their fund balance which is common for most cities for the first month of the new year.

Summary Financial Statement of Revenues and Expenditures
Jul-25

Unaudited		Spent YTD			8.33%	
FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
110						
REVENUES						
31100	Property Taxes	6,751,333	0	0	0.00%	8.33%
31200	Property Taxes (Delinquent)	400,000	0	0	0.00%	8.33%
31610	Local Sales Tax - Co. Trustee	4,990,000	0	0	0.00%	8.33%
31611	Incremental State Sales Tax	8,400,087	0	0	0.00%	8.33%
31710	Wholesale Beer Tax	421,343	0	0	0.00%	8.33%
31800	State Net Allocation	400,000	0	0	0.00%	8.33%
31810	Minimum Business Licenses	10,000	0	0	0.00%	8.33%
31824	Solicitors Permit	0	0	0	0.00%	8.33%
31827	5% State Commission	40,000	0	0	0.00%	8.33%
31912	Cable TV Franchise Tax	180,000	0	0	0.00%	8.33%
31961	Liens Collected by Trustee	32,000	0	0	0.00%	8.33%
32120	Wrecker Licenses	350	0	0	0.00%	8.33%
32200	Alcoholic Beverage Tax	260,000	0	0	0.00%	8.33%
32210	Beer Licenses & Etc.	9,500	356	150	1.58%	8.33%
32220	Liquor Licenses	3,500	0	1,000	28.57%	8.33%
32225	Fireworks Fees/Permits	3,000	0	0	0.00%	8.33%
32226	Annual Fireworks Permit Fee	300	0	0	0.00%	8.33%
32227	Vacation Rental Fee	0	0	0	0.00%	8.33%
32610	Building Permits	225,000	9,633	11,478	5.10%	8.33%
32615	Fire Preventions/Permits	1,000	450	345	34.50%	8.33%
32620	Electrical Permits	30,000	1,653	1,330	4.43%	8.33%
32630	Plumbing Permits	17,000	1,103	918	5.40%	8.33%
32640	Natural Gas Permits	2,000	0	0	0.00%	8.33%
32650	Excavating Permits	8,000	0	0	0.00%	8.33%
32660	Zoning Permits	3,000	650	50	1.67%	8.33%
32671	Regular Sign Permits	3,000	210	375	12.50%	8.33%
32672	Temporary Sign Permits	300	0	0	0.00%	8.33%
32690	Plan Review Fees	100	0	0	0.00%	8.33%
32691	Tree Trimming Permits	100	0	10	30.00%	8.33%
32905	Other Code Fees	28,000	760	298	57.12%	8.33%
32960	Yard Sale Permits	200	0	10	5.00%	8.33%
32990	Mechanical Permits	20,000	2,024	1,775	74.85%	8.33%
33190	FEMA/TEMA 2021	0	0	0	0.00%	8.33%
33191	Appropriation St. of TN	300,000	0	0	0.00%	8.33%
33410	Police In-Service	37,600	0	0	0.00%	8.33%
33420	Police Bonus Sup.	30,400	0	0	0.00%	8.33%
33430	Fire In-Service	24,800	0	0	0.00%	8.33%
33490	Police Retention	12,000	0	0	0.00%	8.33%
33510	State Sales Tax	2,809,280	0	0	0.00%	8.33%
33511	Telecom Sales Tax	5,000	0	0	0.00%	8.33%
33512	Sportsbetting	45,000	0	0	0.00%	8.33%
33513	Occupcity Tax	1,500	0	0	0.00%	8.33%
33515	State Tax/Telecom	500	0	0	0.00%	8.33%
33520	State Income Tax	0	0	0	0.00%	8.33%
33530	State Beer Tax	9,663	0	0	0.00%	8.33%
33540	State Mixed Drink Tax	125,000	0	0	0.00%	8.33%

FISCAL YEAR ENDING 06/30/2025					Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
33552	State City Streets	39,969	0	0	0.00%	8.33%
33591	TVA Gross Receipts	278,905	0	0	0.00%	8.33%
33593	Corporate Excise Tax	5,000	0	0	0.00%	8.33%
34121	Clerks' Fees - Business Tax	2,000	195	150	7.50%	8.33%
34211	Accident Report Charges	2,000	178	92	4.60%	8.33%
34212	DL Reinstatement Fee	2,000	0	50	2.50%	8.33%
34221	Ridgeside Contract	124,120	10,106	0	0.00%	8.33%
34231	Police Services	3,000	2,067	0	0.00%	8.33%
34314	Mowing	9,800	0	0	0.00%	8.33%
34500	Donations New Shelter	2,500	15	0	0.00%	8.33%
34515	Rabies/Spay	500	0	0	0.00%	8.33%
34516	Registration	500	90	0	0.00%	8.33%
34517	Adoption	1,500	75	0	0.00%	8.33%
34518	Board & Impound Fees	1,000	0	0	0.00%	8.33%
34520	A/S Donations-Designated	1,000	0	0	0.00%	8.33%
34641	Indoor Soccer Income	195,000	0	0	0.00%	8.33%
34642	Community Center Income	10,000	5,888	0	0.00%	8.33%
34643	Outdoor Soccer Fees	85,000	8,891	5,804	6.80%	8.33%
34644	Baseball Fees	41,550	3,890	5,230	1.89%	8.33%
34645	Softball Fees	28,510	4,080	4,208	4.47%	8.33%
34646	Gate	33,000	621	0	0.00%	8.33%
34648	Adult League - Softball	32,000	4,270	0	0.00%	8.33%
34649	Concerts/Events	10,000	770	0	0.00%	8.33%
34651	Arena	155,000	12,517	2,936	1.89%	8.33%
34652	Pavilion Rental	18,000	1,337	805	4.47%	8.33%
34653	Track Rental	2,000	0	0	0.00%	8.33%
34654	Field Rental	77,000	12,908	3,189	4.14%	8.33%
34655	Amphitheater	14,000	3,000	1,400	10.00%	8.33%
34656	Concessions	68,000	11,526	0	0.00%	8.33%
34657	Overnight - Rv Rental	22,000	2,468	1,350	6.14%	8.33%
34658	Tournament Team Fees	1,500	0	0	0.00%	8.33%
34712	Sponsorship/Parks & Rec	10,000	1,092	306	3.06%	8.33%
34720	Football Gate	5,000	0	0	0.00%	8.33%
34751	Basketball Gate	0	0	0	0.00%	8.33%
34742	Basketball Player Fees	0	0	0	0.00%	8.33%
34743	Football Player Fees	23,530	5,185	5,760	24.48%	8.33%
34744	Photography	0	0	0	0.00%	8.33%
34745	Vending/Concessions	8,000	233	37	0.46%	8.33%
34746	Cheerleading	3,700	770	550	14.86%	8.33%
34747	Rent-Arena Equipment	45,000	2,203	64	0.14%	8.33%
34749	Soccer Field Rentals	95,000	0	0	0.00%	8.33%
34751	Venue 1921 @ East Ridge	100,000	27	0	0.00%	8.33%
34760	Library Charges	1,000	0	216	21.56%	8.33%
34761	Library - Copies	1,000	21	20	1.99%	8.33%
34794	C Center M. Fees	500	40	0	0.00%	8.33%
35100	Court Fines & Costs	335,000	33,785	22,698	6.78%	8.33%
35110	Fortfeiture of Bond	0	0	0	0.00%	8.33%
35120	Public Defender Fees	0	0	0	0.00%	8.33%
35150	Diversion Filing	0	0	0	0.00%	8.33%
36100	Interest Earnings	20,000	3,904	12,236	61.18%	8.33%
36211	Rent - Cell Tower	12,925	1,077	1,377	10.65%	8.33%
36310	Sale of Land	0	0	0	0.00%	8.33%

FISCAL YEAR ENDING 06/30/2025					Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
36330	Sale Of Equipment	10,000	0	0	0.00%	8.33%
36350	Insurance Recoveries	50,000	0	0	0.00%	8.33%
36901	Pipes/Culverts	3,000	0	0	0.00%	8.33%
36902	Damages- Traffic C.	0	0	0	0.00%	8.33%
36903	Christmas Parade	500	0	0	0.00%	8.33%
36905	Police - Sale of Surplus	15,000	0	0	0.00%	8.33%
36906	Fire - Sale of Surplus	500	0	0	0.00%	8.33%
36932	Proceedds - Bond/Loan	156,000	0	0	0.00%	8.33%
36990	Miscellaneous Revenues	25,000	145	561	2.24%	8.33%
36992	Hamilton County	0	20,540	0	0.00%	8.33%
37200	AHO - Fines/Court Costs	500	0	0	0.00%	8.33%
37940	Transfer Inn	0	0	0	0.00%	8.33%
	Use of Fund Balance	0	3,899,200	2,575,384	0.00%	8.33%
	Total Revenues	27,827,365	4,049,412	2,656,355	0.29%	8.33%
	EXPENDITURES					8.33%
41000	General Government	1,528,765	461,373	750,363	49.08%	8.33%
41100	Administrative	1,247,808	115,756	182,525	14.63%	8.33%
41111	City Council	101,261	17,748	16,675	16.47%	8.33%
41210	Municipal Court	397,730	33,533	21,456	5.39%	8.33%
41520	City Attorney	136,875	649	157	0.11%	8.33%
41800	Buildings & Grounds Maintenance	372,536	26,079	28,744	7.72%	8.33%
41900	City Hall Complex	56,600	11,376	7,818	13.81%	8.33%
42100	Police	2,615,465	1,274,966	576,015	22.02%	8.33%
42121	Criminal Investigation	1,227,676	64,143	74,071	6.03%	8.33%
42123	Patrol	2,824,636	230,128	183,238	6.49%	8.33%
42125	School Resource	365,095	12,328	4,783	1.31%	8.33%
42125	Traffic Division	350,038	3,526	24,876	7.11%	8.33%
42200	Fire Department	3,626,762	1,405,979	390,718	10.77%	8.33%
42400	Building/Planning/Zoning	651,330	62,870	76,721	11.78%	8.33%
43110	Highway And Street	735,223	44,224	32,373	4.40%	8.33%
43120	Traffic Control & Street Markers	323,360	25,543	20,825	6.44%	8.33%
43170	Transfer Station/Brush Pit/Fleet	13,800	1,516	432	3.13%	8.33%
44140	Animal Control	433,425	42,087	39,988	9.23%	8.33%
44410	Parks and Recreation	1,221,869	119,590	130,077	10.65%	8.33%
44420	Multi-Purpose Recreation Bldg	340,288	31,220	35,360	10.39%	8.33%
44430	Community Center	297,933	23,117	20,115	6.75%	8.33%
44440	Venue 1921 @ East Ridge	225,981	0	0	0.00%	8.33%
44450	McBrien Complex	7,650	146	498	6.52%	8.33%
44610	Soccer - Recreation	72,600	3,550	2,392	3.29%	8.33%
44620	Soccer - Indoor	109,300	0	0	0.00%	8.33%
44630	Baseball/Softball	85,600	5,772	1,838	2.15%	8.33%
44640	Football/Cheer	32,450	468	729	2.25%	8.33%
44650	Adult Softball	39,350	0	0	0.00%	8.33%
44700	Basketball	0	0	0	0.00%	8.33%
44800	Libraries	315,624	29,221	33,566	10.63%	8.33%
44810	History Museum	860	54	0	0.00%	8.33%
46500	Community Development Programs	100,000	0	0	0.00%	8.33%
47200	Economic Development	7,469,475	2,450	0	0.00%	8.33%
49100	Debt Service	0	0	0	0.00%	8.33%
49400	Capital Projects - Transfer Out	500,000	0	0	0.00%	8.33%
	Total Expenditures	27,827,365	4,049,412	2,656,355	9.56%	8.33%
Total	General Fund		0	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY2026	YTD	Avg Yr %
121 State Street Aid						
REVENUES						
33450	State Grant - TIP Funds	0	0	0	0.00%	8.33%
33460	State Grant - HIP Funds	234,000	0	0	0.00%	8.33%
33550	2017 Gas Tax Improve	200,000	0	0	0.00%	8.33%
33551	State Gasoline And Motor Fuel Tax	570,000	0	0	0.00%	8.33%
33558	City Transport Mod Tax (Electric)	10,322	0	0	0.00%	8.33%
36100	Interest Earnings	200	0	6	0.00%	8.33%
36330	Sale of Equipment	0	0	0	0.00%	8.33%
	Use of Fund Balance	391,716	17,689	0	3.17%	8.33%
	Total Revenues and Other Sourc	1,406,238	17,689	6	0.00%	8.33%
EXPENDITURES						
43190	State Street Aid	1,406,238	17,689	5	0.00%	8.33%
	Total Expenditures	1,299,238	17,689	5	0.00%	8.33%
Total	State Street Aid Fund	0	0	1		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
122 Grant Fund						
REVENUES						
33109	CSX Transportation Grant - 2022	0	0	0	0.00%	8.33%
33111	PEP Cyber Security Grant	0	0	0	0.00%	8.33%
33114	TML Driver Safety Grant	4,000	0	0	0.00%	8.33%
33120	TDOT 2015 Multi Modal Grant	0	0	0	0.00%	8.33%
33425	Aquatic Stream Clean Grant	1,000	0	0	0.00%	8.33%
33493	TML Safety Grant	3,000	0	0	0.00%	8.33%
36100	Interest Earnings	0	0	0	0.00%	8.33%
36420	Police Traffic Safety Grant	0	0	0	0.00%	8.33%
36421	TN AM Grants	0	0	0	0.00%	8.33%
36423	Animal Foundation Grants	425	0	0	0.00%	8.33%
36711	Safety Conservation Grant	4,000	0	0	0.00%	8.33%
36920	THS089-Police	0	0	0	0.00%	8.33%
36921	Homeland Security - Police	0	0	0	0.00%	8.33%
36922	Homeland Security - Fire	0	0	0	0.00%	8.33%
36925	Violent Crime Intervention Grant	0	0	0	0.00%	8.33%
	Use of Fund Balance	6,575	0	5	0.00%	8.33%
	Total Revenues and Other Sources	19,000	0	5	0.00%	8.33%
EXPENDITURES						
43150	Grants	19,000	0	5	0.03%	8.33%
	Total Expenditures	19,000	0	5	0.07%	8.33%
Total	Grant Fund	0	1,699	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY2025	FY 2026	YTD	Avg Yr %
126 DOJ Forfeiture Fund						
REVENUES						
33197	Federal/State Grants	20,000	0	0	0.00%	8.33%
	Use of Fund Balance	0	0	10	0.00%	8.33%
	Total Revenues and Other Sources	20,000	0	10	0.00%	8.33%
EXPENDITURES						
42127	Drug/Law Enforcement	20,000	0	10	0.90%	8.33%
	Total Expenditures	20,000	0	10	0.90%	8.33%
Total	DOJ Forfeiture Fund	0	0	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
127 Drug Fund						
REVENUES						
33197	Federal/State Grants	10,000	6,789	0	0.00%	8.33%
33560	Seized/Awarded by State	35,000	0	0	0.00%	8.33%
35200	Drug Fines	20,000	610	769	3.85%	8.33%
35400	Sale of Confiscated Property	0	0	0	0.00%	8.33%
36990	Misc. Revenues	0	0	0	0.00%	8.33%
	Use of Fund Balance	42,500	0	331	0.00%	8.33%
	Total Revenues and Other Sources	107,500	7,399	1,100	1.18%	8.33%
EXPENDITURES						
42129	Drug Investigation and Control	107,500	900	1,100	1.02%	8.33%
	Total Expenditures	107,500	900	1,100	0.78%	8.33%
Total	Drug Investigation Fund	0	6,499	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
130 Economic Development Fund						
REVENUE						
31611	Inc. Sales Tax (BR)	7,419,475	0	0	0.00%	8.33%
33191	Direct App. - State	0	0	0	0.00%	8.33%
36100	Interest Earnings	0	0	0	0.00%	8.33%
	Transfer In	0	0	0	0.00%	8.33%
	Use of Fund Balance	0	0	0	0.00%	8.33%
	Total Revenues and Other Sources	7,419,475	0	0	0.00%	8.33%
EXPENDITURES						
	Economic Development	5,784,317	0	0	0.00%	8.33%
	Debt Payment	1,635,158	0	0	0.00%	8.33%
	Total Expenditures	7,419,475	0	0	0.00%	8.33%
Total	Economic Development Fund	0	0	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
131 Solid Waste Fund						
REVENUES						
33190	FEMA/TEMA 2021	0	0	0	0.00%	8.33%
34415	Delinquent Fees	0	0	0	0.00%	8.33%
34416	Sanitation Fees	1,759,880	360	0	0.00%	8.33%
34418	Extra Cans	1,600	240	60	3.75%	8.33%
34420	Dumpster Rentals	6,500	200	880	13.54%	8.33%
34422	Recycling - Transfer Station	4,000	304	431	10.78%	8.33%
34426	Sale Of Mulch	100	40	0	0.00%	8.33%
34430	Refuse Collection And Disposal	1,000	160	220	22.00%	8.33%
36330	Sale of Equipment	0	0	0	0.00%	8.33%
36350	Insurance Recoveries	0	0	9,500	0.00%	8.33%
36350	Operating Transfers - Gen. Fund	0	0	0	0.00%	8.33%
36932	Bond Proceeds	244,000	0	0	0.00%	8.33%
	Use of Fund Balance	167,175	110,329	0	0.00%	8.33%
	Total Revenues and Other Sources	2,184,255	111,633	11,091	0.55%	8.33%
EXPENDITURES						
43200	Solid Waste	2,184,255	111,633	49,046	90.70%	8.33%
	Total Expenditures	2,184,255	111,633	49,046	90.70%	8.33%
Total	Solid Waste Fund	0	0	128,938		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
212 Debt Service Fund						
REVENUES						
31920	Room Occupancy Tax	900,000	0	0	0.00%	8.33%
36100	Interest Earnings	135,000	11,801	23,152	17.15%	8.33%
37940	Transfer In	1,926,182	0	0	0.00%	8.33%
	Use of Fund Balance	0	0	17,667	0.00%	8.33%
	Total Revenues and Other Sources	2,961,182	11,801	40,819	0.78%	8.33%
EXPENDITURES						
49111	Camp Jordan - Phase Two - 2020	144,744	0	0	0.00%	8.33%
49114	Refunding Bond Issue - 2021	641,213	0	0	0.00%	8.33%
49300	Series 2022 Bond Issue	725,576	0	0	0.00%	8.33%
49310	2015 - Exit One/Capital Projects	209,750	0	0	0.00%	8.33%
49320	Capital Projects - Series 2024	602,275	0	0	0.00%	8.33%
49410	Public Safety Capital Outlay Note	90,800	0	0	0.00%	8.33%
49411	Public Safety Capital Outlay Note	0	0	0	0.00%	8.33%
49412	Public Safety - Lease Purchase	43,795	0	40,819	93.21%	8.33%
49413	Public Safety - Capital Outlay Note	105,874	0	0	0.00%	8.33%
49414	Public Safety - Lease Purchase	53,530	0	0	0.00%	8.33%
	Total Expenditures	2,617,557	0	40,819	1.56%	8.33%
Total	TML Loan Fund	569,982	11,801	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
341 Capital Improvement Fund						
REVENUES						
33113	LPRF 2024 - C. CENTER	632,500	0	0	0.00%	8.33%
33120	2015 Multi Modal	0	0	0	0.00%	8.33%
36100	Interest	300,000	38,397	19,963	6.65%	8.33%
36421	TN Am Water Grant	0	0	0	0.00%	8.33%
36915	Bond Proceeds	1,910,736	762,613	0	0.00%	8.33%
36990	Misc. Revenues	0	0	0	0.00%	8.33%
36992	Hamilton County	1,000,000	0	0	0.00%	8.33%
37940	Operating Transfers - Other Funds	500,000	0	0	0.00%	8.33%
	Use of Fund Balance	7,233,764	0	40,116	0.00%	8.33%
	Total Revenues and Other Source	11,577,000	801,010	60,079	0.46%	8.33%
EXPENDITURES						
41100	Administrative	12,000	225	939	7.82%	8.33%
41800	Bldg/Grounds Maint.	300,000	19,400	15,716	5.24%	8.33%
41900	City Hall Complex	0	0	0	0.00%	8.33%
41920	Multi Purpose Pavillion	4,000,000	1,298	42,508	1.06%	8.33%
43110	Multi Modal Project	0	274,630	0	0.00%	8.33%
43121	N. Mack Smith	4,250,000	0	917	0.02%	8.33%
43122	Resurfacing Projects	700,000	0	0	0.00%	8.33%
43126	Spring Creek Project	22,000	0	0	0.00%	8.33%
44410	Parks & Recreation	0	110,494	0	0.00%	8.33%
44421	Splash Pad/Playground	0	0	0	0.00%	8.33%
44423	Dog Park - Town Center	0	0	0	0.00%	8.33%
44424	Animal Shelter Building	0	0	0	0.00%	8.33%
44425	Dickert Pond Pier	0	1,350	0	0.00%	8.33%
44426	Fuel Tank-Public Safety	125,000	0	0	0.00%	8.33%
44430	C Center Upgrad	2,118,000	0	0	0.00%	8.33%
44450	McBrien Complex	0	0	0	0.00%	8.33%
46511	Community Development	50,000	0	0	0.00%	8.33%
47000	Economic Dev/Assist/Inc.	0	0	0	0.00%	8.33%
	Total Expenditures	11,577,000	407,396	60,079	0.52%	8.33%
Total	Capital Projects Fund	0	393,614	0		

FISCAL YEAR ENDING 06/30/2025		Year-To-Date by Amount			Variance	
Account	Description	BUDGET	FY 2025	FY 2026	YTD	Avg Yr %
410 ARPA Fund						
REVENUES						
37940	Transfer In	0	0	0	0.00%	8.33%
	Use of Fund Balance	471,507	12,293	0	0.00%	8.33%
	Total Revenues and Other Source	471,507	12,293	0	0.00%	8.33%
EXPENDITURES						
44424	Animal Shelter Facility	100,000	12,293	0	0.00%	8.33%
46490	Stormwater Projects - Ringgold Road	371,507	0	0	0.00%	8.33%
	Total Expenditures	471,507	12,293	0	0.00%	8.33%
Total	Capital Projects Fund	0	0	0		

ORDINANCE NO. 1233

AGENDA MEMORANDUM

October 9, 2025

Submitted by:

Diane Qualls

Diane Qualls, Finance Director

Per T.C.A 6-56-208 the budget can be amended during the year as one way to monitor the budget. I will need to amend the budget to reflect the following items:

- General Fund – Amended to reflect donations from East Ridge Seventh Day Adventist Church.
- General Fund – Added FEMA/TEMA Grant from 2020 that is finally being closed.
- Grant Fund – Amended to reflect new grants that have been received.
- Solid Waste Fund – Amended to reflect purchase of used truck to replace Truck #2.
- Capital Improvement Fund – Amended to reflect change order on North Mack Smith.

ORDINANCE NO. 1233

AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE FISCAL YEAR 2026 OPERATING BUDGET, ORDINANCE NO. 1226, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS

WHEREAS, Ordinance No. 1226 provided for the revenue for the City of East Ridge, Tennessee, for the fiscal year July 1, 2025, to June 30, 2026, and appropriated such revenue for the payment of expenses of the municipal government, and made certain other provisions with respect to the financial operation of the City of East Ridge; and

WHEREAS it is necessary and appropriate that said Ordinance No. 1226 be amended by changing the revenues and expenditures of various funds; and

WHEREAS T.C.A. §6-56-208 allows the governing body of a municipality to amend the annual budget ordinance in the same manner as any other ordinance may be amended; and

WHEREAS the Council finds that the proposed budget amendment is for legitimate municipal purposes and consistent with applicable law; and

WHEREAS, the Council has general authority to adopt an ordinance relative to the management and control of the finances of the municipality that is for the good of the government, protection of its citizens, and necessary and proper for carrying out the power granted to the Council pursuant to applicable law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE that pursuant to the Municipal Budget Law of 1982, as amended and codified at Tennessee Code Annotated §6-56-201 *et seq.*, Ordinance No. 1226 is and the same hereby shall be amended as follows:

General Fund	Budget	Amendment	Final
Revenue			
FEMA/TEMA 2020	0	10,679	10,679
Donation – Police Dept	0	1,500	1,500
Donation – Fire Dept	0	1,500	1,500
Total Budget (Amended)	27,827,365	13,679	27,841,044
Expenditures			
Police – Administration	2,615,465	1,500	2,616,965
Fire	3,626,762	1,500	3,628,262
Total Budget (Amended)	27,827,365	3,000	27,830,365

Grant Fund	Budget	Amendment	Final
Revenue			
Covid Grant – HCWWTA	0	3,039,749	3,039,749
THSO – High Visibility	0	10,000	10,000
Step ONE Health Dept.	0	1,000	1,000
Total Budget (Amended)	12,425	3,050,749	3,063,174
Expenditures			
Covid Grant – HCWWTA	0	3,039,749	3,039,749
THSO – High Visibility	0	10,000	10,000
Step ONE Health Dept	0	1,000	1,000
Total Budget (Amended)	12,425	3,050,749	3,063,174

Solid Waste Fund	Budget	Amendment	Final
Revenue			
Insurance Recoveries	0	9,500	9,500
Use of Fund Balance	71,472	29,150	100,622
Total Budget (Amended)	2,184,255	38,650	2,222,905
Expenditures			
Capital Outlay	233,485	38,650	275,135
Total Budget (Amended)	2,184,255	38,650	2,222,905

Capital Improvement Fund	Budget	Amendment	Final
Revenue			
Use of Fund Balance	7,233,764	156,215	7,389,979
Total Budget (Amended)	11,577,000	156,215	11,733,215
Expenditures			
North Mack Smith	4,250,000	156,215	4,406,215
Total Budget (Amended)	11,577,000	156,215	11,733,215

BE IT FURTHER ORDAINED, that to the extent required, a true and correct copy of this ordinance showing the approved budget amendments shall be filed with the applicable agency or entity as required by law.

BE IT FURTHER ORDAINED, that if any section, clause, provision, or portion of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision, or portion of this Ordinance.

BE IT FURTHER AND FINALLY ORDAINED, that this Ordinance takes effect immediately after its passage, the public welfare of the City requiring it.

Approved on First Reading _____, 2025.

Approved on Second Reading _____, 2025.

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

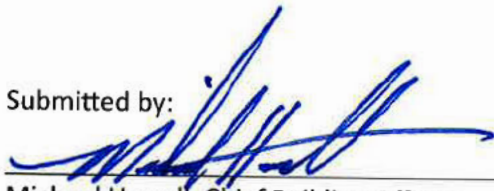
DISCUSSION ITEM

AGENDA MEMORANDUM

Mobile Food Truck

Date: October 9th, 2025

Submitted by:



Michael Howell, Chief Building Official

SUBJECT:

On September 25, 2025, the city council reviewed the proposed Mobile Food Truck ordinance and requested changes. Revision 1 of the Mobile Food Vending Ordinance aims to streamline and clarify existing regulations to enhance operational consistency, safety, and administrative efficiency.

Key updates include clarified operational requirements, such as designated hours of operation and a minimum distance of 500 feet from other food establishments or operating mobile food vehicles. Special event permits have also been revised to allow one- to three-day events, with a maximum of four such events permitted per calendar year. Additionally, canteen trucks are specifically addressed and are exempt from certain provisions under defined conditions. Overhead structures for seating are not permitted, and there is a restroom access requirement for operations exceeding three hours.

Overall, Revision 1 offers a clearer and more concise framework for mobile food vending operations while prioritizing public health, safety, and welfare, and supporting economic opportunities at the street level within the City of East Ridge.

ORDINANCE TO CREATE TITLE 9, CHAPTER 11 OF THE EAST RIDGE MUNICIPAL CODE ESTABLISHING REGULATIONS FOR OPERATING A MOBILE FOOD VENDING BUSINESS WITHIN THE CITY OF EAST RIDGE, TENNESSEE

October 9th, 2025 - CITY COUNCIL – REVISION 1

Section 1 – Purpose

It is the purpose of this Chapter to protect the public health, safety, and general welfare of individuals and the community at large, to establish uniform regulations for the operation of Mobile Food Vehicles, and to enhance street-level economic opportunities within the City.

Section 2 – Definitions

For the purpose of this chapter, unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most effective application. Words in the singular shall include the plural, and words in the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" connotes mandatory and not discretionary; the word "may" be permissive. The following definitions shall apply in the interpretation of this chapter, whether capitalized or not, and in any regulations promulgated hereunder, unless specifically stated otherwise

2.1 Canteen Truck means any vehicle that operates to provide food service to workers at locations where food is otherwise unavailable, from which Vendors sell food that requires no on-site preparation or assembly, other than the heating of pre-cooked foods.

2.2 Location-Specific Mobile Food Permit means a permit that has been approved and issued by the City of East Ridge to the owner of Private Property for the purpose of allowing a single (1) Mobile Food Vehicle to be staged on-site, overnight, regardless of duration. **Moved to Section 4**

2.3 Mobile Food Owner or Vendor means any person or entity selling food or drinks from a Mobile Food Vehicle, including, but not limited to, an enclosed unit, truck, or trailer. **is allowed to operate in an overlay district. Private property events are exempt when a two (2) day permit is required. Moved to Section 3**

2.4 Mobile Food Vehicle means an enclosed unit, truck, or trailer that is roadworthy, has a valid motor vehicle title and registration, and has a license that is properly displayed and from which food is prepared, cooked, assembled, or stored with the intent of selling such food to the public.

2.5 Mobile Food Vehicle in Operation means a Mobile Food Vehicle that, when arriving at an approved Private Property or Site, is either preparing to open for business, open for business, or in the process of preparing to leave a Site, and shall return to an approved City of East Ridge permitted location.

2.6 Mobile Food Vending Permit means any permit granted by the City of East Ridge for the operation of a Mobile Food Vehicle (enclosed unit, truck, or trailer) on Private and Public Property.

2.7 Private Property means real property owned by an individual or individuals having exclusive rights to it and which is not owned by a public entity.

2.8 Public Property means real property owned by the City of East Ridge or Hamilton County, including Public ~~and private right-of-way/streets designed for motor vehicles.~~ **Removed**

2.9 Special Events refer to any public gathering, including but not limited to a block party, local festival, parade, celebration, concert, carnival, fair, exhibits, trade shows, grand opening, or similar activities, held on Public or Private Property within the City of East Ridge, Tennessee, ~~for a duration of no more than two (2) days. Special events may last no more than two (2) consecutive days, except on weekends, when up to three (3) consecutive days are permitted.~~ **Moved to Section 3**

2.10 Special Event Permit means any permit approved by the City of East Ridge authorizing the holding of a Special Event as defined herein.

2.11 Unimproved Property means any property that does not have ingress and egress through a driveway of approved material and does not contain a building that may be occupied pursuant to applicable building codes.

2.12 Overlay District means an additional layer of standards applied to all areas within a defined overlay boundary, regardless of the underlying base zoning district.

Section 3 – Mobile Food Vending – When Allowed

3.1 – It shall be a violation to engage in Mobile Food Vending in the City of East Ridge, whether on Public or Private Property, unless authorized by the City through:

- a) The issuance of a Mobile Food Vending Permit; and
- b) Having obtained all necessary business licenses and any applicable permits, licenses, or certifications from the State of Tennessee, Hamilton County, and the Tennessee Department of Health;

c) The operation of a Mobile Food Vehicle is allowed within an approved Overlay District, as shown in Exhibit 1, and in Commercial, Office, and Manufacturing Districts as described in the City of East Ridge Zoning Ordinance, with written permission from the Property Owner;

d) Operation as part of a private event/party hosted by a Homeowner's Association or similar neighborhood group within a residential neighborhood or subdivision, or as part of a private party at a single residence. Service is limited to the guests of the event only. Mobile Food Vending is not permitted to operate or set up on City Streets.

e) Food prepared, served, or sold from a Mobile Food Vehicle as designed for Mobile Food Vending.

f) Mobile Food Vehicles operating on *public property* are exempt from the Mobile Food Vending Permit process, provided no additional sales occur outside the permitted event. Health and fire compliance is still required. **NEW**

g) Special Event Permits are valid for one (1) to two (2) days. On weekends, permits may be extended to three (3) days. Four Special Events Permits are allowed per calendar year. **NEW- NUMBER OF SPECIAL EVENT PERMITS TBD BY THE CITY COUNCIL**

Section 4 – Permanent Operation by Property Owner

4.1 – A Property Owner may permanently allow a Mobile Food Vehicle on their own privately-owned parcel, provided the following conditions are met:

a) **Ownership and Permission:** A Mobile Food Vehicle may only be permanently staged on a Property with the express permission of the Property Owner. The Owner of the Mobile Food Vehicle must obtain and maintain the Property Owner's consent for such use. Additionally, the Vehicle must meet all definitions and requirements of a Mobile Food Vehicle as described in this Ordinance.

b) **Zoning Compliance:** The property must be located within the designated district zoned for **overlay**, office, commercial, or manufacturing uses, as defined in the City of East Ridge Zoning Ordinance. **ADDED OVERLAY**

c) **Permit Requirements:** A valid Location-Specific Mobile Food Permit must be obtained and renewed annually.

i. A valid Mobile Food Vending Permit must also be obtained for the vehicle.

ii. A valid Location-Specific Food Permit must be obtained and renewed annually.

iii. A site plan must be submitted and approved by the building official. **REMOVE REPETITION OF WORDING - ALREADY STATED IN SECTION 5**

d) **Vehicle Staging and Overnight Storage:** The Mobile Food Vehicle may remain permanently parked (overnight and during off-hours) on-site, provided it is on an approved paved surface and does not obstruct required fire lanes, emergency access, or parking for other uses on the Property.

e) **Accessory Items:** Tables, chairs, trash receptacles, signage, or other accessory items may remain in place when a Mobile Food Vehicle is not in operation, which includes allowing these items to remain in place for up to twenty-four (24) hours when the Mobile Food Vehicle temporarily leaves the Property. The Fire Marshal reserves the right to require removal if deemed unsafe or unsightly. Mobile Food Vendors may not install overhead structures for customer seating. **NEW**

f) **Utilities:** Mobile Food Vehicles under this Section may not be permanently connected to water, sewer, gas, or electricity.

g) **Health and Safety Compliance:** The Mobile Food Vehicle must maintain a current health permit from the Tennessee Department of Health and pass the annual fire inspection by the East Ridge Fire Marshal.

h) **Multiple Vehicles:** Only one (1) Mobile Food Vehicle may be permanently staged on the Property at any time under this provision.

i) **Revocation Clause:** The City reserves the right to revoke the Location-Specific Permit if the Mobile Food Vehicle becomes a nuisance, causes traffic or safety concerns, or violates any of the conditions of this Ordinance.

Section 5 – Permitting Requirements

5.1 - Mobile food vending permit. Prior to operating a mobile food vehicle as defined in this chapter, operators shall obtain a mobile food vending permit from the City of East Ridge through the Code Enforcement Department, which shall operate as the permit administrator department.

A mobile food vending permit shall only be granted after a mobile food vending permit application has been approved by the City of East Ridge Building Official or their designee. The permitting process shall be required for each individual mobile food vehicle that is to operate within the City of East Ridge. Mobile food vending permits are non-transferable. A mobile food vending permit must be attached to the mobile unit and be within view.

Operating a mobile food truck within the City of East Ridge will require proof of a business license from the county or state. If a food truck or other mobile vendor makes Tennessee sales at different temporary locations in Tennessee, the vendor should register its primary business location for sales and use tax purposes. The primary business location may be the vendor's residence or central kitchen. The vendor should collect Tennessee sales tax at the state and local rate applicable to its business location and report all sales, including sales made from temporary locations, on the sales tax return for its business location. **BROKEN INTO PARAGRAPHS FOR EASIER READ**

5.2 – Permit Application Requirements: The vendor shall submit a mobile food vending permit application as approved in form by the city attorney. Applicants for a mobile food vending permit under this chapter must file with the Building and Codes Department a written application. The application must include:

- a) Name of Applicant/Vendor;
- b) Valid government-issued ID for the Business Owner or Vehicle Owner;
- c) Complete home and business addresses;
- d) Brief description of the business and goods to be sold;
- e) Location and duration for staging on Private Property with a valid Location-Specific Permit;
- f) Site Plan must show Vehicle location, relationship to structures, proposed parking, and other pertinent details.
- g) Vehicle registration number, make, model, description, and color photographs (front, both sides, rear).

Section 6 – Clearance to Structures

6.1 – Clearance to structures. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of combustible construction. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of non-combustible construction. The mobile food truck must be placed behind the front building line. If site constraints exist, at the discretion of the city manager. **SECTION 6 NOW INCLUDES CLEARANCE TO STRUCTURES AND GENERAL REQUIREMENTS**

Section 6 – Operational Requirements

6.1 – Operational Requirements:

a) General Requirements:

- Operation only in approved Commercial, Manufacturing, Office, and Overlay Districts with written Property Owner permission.
- Trash receptacles and private waste disposal are required and shall be provided by the vendor.
- No amplified music, PA systems, or LED lighting.
- No obstruction to business access or emergency paths.
- No permanent utility connections.
- Signage permitted on Vehicles.
- Alcohol sales prohibited.
- Must maintain a minimum of five hundred (500) feet from existing eating establishments and other operating Mobile Food Vehicles. NEW SECTION – TBD BY THE CITY COUNCIL

b) Pedestrian Access:

- Maintain a minimum six-foot (6') clear path on sidewalks.
- Maintain six-foot eight-inch (6'8") clearance under awnings/canopies.

c) Hours of Operation:

- 8:00 a.m.–11:00 p.m. Friday & Saturday; 8:00 a.m.–10:00 p.m. Sunday–Thursday. NEW HOURS TBD BY THE CITY COUNCIL

d) Private Property:

- Written Property Owner permission required.
- Operation prohibited on Unimproved Properties.
- Must be set back at least ten (10) feet from Public Rights-of-Way.
- Canteen Trucks require a Mobile Food Vending Permit. REQUIRES A PERMIT

e) Public Property:

- Compliance with General Requirements is required.

- Special Event Permit not required; inspection required.

f) Restroom Access:

- For operations greater than three (3) hours, written Property Owner permission is required for employees to access a flushable restroom within four hundred fifty (450) feet. **NEW SECTION - TBD- BY THE CITY COUNCIL**

Clearance of Structures:

- Clearance: Minimum of twenty (20) feet between any portion of a Mobile Food Vehicle and any structure (combustible or non-combustible). Vehicle must be placed behind the front building line unless site constraints exist; in that case, placement is at the Fire Marshal's discretion. **SHORTENED - ADDED SITE CONSTRAINTS**

ADDED BULLET POINTS FOR EASIER READ

Section 7 - Public Safety Compliance **DELETED-AND COMBINED SECTIONS 6 &4**

~~7.1 – Mobile food vendors staged on property that has a valid location-specific mobile food permit acknowledge and agree that the city has the right to require the movement of their mobile food vending vehicle/trailer and any other associated structure/furnishings should the city determine that its presence is a threat to public safety.~~ **SECTION 6**

~~7.2 – All temporary signs, tables, chairs, steps, decks, and other accessory items associated with mobile food vehicles staged on property that has a valid location-specific mobile food permit may remain in place when a mobile food vehicle is not "in operation" which includes allowing these accessory items to remain in place for up to 24 hours when the mobile food vehicle temporarily leaves the property.~~ **DESCRIBED IN SECTION 4**

Section 7 – Compliance with Fire, Public Safety & Health Regulations

COMBINED SECTION 10 and 11

7.1 – Vendors must comply with the International Fire Code as adopted by the City of East Ridge and any additional rules or regulations adopted by the Fire Department. Vehicles are subject to inspection by the Fire Marshal prior to permit issuance.

7.2 - The City may require relocation of Mobile Food Vehicles or associated structures if deemed a threat to public safety.

7.3 - Valid health inspection certifications from the State of Tennessee suffice for operation within the City of East Ridge. **ADD TO SECTION 7 FROM SECTION 10**

Section 8 – Insurance

8.1 – Operators of mobile food units that operate on public property and private property shall provide with their application and annual renewal application proof of an insurance policy, issued by an insurance company licensed to do business in the state, with the city as a named insured, protecting the operator and the city from all claims or suits for damages to property or bodily injury, including death, which may arise from operations under or in connection with the permit.

Minimum liability limits for such insurance policy shall be not less than the minimum limits specified by Tennessee Code Annotated Section 29-20-403.

Such insurance shall show paid-up premiums for a minimum of one (1) year and shall provide that the policy will not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the mayor or his designee.

Operators on Public Property must provide proof of insurance listing the City as a named insured. Coverage must meet Tennessee Code Annotated §29-20-403, with premiums paid for a minimum of one (1) year, and provide thirty (30) days' advance notice to the city manager or designee before cancellation. **INTO PARAGRAPHS FOR EASIER READ**

Section 9 - Mechanism for Complaints—Suspension or Revocation

THIS SECTION WAS ONCE OPERATION ON PUBLIC PROPERTY - HAS NOW BEEN REMOVED

9.1 - Should the City of East Ridge observe a mobile food vendor in violation of this chapter, code enforcement, or their designee, may seek resolution through this chapter, including without limitation the issuance of a notice of violation to parties involved in the operation of the mobile food vending unit, including, but not limited to the operator or owner of the unit, as well as the property owner where the violation occurred.

9.2 - Citation. Each of the following circumstances constitute a violation of this article, for which a citation may be issued by a codes enforcement officer or police officer of the City.

9.3 - Operation of a mobile food service vehicle without a current, valid permit, provided further that each day and each separate location at which a mobile food service vehicle is operated without a current, valid permit shall be considered a separate violation.

9.4 - Continuation of temporary mobile food service vehicle operations beyond the time period authorized by staff.

9.5 - Failure to comply with any other provision of this chapter.

9.6 - Responsibility for Violations. The City code enforcement officers and police officers may, at their discretion in consideration of the situation, cite any of the individuals or entities listed below for any violation of the provisions of this chapter.

- a) The operator of a mobile food service vehicle.
- b) An employee working in or out of a mobile food service vehicle.
- c) The owner of the property on which a mobile food service vehicle is located.

9.7 - Suspension of Permit. A mobile food vendor permit shall be suspended by the permit administrator if:

- a) The applicant for the permit knowingly provided false information on the application.
- b) Two violations of this chapter have occurred within a six month period in conjunction with the mobile food service vehicle for which the permit has been issued.
- c) The operator of a mobile food service vehicle fails to maintain a current, valid, vehicle registration, health department permit, business license, or proof of required motor vehicle insurance coverage.

9.8 - Revocation of Permit. A mobile food vendor permit shall be revoked by the permit administrator:

- a) If three violations of this chapter have occurred within any 12-month period.
- b) A mobile food service vehicle is operated in an unlawful manner so as to constitute a breach of the peace or otherwise threaten the health, safety or general welfare of the public.

9.9 - Reinstatement:

- a) An operator may reinstate a suspended mobile food vendor permit by taking such

actions as may be necessary to correct a mobile food service vehicle's noncompliance and paying a reinstatement fee of \$200 to offset the City's cost of enforcement measures, inspections, and compliance verifications.

b. An operator whose mobile food vendor permit has been revoked may apply for a new permit after 12 months from the date of revocation, provided the operator has taken such actions as may be necessary to correct a mobile food service vehicle's noncompliance. The operator shall pay a permit reinstatement fee of \$200 to offset the City's cost of enforcement measures, inspections and compliance verifications.

c. No permit will be issued to any person who intends to operate the same mobile food service vehicles for which the operator's permit is currently suspected or has been revoked within the preceding 12 months.

9.10 - Notice. Notice of the suspension or revocation of a mobile food vendor permit shall be issued to the operator in writing by the permit administrator to the address of contact contained on the permit application.

9.11 - Administrative Hearing Officer. Notwithstanding anything to the contrary herein, any violation of this chapter may, in addition to other ramifications permitted in this chapter, be cited and referred to the City's administrative hearing officer for adjudication of penalties and fines as set forth in T.C.A. § 6-54-1001 et seq. who shall have authority to levy penalties and fines in accordance with T.C.A. § 1009, as amended.

Section 10– Appeals

10.1- Filing. The denial, suspension, or revocation of a mobile food vendor permit by the City administrator may be appealed by filing a written notice of appeal, establishing the grounds for the appeal, with the East Ridge City Manager for City Council review. The notice of appeal shall be filed no later than ten business days following receipt of the notice of denial, suspension or revocation.

10.2 - City Council Review. When an appeal is filed with the East Ridge City Manager for City Council review as set forth herein, the City Council may request such additional information from the operator and the permit administrator as may be deemed necessary. At the City Council's discretion, the appeal may be decided based on the written information and documentation submitted, or a hearing may be scheduled with the operator and the permit administrator. The appeal shall be placed on the agenda within thirty days of filing and shall be heard at a regularly scheduled City Council meeting. The City Council's decision on the appeal shall be issued in writing, based on a written summation or revocation of the permit, and shall be final. The City Council may reverse the denial, suspension, or revocation of a permit or may reduce the waiting

period requirement for reinstatement of a revoked permit if it is determined that the operator has taken reasonable steps to mitigate the violations leading to the revocation and to prevent future violations.

10.3 - Refunds. There shall be no refund of an application fee for a mobile food vendor permit that has been denied. There shall be no refund of a reinstatement fee for a suspended or revoked permit unless the City Council determines on appeal that the permit administrator acted in error in suspending or revoking the permit.

Section 11 - Fees

11.1- Mobile Food Vehicle - \$200/vehicle, per Calendar year

11.2 - Application/permit fee (fee to be updated annually based on administration cost)

11.3 - Location Specific mobile food permit - \$200.00/property, per year

11.4 - Fire Marshal inspection fee \$50.00

11.5 -Two or three-day special event permit \$50.00 or \$25.00 per day.

11.6- Violations – Maximum \$50.00 per day per offense

11.7 -Business license -Contact the City of East Ridge at 423-867-7711

11.8 -Fire Inspection – Fire Marshal Bryan Dean at 423-867-7100 / bdean@eastridgetn.gov

AN ORDINANCE TO CREATE TITLE 9, CHAPTER 11 OF THE EAST RIDGE MUNICIPAL CODE ESTABLISHING REGULATIONS FOR OPERATING A MOBILE FOOD VENDING BUSINESS WITHIN THE CITY OF EAST RIDGE, TENNESSEE

Section 1 - Purpose.

It is the purpose of this chapter to protect the public health, safety, and general welfare of individuals and the community at large, to establish uniform regulations for the operation of mobile food vehicles, and to enhance street-level economic opportunities within the city.

Section 2.- Definitions.

For the purpose of this chapter, unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most effective application. Words in the singular shall include the plural, and words in the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" connotes mandatory and not discretionary; the word "may" be permissive. The following definitions shall apply in the interpretation of this chapter, whether capitalized or not, and in any regulations promulgated hereunder, unless specifically stated otherwise.

2.1 - Canteen truck means any vehicle that operates to provide food service to workers at locations where food is otherwise unavailable, from which vendors sell food that requires no on-site preparation or assembly, other than the heating of pre-cooked foods.

2.2 - Location-specific mobile food permit means a permit that has been approved and issued by the City of East Ridge to the owner of private property for the purpose of allowing a single (one) mobile food vehicle to be staged, on-site, overnight, regardless of duration.

2.3 - Mobile food owner or vendor means any person or entity selling food or drinks from a mobile vehicle, including, but not limited to, an enclosed unit, truck, or trailer is allowed to operate in an overlay district. Private property events are exempt when a two (2) day permit is required.

2.4 - Mobile food vehicle means an enclosed unit, truck, or trailer that is roadworthy, has a valid motor vehicle title and registration, and has a license that is properly displayed and from which food is prepared, cooked, assembled, or stored with the intent of selling such food to the public.

2.5 - Mobile food vehicle in operation means a mobile food vehicle that when arriving to an approved private property or site is either preparing to open for business, open for business, or in the process of preparing to leave a site, and shall return to an approved, state-inspected commissary or other City of East Ridge permitted location.

2.6 - Mobile food vending permit means any permit granted by the City of East Ridge for the operation of a mobile food vehicle (enclosed unit, truck, or trailer) on private and public property.

2.7- Private property means real property owned by an individual or individuals having exclusive rights to it, and which is not owned by a public entity.

2.8 - Public property means real property owned by the City of East Ridge or Hamilton County, including public and private right-of-way/streets designed for motor vehicles.

2.9 - Special events refer to any public gathering, such as a block party, local festival, parade, celebration, concert, carnival, fair, exhibits, trade shows, or similar activities, held on public or private property within the City of East Ridge, Tennessee, for a duration of no more than two (2) days. A special event permit is required for all events lasting two (2) days.

2.10 - Special event permit means any permit approved by the City of East Ridge authorizing the holding of a special event as defined here within.

2.11 - Unimproved property means any property that does not have ingress and egress through a driveway of approved material and does not contain a building that may be occupied pursuant to applicable building codes.

2.12 - Overlay district means an additional layer of standards to all areas within a defined overlay boundary, regardless of the underlying base zoning district.

Section 3- Mobile food vending—When allowed.

3.1 - It shall be a violation to engage in mobile food vending in the City of East Ridge, whether on public or private property, unless authorized by the City of East Ridge through:

- a) The issuance of a mobile food vending permit; and
- b) Having obtained all necessary business licenses and any applicable permits, licenses, or certifications from the State of Tennessee, Hamilton County, and the Tennessee Health Department.
- c) The operation of a mobile food vehicle is allowed within an approved overlay district as shown in Exhibit 1 (page 12) and is only permitted on property within office, commercial, and Manufacturing zoning districts as described in the City of East Ridge Zoning Ordinance with written permission from the property owner.
- d) Operation as part of a private event/parties hosted by a homeowner's association or similar neighborhood group within a residential neighborhood or subdivision, or as part of a private party at a single residence. Service is limited to the guests of the event only. Mobile food vending is not permitted to operate/set up on city streets.
- e) Food prepared, served, or sold from a mobile food vehicle as designed for mobile food vending.

Section 4 - Permanent Operation by Property Owner.

4.1 - A property owner may permanently operate a mobile food vehicle on their own privately-owned parcel, provided the following conditions are met:

- a) **Ownership and Permission:** A mobile food vehicle may only be permanently staged on a property with the express permission of the property owner. The owner of the mobile food vehicle must obtain and maintain the property owner's consent for such use. Additionally, the vehicle must meet all definitions and requirements of a "mobile food vehicle" as described in this ordinance.
- b) **Zoning Compliance:** The property must be located within the designated district zoned for office, commercial, or manufacturing uses, as defined in the City of East Ridge Zoning Ordinance.

- c) Permit Requirements: A valid Location-Specific Mobile Food Permit must be obtained and renewed annually.
 - i. A valid Mobile Food Vending Permit must also be obtained for the vehicle.
 - ii. A valid Location- Specific Food Permit must be obtained and renewed annually.
 - iii. A site plan shall be submitted showing the layout of the mobile food vehicle, ingress/egress, customer area (if applicable), and compliance with spacing requirements. The site plan must be submitted and approved by the building official.
 - d) Vehicle Staging and Overnight Storage: The food truck may remain permanently parked (overnight and during off-hours) on-site, provided it is on an approved paved surface and does not obstruct required fire lanes, emergency access, or parking for other uses on the property.
 - e) Accessory Items: Tables, chairs, trash receptacles, signage, or other accessory items must be removed during non-operating hours, subject to compliance with all general site requirements and fire safety codes. The Fire Marshal reserves the right to require removal if deemed unsafe or unsightly.
 - f) Utilities: Mobile food vehicles under this section may not be permanently connected to water, sewer, gas or electricity.
 - g) Health and Safety Compliance: The food truck must maintain a current health permit from the Tennessee Department of Health and pass the annual fire inspection by the East Ridge Fire Marshal.
 - h) Multiple Vehicles: Only one (1) mobile food vehicle may be permanently staged on the property at any time under this provision.
 - i) Revocation Clause: The City reserves the right to revoke the location-specific permit if the food truck becomes a nuisance, causes traffic or safety concerns, or violates any of the conditions of this ordinance.
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Section 5 - Permitting requirements.

5.1 - Mobile food vending permit. Prior to operating a mobile food vehicle as defined in this chapter, operators shall obtain a mobile food vending permit from the City of East Ridge through the Code Enforcement Department which shall operate as the permit administrator department. A mobile food vending permit shall only be granted after a mobile food vending permit application has been approved by the City of East Ridge Building Official or their designee. The permitting process shall be required for each individual mobile food vehicle that is to operate within the City of East Ridge. Mobile food vending permits are non-transferable. A mobile food vending permit must be attached to the mobile unit and be within view. Operating a mobile food truck within the City of East Ridge will require proof of a business license from the county or state. If a food truck

or other mobile vendor makes Tennessee sales at different temporary locations in Tennessee, the vendor should register its primary business location for sales and use tax purposes. The primary business location may be the vendor's residence or central kitchen. The vendor should collect Tennessee sales tax at the state and local rate applicable to its business location and report all sales, including sales made from temporary locations, on the sales tax return for its business location.

5.2 - Mobile food vehicles operating solely within the City of East Ridge, permitted special events are exempt from the mobile food vehicle permitting process, provided no additional sales are planned outside of the regularly scheduled, permitted special event.

5.3 - The vendor shall submit a mobile food vending permit application as approved in form by the city attorney. Applicants for a mobile food vending permit under this chapter must file with the Building and Codes Department a written application containing the following:

- a) Name of applicant/vendor.
- b) ii. A valid government-issued ID for the business owner or the owner of the mobile food vehicle.
- c) Complete permanent home address and business address of the applicant.
- d) A brief description of the nature of the business and the goods to be sold.
- e) As applicable, the location and length of time for which the mobile food vehicle will be staged on a privately-owned property that has a valid location-specific mobile food permit.
- f) The vehicle registration number, make, model, and description for any vehicle to be used, including dimensions and color photographs (front, both sides, rear) of the mobile food unit or vehicle.

5.4 - Location-specific mobile food permit applications.

5.5 - Site plan. A site plan for the proposed location shall be submitted to the City of East Ridge Building and Codes Department by the property owner or their agent. The site plan shall show the location of the mobile food vehicle, its relationship to other structures, proposed parking to serve the location, and any other pertinent details.

5.6 - Inspection and permit from the fire marshal. Mobile food vehicles shall be subject to an inspection by the City of East Ridge Fire Marshal or their designee.

5.7 - Clearance to structures. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of combustible construction. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of non-combustible construction. The mobile food truck must be placed behind the front building line. If site constraints exist, at the discretion of the city manager.

Section 6 - Clearance to Structures

6.1 - Clearance to structures. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of combustible construction. There shall be a clearance of no less than 20 feet between any portion of a mobile food vehicle and any structure built of non-combustible construction. The mobile food truck must be placed behind the front building line. If site constraints exist, at the discretion of the city manager.

Section 7 - Public Safety Compliance

7.1 - Mobile food vendors staged on property that has a valid location-specific mobile food permit acknowledge and agree that the city has the right to require the movement of their mobile food vending vehicle/trailer and any other associated structure/furnishings should the city determine that its presence is a threat to public safety.

7.2 - All temporary signs, tables, chairs, steps, decks, and other accessory items associated with mobile food vehicles staged on property that has a valid location-specific mobile food permit may remain in place when a mobile food vehicle is not "in operation" which includes allowing these accessory items to remain in place for up to 24 hours when the mobile food vehicle temporarily leaves the property.

Section 8 - Operational Requirements

8.1 - General requirements. The following operational requirements shall apply to all mobile food vendors and location-specific mobile food permit holders:

- a) Mobile food vehicles may operate within the designated approved overlay district and are only permitted on properties within the on properties within office, commercial, and manufacturing zoning districts as described in the City of East Ridge Zoning Ordinance, with written permission from the property owner or their agent.
- b) Trash receptacle(s) and private waste disposal services shall be provided by the operator.
- c) Except for mobile food vehicles staged on property that has a valid location-specific mobile food permit, tables, chairs, umbrellas, trash cans, steps, decks, and other accessory items shall be removed and stored out of sight when not open for business.
- d) No amplified music, PA system or LED lighting.

- e) Business access. No mobile food vehicle shall operate in a location or manner that impedes access to or from another business, or otherwise may interfere with access to emergency areas, paths, or facilities.
 - f) Utility connections. Permanent connections to water, sanitary sewer, gas, or electrical service are prohibited.
 - g) Pedestrian access.
 - h) Hours of operation: 8:00 am – 11:00 pm.
 - i) Mobile food vehicles shall not reduce the clear pedestrian path of travel on public or private sidewalks or multi-use paths to less than four feet.
 - j) Mobile food vehicles shall provide no less than six feet, eight inches of clearance under awnings and canopies.
 - k) Operation on private property. Any mobile food vehicle operating on private property under a mobile food vending permit shall be subject to the following operational requirements:
 - l) Compliance with all general requirements listed above.
 - m) Mobile Food vendors must obtain written permission from the owner or their agent of private property on which the mobile food vehicle will operate.
 - n) Mobile food vehicles may not operate on unimproved properties unless a paved driveway entrance leading to the street right-of-way and, a gravel or asphalt/concrete paved surface that meets the requirements of the city development regulations, sufficient in size to allow for the parking of the mobile food vehicle(s) and other motor vehicles on the property.
 - o) Mobile food vehicles operating on private property shall not be parked within ten feet of a public right-of-way.
 - p) The sale of alcohol or alcoholic mixed beverages shall be prohibited.
 - q) Signage is allowed on food trucks and vehicles.
 - r) Moving of mobile food vehicles when not open for business.
 - s) When not staged on a privately-owned parcel that has a valid location-specific mobile food permit, mobile food vehicles shall be "in operation" as defined means a mobile food vehicle that when arriving at an approved private property or site is either preparing to open for business, open for business, or in the process of preparing to leave a site, and shall return to an approved, state-inspected commissary or the other City of East Ridge permitted location.
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Section 9 - Operation on Public Property

9.1 - Operation on public property.

9.2 - Compliance with all general requirements listed above.

9.3 - Mobile food vendors operating on public property must obtain a special event permit from the City of East Ridge. This permit is valid for one (1) or two (2) days. Special event permits issued by the City of East Ridge are effective for a maximum of two (2) days.

9.4) Canteen trucks are not regulated by this chapter, provided they:

- a) Are not stationary for more than ten minutes.
 - b) Not impeding the flow of traffic.
 - c) And in the case of canteen trucks, they operate within active construction sites.
-

Section 10 - Compliance with Health Regulations

10.1 - Valid health inspection certifications acquired in accordance with the State of Tennessee shall serve as certification of inspection for operation in the City of East Ridge.

Section 11- Compliance with Fire and Public Safety Regulations

11.1 – Any mobile food vendor operating a mobile food vehicle in the City of East Ridge shall comply with requirements of the International Fire Code as adopted by the City of East Ridge, any other regulatory fire code as adopted by the City of East Ridge, and any additional rules and regulations adopted by the City of East Ridge Fire Department for the operation of mobile food vehicles. Prior to the issuance of a mobile food vending permit, mobile food vehicles shall be subject to inspection by the City of East Ridge Fire Marshal.

Section 12 – Insurance

12.1 - Operators of mobile food units that operate on public property or right-of-way shall provide with their application and annual renewal application proof of an insurance policy, issued by an insurance company licensed to do business in the state, with the city as a named insured, protecting the operator and the city from all claims or suits for damages to property or bodily injury, including death, which may arise from operations under or in connection with the permit. Minimum liability limits for such insurance policy shall be not less than the minimum limits specified by Tennessee Code Annotated Section 29-20-403. Such insurance shall show paid-up

premiums for a minimum of one (1) year and shall provide that the policy will not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the mayor or his designee.

Section 13 - Mechanism for Complaints—Suspension or Revocation

13.1 - Should the City of East Ridge observe a mobile food vendor in violation of this chapter, code enforcement, or their designee, may seek resolution through this chapter, including without limitation the issuance of a notice of violation to parties involved in the operation of the mobile food vending unit, including, but not limited to the operator or owner of the unit, as well as the property owner where the violation occurred.

13.2 - Citation. Each of the following circumstances constitute a violation of this article, for which a citation may be issued by a codes enforcement officer or police officer of the City.

13.3 - Operation of a mobile food service vehicle without a current, valid permit, provided further that each day and each separate location at which a mobile food service vehicle is operated without a current, valid permit shall be considered a separate violation.

13.4 - Continuation of temporary mobile food service vehicle operations beyond the time period authorized by staff.

13.5 - Failure to comply with any other provision of this chapter.

13.6 - Responsibility for Violations. The City code enforcement officers and police officers may, at their discretion in consideration of the situation, cite any of the individuals or entities listed below for any violation of the provisions of this chapter.

- a) The operator of a mobile food service vehicle.
- b) An employee working in or out of a mobile food service vehicle.
- c) The owner of the property on which a mobile food service vehicle is located.

13.7 - Suspension of Permit. A mobile food vendor permit shall be suspended by the permit administrator if:

- a) The applicant for the permit knowingly provided false information on the application.
- b) Two violations of this chapter have occurred within a six month period in conjunction with the mobile food service vehicle for which the permit has been issued.

c) The operator of a mobile food service vehicle fails to maintain a current, valid, vehicle registration, health department permit, business license, or proof of required motor vehicle insurance coverage.

13.8 - Revocation of Permit. A mobile food vendor permit shall be revoked by the permit administrator:

- a) If three violations of this chapter have occurred within any 12-month period.
- b) A mobile food service vehicle is operated in an unlawful manner so as to constitute a breach of the peace or otherwise threaten the health, safety or general welfare of the public.

13.9 - Reinstatement:

- a) An operator may reinstate a suspended mobile food vendor permit by taking such actions as may be necessary to correct a mobile food service vehicle's noncompliance and paying a reinstatement fee of \$200 to offset the City's cost of enforcement measures, inspections, and compliance verifications.
- b. An operator whose mobile food vendor permit has been revoked may apply for a new permit after 12 months from the date of revocation, provided the operator has taken such actions as may be necessary to correct a mobile food service vehicle's noncompliance. The operator shall pay a permit reinstatement fee of \$200 to offset the City's cost of enforcement measures, inspections and compliance verifications.
- c. No permit will be issued to any person who intends to operate the same mobile food service vehicles for which the operator's permit is currently suspected or has been revoked within the preceding 12 months.

13.10 - Notice. Notice of the suspension or revocation of a mobile food vendor permit shall be issued to the operator in writing by the permit administrator to the address of contact contained on the permit application.

13.11 - Administrative Hearing Officer. Notwithstanding anything to the contrary herein, any violation of this chapter may, in addition to other ramifications permitted in this chapter, be cited and referred to the City's administrative hearing officer for adjudication of penalties and fines as set forth in T.C.A. § 6-54-1001 et seq. who shall have authority to levy penalties and fines in accordance with T.C.A. § 1009, as amended.

Section 14 – Appeals

14.1- Filing. The denial, suspension, or revocation of a mobile food vendor permit by the City administrator may be appealed by filing a written notice of appeal, establishing the grounds for the appeal, with the East Ridge City Manager for City Council review. The notice of appeal shall be filed no later than ten business days following receipt of the notice of denial, suspension or revocation.

14.2 - City Council Review. When an appeal is filed with the East Ridge City Manager for City Council review as set forth herein, the City Council may request such additional information from the operator and the permit administrator as may be deemed necessary. At the City Council's discretion, the appeal may be decided based on the written information and documentation submitted, or a hearing may be scheduled with the operator and the permit administrator. The appeal shall be placed on the agenda within thirty days of filing and shall be heard at a regularly scheduled City Council meeting. The City Council's decision on the appeal shall be issued in writing, based on a written summation or revocation of the permit, and shall be final. The City Council may reverse the denial, suspension, or revocation of a permit or may reduce the waiting period requirement for reinstatement of a revoked permit if it is determined that the operator has taken reasonable steps to mitigate the violations leading to the revocation and to prevent future violations.

14.3 - Refunds. There shall be no refund of an application fee for a mobile food vendor permit that has been denied. There shall be no refund of a reinstatement fee for a suspended or revoked permit unless the City Council determines on appeal that the permit administrator acted in error in suspending or revoking the permit.

Section 15 - Fees

15.1- Mobile Food Vehicle - \$200/vehicle, per Calendar year

15.2 - Application/permit fee (fee to be updated annually based on administration cost)

15.3 - Location Specific mobile food permit - \$200.00/property, per year

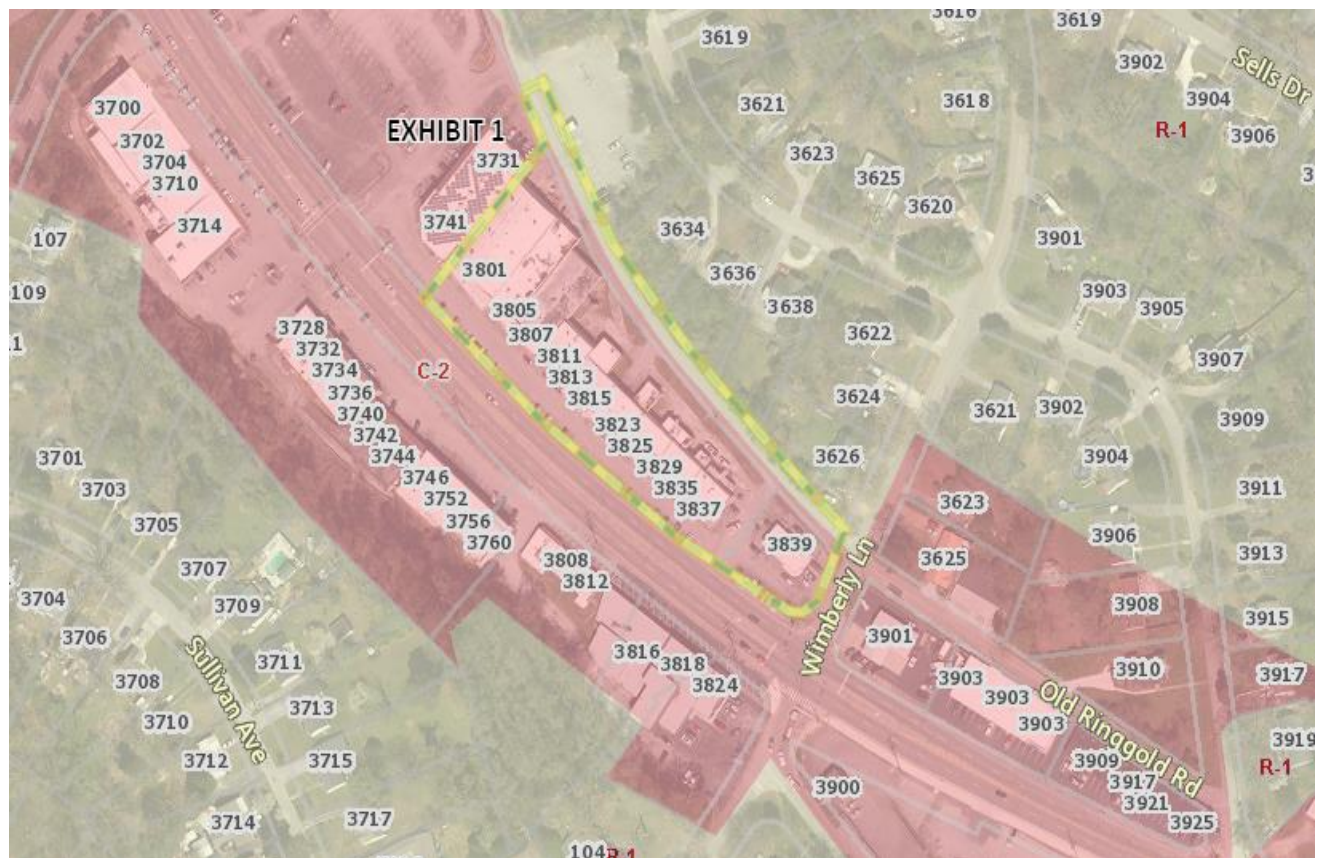
15.4 - Fire Marshal inspection fee \$50.00

15.5 -Two-day special event permit \$50.00 or \$25.00 per day.

15.6- Violations – Maximum \$50.00 per day per offense

15.7 -Business license -Contact the City of East Ridge at 423-867-7711

15.8 -Fire Inspection – Fire Marshal Bryan Dean at 423-867-7100 / bdean@eastridgetn.gov



3800 Block of Ringgold Road – Food trucks permitted.

Index – Title 9, Chapter 11 – Mobile Food Vending Ordinance

Section 1 – Purpose p. 1

Section 2 – Definitions p. 1-2

- 2.1 Canteen truck
- 2.2 Location-specific mobile food permit
- 2.3 Mobile food owner or vendor
- 2.4 Mobile food vehicle
- 2.5 Mobile food vehicle in operation
- 2.6 Mobile food vending permit
- 2.7 Private property
- 2.8 Public property
- 2.9 Special events
- 2.10 Special event permit
- 2.11 Unimproved property
- 2.12 Overlay district

Section 3 – Mobile Food Vending—When Allowed p. 3

- 3.1 Authorization requirements (permits, licenses, zoning, private events, food handling)

Section 4 – Permanent Operation by Property Owner p. 3-4

- 4.1 Ownership and permission
- 4.2 Zoning compliance
- 4.3 Permit requirements
- 4.4 Vehicle staging and overnight storage
- 4.5 Accessory items
- 4.6 Utilities
- 4.7 Health and safety compliance
- 4.8 Multiple vehicles
- 4.9 Revocation clause

Section 5 – Permitting Requirements p. 4-5

- 5.1 Mobile food vending permit
- 5.2 Exemption for permitted special events
- 5.3 Application requirements
- 5.4 Location-specific permit applications
- 5.5 Site plan requirements
- 5.6 Fire marshal inspection
- 5.7 Clearance to structures

Section 6 – Clearance to Structures p. 5-6

Section 7 – Public Safety Compliance p. 6

7.1 City authority to require movement

7.2 Accessory items

Section 8 – Operational Requirements p. 6-7

8.1 General requirements (districts, trash, accessory items, noise, lighting, signage)

8.2 Business access

8.3 Utility connections

8.4 Pedestrian access

8.5 Hours of operation

8.6 Private property operations

8.7 Alcohol prohibition

8.8 Signage

8.9 Removal/movement of vehicles when not in operation

Section 9 – Operation on Public Property p. 7-8

9.1 General requirements

9.2 Special event permits

9.3 Canteen trucks

Section 10 – Compliance with Health Regulations p. 8

Section 11 – Compliance with Fire and Public Safety p. 8

Section 12 – Insurance p. 8

Section 13 – Complaints, Suspension, Revocation p. 9-10

13.1 Observed violations

13.2 Citation

13.3 Operation without valid permit

13.4 Continuation of unauthorized operations

13.5 General violations

13.6 Responsibility for violations

13.7 Suspension of permit

13.8 Revocation of permit

13.9 Reinstatement

13.10 Notice

13.11 Administrative hearing officer

Section 14 – Appeals p. 10-11

14.1 Filing

14.2 City Council review

14.3 Refunds

Section 15 – Fees p. 11

15.1 Mobile food vehicle fee

15.2 Application/permit fee

15.3 Location-specific permit fee

15.4 Fire marshal inspection fee

15.5 Special event permit fee

15.6 Violation fines

15.7 Business license requirement

15.8 Fire inspection contact

ORDINANCE NO. 1234

AGENDA MEMORANDUM

Flood Ordinance

Date: September 11th, 2025

Submitted by:

A handwritten signature in blue ink, appearing to read 'Michael Howell', is written over a horizontal line.

Michael Howell, Chief Building Official

SUBJECT:

FEMA has recently completed a comprehensive update of the Flood Insurance Rate Maps (FIRMs) for the City of East Ridge as part of a nationwide effort to update flood maps. The City is required to adopt the updated FIRMs before the effective date of November 28, 2025, to remain in good standing with the National Flood Insurance Program (NFIP).

There is no direct fiscal impact to the city associated with the adoption of the new maps. However, failure to adopt the FIRMs by the required deadline would result in suspension from the NFIP, making flood insurance unavailable to property owners and jeopardizing eligibility for federal disaster recovery funding.

ORDINANCE NO. 1234

MUNICIPAL FLOODPLAIN ZONING ORDINANCE

AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF EAST RIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF EAST RIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of East Ridge, Tennessee, Mayor and the City Council do ordain as follows:

Section B. Findings of Fact

1. The City of East Ridge, Tennessee, Mayor and its Legislative Body wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the City of East Ridge, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To maintain eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding"

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or "Floodprone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or "Flood-related Erosion Prone Area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or

passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the City of East Ridge, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

"Letter of Map Change (LOMC)" means an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

"Letter of Map Amendment (LOMA)" An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.

"Conditional Letter of Map Revision Based on Fill (CLOMR-F)" A determination that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

"Letter of Map Revision Based on Fill (LOMR-F)" A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

"Conditional Letter of Map Revision (CLOMR)" A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA, to revise the effective FIRM.

"Letter of Map Revision (LOMR)" Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Regulatory Flood Protection Elevation" means the "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance

required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Ordinance shall apply to all areas within the incorporated area of the City of East Ridge, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the City of East Ridge, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47065C0344H, 47065C0363H, 47065C0364H, 47065C0368H, 47065C0376H, 47065C0377H, 47065C0381H, and 47065CIND0C, dated November 28, 2025, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of East Ridge, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of East Ridge, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Ordinance Administrator

The Chief Building Official is hereby appointed as the Administrator to implement the provisions of this Ordinance.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage
 - a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
 - b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
 - c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential

floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.

- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
 - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
 - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
 - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
 - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor, including the value of the owner's labor.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor

elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Finished Construction Stage

A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.

8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the City of East Ridge, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (the latest edition of FEMA Elevation Certificate Form) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards

for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall

provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).

- c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
 - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

- 1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway.

Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;

2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, floodway width or base flood discharge provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.
2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.
3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other

sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.

2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the City of East Ridge, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.

2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(1) (c) and Article V, Section B(2).
3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas of Shallow Flooding (Zone AH)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section I. Standards for Unmapped Streams

Located within the City of East Ridge, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

3. ONLY if Article V, Section I, provisions (1) and (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Municipal Board of Zoning Appeals

1. Authority

The City of East Ridge, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$400 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than thirty (30) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The City of East Ridge, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.

- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City of East Ridge, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Ordinance shall become effective on (DATE), in accordance with the Charter of the City of East Ridge, Tennessee, and the public welfare demanding it.

Approved and adopted by the City of East Ridge, Tennessee, Mayor and the East Ridge City Council.

Date

Mayor of East Ridge, Tennessee

Attest: _____
City Recorder

Date of Public Hearing

1st Reading _____

2nd Reading _____

3rd Reading _____

Date of Publication of
Caption and Summary

ORDINANCE NO. 1235

AGENDA MEMORANDUM
ALCOHOL SERVICE AT VENUE 1921 AT EAST RIDGE
FOR ORDINANCE NO. 1235

OCTOBER 9TH, 2025

Submitted By:

Shawwna Skiles

Shawwna Skiles, Parks and Recreation Director

Subject: Approval of Ordinance No. 1235 – Alcohol Service at Venue 1921

The Parks and Recreation Department respectfully requests City Council approval of **Ordinance No. 1235**, which authorizes the service of alcoholic beverages at **Venue 1921** at East Ridge.

Venue 1921 is a newly developed municipal event space designed to host a variety of public and private gatherings. Allowing alcohol service at this location will enhance its appeal for weddings, receptions, corporate events, and other special occasions, contributing to its success and revenue potential.

As part of this ordinance, all event organizers will be required to:

- Provide proof of liability insurance coverage for their event.
- Utilize the City's **approved licensed alcohol vendor** for all alcohol service at Venue 1921.

These requirements are in place to ensure responsible service, compliance with state and local regulations, and the safety of all attendees.

We recommend approval of Ordinance No. 1235 to support the continued development and utilization of Venue 1921 as a premier event destination in East Ridge.

SS

ORDINANCE NO. 1235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND TITLE 8, CHAPTERS 1 AND 2 OF THE EAST RIDGE MUNICIPAL CODE PERTAINING TO INTOXICATING LIQUORS AND BEER

WHEREAS, the East Ridge City Council previously passed certain ordinances related to intoxicating liquors and beer under Title 8 of the East Ridge City Code, specifically Ordinance Nos. 778, 858, 860, 1022, 1060 and 1125; and

WHEREAS, it is necessary and desirable to amend Title 8, Chapters 1 and 2 pertaining to intoxicating liquors and beer so as to improve the administration of the regulations imposed therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of East Ridge, Tennessee, that Title 8, Chapters 1 and 2 are hereby amended as follows:

SECTION 1: Title 8, Chapter 1, Section 8-101 is amended by deleting the existing section and substituting therein the following so that §8-101 reads as follows:

8-101. Definition of alcoholic beverages. As used in this chapter, unless the context indicates otherwise, all of the definitions and provisions of T.C.A. § 57-3-101 are adopted for the interpretation of this chapter and are made applicable to the sale and regulation of alcoholic beverages within the City of East Ridge. (Ord. #778, Nov. 2004; as amended by Ord. # 1235, Oct. 2025).

SECTION 2: Title 8, Chapter 1, Section 102 is amended by deleting the existing section and substituting therein the following so that §8-102 reads as follows:

8-102. Consumption of alcoholic beverages on premises. Tennessee Code Annotated, Title 57, Chapter 4, inclusive, is hereby adopted by reference so as to be applicable to all sales of alcoholic beverages for on premises consumption which are regulated by the said code when such sales are conducted within the corporate limits of East Ridge, Tennessee. It is the intent of the City Council that the said Tennessee Code Annotated, title 57, chapter 4, inclusive, shall be effective in East Ridge, Tennessee, the same as if said code sections were copied herein verbatim. Except as provided in section 8-108, any possession, use, consumption, or sale of alcoholic beverages on property owned by the City is prohibited. (Ord. #778, Nov. 2004; as amended by Ord. # 1235, Oct. 2025).

SECTION 3: Title 8, Chapter 1 is amended by adding a new section 8-108 as follows:

8-108. Consumption of alcoholic beverages on City owned property at Venue 1921.

A. Authorization. The sale, serving and consumption of wine and alcoholic beverages as defined in T.C.A. § 57-3-101 is permitted on the designated City owned property known as Venue 1921, but only in accordance with Title 8 of the East Ridge City Code, and only when conducted in connection with an event that has obtained prior written approval of the City Manager or designee who may establish additional conditions at such City Manager's discretion. The absence of any approval by the City Manager authorizing the serving and consumption of wine and alcoholic beverages as defined in T.C.A. § 57-3-101 at Venue 1921 is unlawful.

B. Compliance with State Law. All sales, serving, and consumption of wine or alcoholic beverages as defined in T.C.A. § 57-4-102 at Venue 1921 shall strictly comply with the provisions of Tennessee Code Annotated Title 57, Chapter 4, and the rules and regulations of the Tennessee Alcoholic Beverage Commission.

C. Special Occasion License Required. No sale, service, or consumption of wine or alcoholic beverages as defined in T.C.A. § 57-3-101 shall take place at Venue 1921 unless the event organizer has first obtained a special occasion license from the Tennessee Alcoholic Beverage Commission in accordance with T.C.A. § 57-4-102. Proof of such license shall be submitted to the City Manager or designee not less than two (2) weeks prior to the date of the event.

D. Conditions of City Approval. The City Council may impose, by resolution, applicable conditions on the sale, service, and/or consumption of wine and alcoholic beverages at Venue 1921, including but not limited to:

- 1) Completion and submittal of an event application within a minimum number of days of the event;
- 2) Non-refundable application fee;
- 3) Limitation of hours of service;
- 4) Restriction of service and consumption;
- 5) Requirement of security or law enforcement presence; and
- 6) Proof of liability insurance coverage by the event sponsor.

E. City Employees. Nothing in this section shall in any way affect or lessen the rules and regulations governing the possession, use or consumption of alcohol by City employees.

(Ord. # 1235, Oct. 2025).

SECTION 4: Title 8, Chapter 2 is amended by adding a new section 8-221 as follows:

8-221. Consumption of Beer on City owned property at Venue 1921.

A. Authorization. The sale, serving, and consumption of beer as defined in T.C.A. § 57-5-101 with respect to the designated City owned property known as Venue 1921 shall be controlled by this section and the provisions of Tennessee Code Annotated Title 57, Chapter 5.

B. Approval by City Manager. All sales, serving, and consumption of beer as defined in T.C.A. § 57-5-101 in connection with an event held at Venue 1921 shall first obtain prior written approval of the City Manager or designee who may establish additional conditions at such City Manager's discretion. The absence of any approval by the City Manager authorizing the sale, serving and consumption of beer as defined in T.C.A. § 57-5-101 at Venue 1921 is unlawful.

C. Temporary Special Events Permit for Venue 1921 Required. No sale, serving, or consumption of beer as defined in T.C.A. § 57-5-101 shall take place at Venue 1921 unless the event organizer has first obtained a temporary special events permit from the City Manager or designee prior to the event.

D. Conditions of City Approval. The City Council may impose, by resolution, applicable conditions on the sale, service, and/or consumption of beer at Venue 1921, including but not limited to:

- 1) Completion and submittal of an event application within a minimum number of days of the event;
- 2) Non-refundable application fee;
- 3) Limitation of hours of service;
- 4) Restriction of service and consumption;
- 5) Requirement of security or law enforcement presence; and
- 6) Proof of liability insurance coverage by the event sponsor.

E. City Employees. Nothing in this section shall in any way affect or lessen the rules and regulations governing the possession, use or consumption of beer by City employees.

(Ord. # 1235, Oct. 2025)

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Passed on First Reading _____, 2025

Passed on Second Reading _____, 2025

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

RESOLUTION NO. 3744

AGENDA MEMORANDUM
EMERGENCY REPAIRS – “U” CHANNEL DRAINAGE DITCH
NORTH SIDE OF STUMP STREET

October 9, 2025

Submitted By:


J. Scott Miller, City Manager

SUBJECT:

The storm event on August 12, 2025 resulted in the failure and collapse of approximately 100-feet of the easternmost portion of the channel drainage ditch (concrete flume), which fell to the ditch bottom, thereby creating a significant obstruction to future stormwater flow. Further, the failure of the retaining wall exposed the subgrade, base, and pavement of the northern edge of East Stump Street. Any significant rainfall that the City experiences in the future will certainly further erode and undermine the subgrade of the existing roadway and possibly cause the roadway to collapse.

Given the immediate safety and flooding concerns, and the preservation of the existing roadway, Staff and ASA Engineering recommend that this project be awarded on an emergency basis to prevent further damage and risk to the public. Brown Brothers Construction has submitted a proposal dated September 24, 2025 to perform the necessary repairs at a cost of \$60,700 to bring the drainage channel to an acceptable condition. ASA has reviewed the proposal and has found it to be reasonable.

Attached hereto please find an email dated October 2, 2025 from Jeff Sikes, ASA Engineering, providing additional information on this collapsed structure.

Attachments

JSM/

RESOLUTION NO. 3744

A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING EMERGENCY REPAIRS TO THE “U” CHANNEL DRAINAGE DITCH LOCATED ON THE NORTH SIDE OF EAST STUMP STREET AT 4201 EAST STUMP STREET, AND APPROVING THE PROPOSAL FROM BROWN BROTHERS CONSTRUCTION FOR COMPLETION OF SAID REPAIRS

WHEREAS, on August 12, 2025, a storm event caused significant damage to the concrete “U” channel drainage ditch located on the north side of East Stump Street at 4201 East Stump Street in East Ridge; and

WHEREAS, an assessment by Asa Engineering and Consulting, Inc. determined that approximately 100 feet of the south retaining wall failed and collapsed into the ditch bottom, creating an obstruction to stormwater flow, exposing the roadway base and pavement, and presenting a safety hazard for vehicular and pedestrian traffic; and

WHEREAS, Asa Engineering has recommended immediate repair work to remove debris, reconstruct the failed retaining wall with reinforcing dowel bars and filled masonry block walls, install weepholes as required, backfill with flowable fill, and restore the roadway surface; and

WHEREAS, Asa Engineering has reviewed the proposal submitted by Brown Brothers Construction, dated September 24, 2025, in the amount of \$60,700.00, and determined that it represents a reasonable cost for the recommended repair work; and

WHEREAS, due to the urgent safety concerns and potential for further storm damage or roadway failure, delaying the project for the preparation of bid documents and advertisement would expose the City and its citizens to unnecessary risk, and immediate emergency action is warranted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the Mayor, or his designee, is hereby authorized to execute any and all documents necessary to engage Brown Brothers Construction, subject to approval of the City Attorney, and proceed with the emergency repair work.

BE IT FURTHER AND FINALLY RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this _____ day of _____, 2025.

Brian W. Williams, Mayor

Attest:

J. Scott Miller, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney

GISMO 5



Legend

- Address Labels
- Parcels

0 50.00 100.0 Feet

NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
© Latitude Geographics Group Ltd.

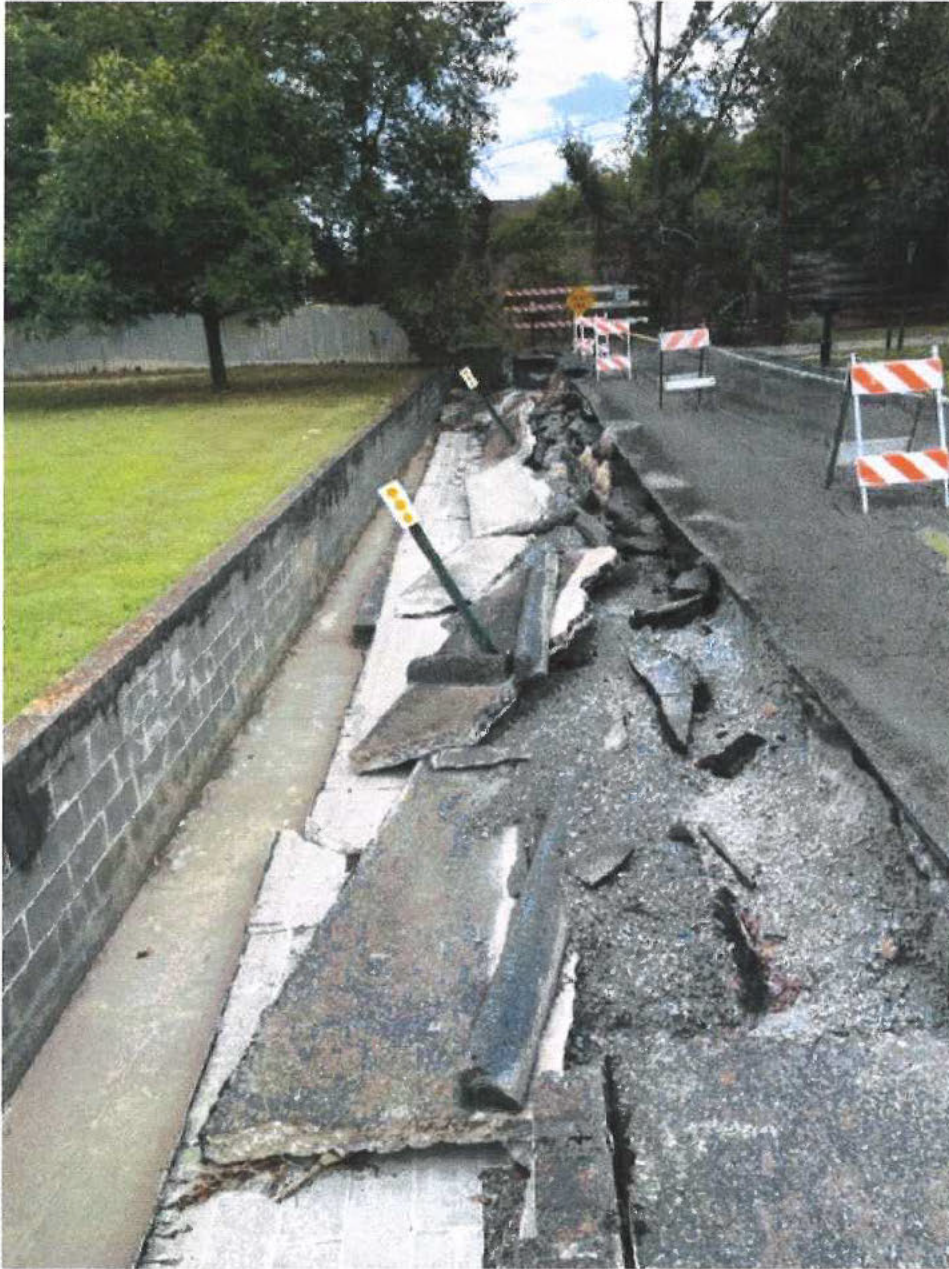


Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. This map was automatically generated using HCGIS Mapping System. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

Scott J. Miller

From: Scott Miller [REDACTED]
Sent: Monday, October 6, 2025 12:51 PM
To: Scott J. Miller
Subject: Stump Concrete Flume

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.



Sent from my iPhone

Scott J. Miller

From: Jeffrey Sikes <jsikes@asaengineeringinc.com>
Sent: Thursday, October 2, 2025 11:18 AM
To: Scott J. Miller
Subject: East Stump Street Emergency Drainage Repairs
Attachments: Brown Brothers Stump St.pdf; East Stump Street.pdf

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Scott. Per your request, Asa Engineering and Consulting, Inc., performed an assessment of the August 12, 2025, storm damage to the "U" channel drainage ditch located on the north side of East Stump Street in East Ridge (4201 East Stump Street). The following is a summary of our findings and the recommended repairs.

Summary of Findings

- 1) The existing concrete "U" channel ditch that was evaluated is approximately 650-ft long, 6.5-ft wide, and 4-ft tall. The ditch is constructed of a 7.5-ft wide concrete bottom slab with 4-ft tall masonry block walls on both sides. The side walls also serve as earthen retaining walls retain the East Stump Street roadway on the south side and the front yard of the residential property of 4201 East Stump Street on the north side.
- 2) The storm event(s) of August 12, 2025, resulted in the failure and collapse of approximately 100-ft of the easternmost portion of the ditch's south retaining wall, which fell into the ditch bottom, thereby creating a significant obstruction to future stormwater flow. Additionally, the failure of the retaining wall exposed the subgrade, base, and pavement of the northern edge of East Stump Street, thereby exposing the roadway and making it susceptible to further erosion during future storm events. This failure also created a 4-ft high drop-off condition that presents a safety concern for pedestrian and vehicular traffic.
- 3) It is noted that "weepholes" do not exist in the existing north or south retaining walls along the entirety of the 650-ft long ditch on East Stump Street, between Greens Lake Road and the dead end of the road. Weepholes are designed to relieve the hydraulic pressure from stormwater/groundwater that accumulates behind a retaining wall. We suspect the lack of weepholes in the existing retaining walls is the primary cause of the August 12, 2025, south wall failure. It is noted that several areas along the remaining ditch retaining walls are showing evidence of failure (leaning inward) and these areas too do not have weepholes.
- 4) It is also noted that reinforcing steel/dowel bars were not used in the construction of the "U" channel ditch in the location of the wall failure. Reinforcing steel/dowel bars are used to better adhere the walls to the bottom slab. The lack of reinforcing steel/dowel bars may have been a contributing factor in the wall failure.

Summary Recommendations for Repair (detail to be provided to Contractor)

- 1) It is recommended that immediate repairs begin to both clean out the ditch of the wall debris, replace the section of failed retaining wall, and reconstruct the portion of the roadway that was damaged. We are concerned that a moderate to significant rain event could cause or contribute to upland flooding, due to the current obstructions in the flow path of the ditch and therefore cause further erosion of the already exposed roadway.
- 2) Our proposed repair approach is as follows:
 - a. Remove and dispose of the debris currently obstructing the flow path of the ditch.

- b. Install and epoxy dowel bars into the bottom slab for a reinforced connection to the proposed masonry block wall.
- c. Construct 4-th tall masonry block wall and fill block cells with concrete. Install weepholes as directed by the engineer (if necessary given the use of flowable fill).
- d. Backfill roadway side of wall with flowable fill in two (2), 2-ft high placements (allow 12-hours between flowable fill placement to reduce hydraulic pressure on the new walls)
- e. Place asphalt pavement to match existing roadway surface.

Attached is the proposal from Brown Brother's Construction to perform the repairs, per the repair approach detailed above. We have reviewed the proposal and find it to be a reasonable price for the work. Due to the fact that it will take approximately 45-60 days to generate plans, develop bid documents, advertise the bid, and award the project; and due to the potential flood and safety concerns highlighted herein, we recommend proceeding with this work on an emergence award basis.

Please contact me if you have questions or if you need additional information.

Brown Bros., Inc.

*P. O. Box 91313
Chattanooga, TN 37412
Earth Moving Contractors*

*Telephone (423) 893-9595
Fax (423) 893-9660*

PROPOSAL

DATE: September 24, 2025
TO: ASA Engineering
ATTN: Jeff Sikes
FROM: Frank Geismar
RE: East Stump Street CMU Retaining Wall

Scope:

Clean up and dispose of existing failed wall
100' long x 4' tall 8" CMU retaining wall
Existing footing to be drilled and doweled for rebar
CMU cells to be poured full of concrete
~~Wall backfilled with 57 stone and capped with one foot of pug~~ Backfill w/ Flowable fill.

Excludes:

Footing
Saw cutting
Paving
Permits
Testing

For the sum of: **\$60,700.00**

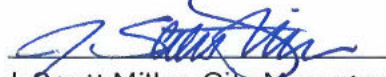
Brown Bros., Inc. agrees to hold this proposal for a period of sixty days from the date indicated above.

RESOLUTION NO. 3745

AGENDA MEMORANDUM
PURCHASE AGREEMENT
(Small Section of City ROW-N Mack Smith Road)

October 9, 2025

Submitted By:


J. Scott Miller, City Manager

SUBJECT:

The City of East of East Ridge acquired 2,275 square feet of property from the former BB&T building (now owned by ERWD,LLC) for the widening of N Mack Smith Road back in 2023 at a cost of \$50.38 per square foot. When the building site was under reconstruction earlier this calendar year a retaining wall was constructed on the west side of the property and said structure slightly encroached on the City's property; approximately 47 square feet.

Since the City initially paid \$50.38 per square feet for the property, it is equitable to the city that the property owner acquire the 47 square feet of city property at the same cost per square foot. Thus, the total cost of the acquisition would amount to \$2,367.86 (\$50.38 x 47 sq ft.).

Attachments

JSM/

RESOLUTION NO. 3745

A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE SALE OF APPROXIMATELY FORTY-SEVEN SQUARE FEET OF CITY-OWNED PROPERTY TO ERWD, LLC, AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT

WHEREAS, the City of East Ridge is the owner of certain real property located in East Ridge, Tennessee (the “Property”); and

WHEREAS, ERWD, LLC has offered to purchase approximately Forty-seven (47) square feet of the Property at the price of Fifty Dollars and Thirty-eight Cents (\$50.38) per square foot, for a total purchase price of Two Thousand Three Hundred Sixty-Seven Dollars and Eighty-six Cents (\$2,367.86); and

WHEREAS, the City has determined that the Property is not necessary for municipal purposes, and that the sale of the Property is in the best interest of the City and its citizens; and

WHEREAS, the City has negotiated a Purchase Agreement with the Buyer for the sale of the Property, a copy of which is attached hereto; and

WHEREAS, the City Council finds it appropriate and in the best interest of the City to authorize the sale of the Property and the execution of the Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that:

SECTION 1. The Mayor or his designee is hereby authorized to execute the Purchase Agreement attached hereto for the sale of approximately Forty-seven (47) square feet of land located in East Ridge, Tennessee, to ERWD, LLC, under the terms and conditions provided therein.

SECTION 2. The Mayor or his designee is authorized to take all actions necessary to finalize the closing of the transaction, including but not limited to execution of a deed and all related closing documents.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this _____ day of _____, 2025

Brian W. Williams, Mayor

Attest:

J. Scott Miller, City Manager

Approved to Form:

Mark W. Litchford, City Attorney

PURCHASE AGREEMENT

This Purchase Agreement ("Agreement") is made this ____ day of September, 2025, by and between:

Seller: City of East Ridge, Georgia ("Seller")

Buyer: ERWD, LLC ("Buyer")

1. Property

Seller agrees to sell and Buyer agrees to purchase 47 +/- square feet of land located in East Ridge, Georgia (the "Property"). A survey or legal description is attached as Exhibit A.

2. Purchase Price

The purchase price for the Property is \$50.38 per square foot, for a total of Two Thousand Three Hundred Sixty-Seven and 86/100 Dollars (\$2,367.86).

3. Payment

Buyer shall pay the total purchase price to Seller in cash or other immediately available funds at closing.

4. Closing

The closing of this transaction shall occur on or before September 19, 2025, at a location agreed upon by the parties. At closing:

- Buyer shall have prepared and Seller shall execute a deed conveying fee simple title to the Property, free and clear of all liens and encumbrances (except matters of record and municipal ordinances).
- Buyer shall pay the purchase price.

5. Costs

Each party shall bear its own costs, except that Buyer shall be responsible for recording fees and transfer taxes (if any).

6. Entire Agreement

This Agreement contains the entire understanding of the parties and may only be modified in writing signed by both parties.

SELLER:

City of East Ridge, Georgia

By: _____

Name: _____

Title: _____

BUYER:
ERWD, LLC

By: _____

Emerson Russell, authorized member

SLATER ROAD (R/W VARIES)

R/W

COMMENCEMENT POINT
SOUTHEAST INTERSECTION
OF MACK SMITH ROAD AND
SLATER ROAD

ERWD, LLC
DB 14000, PAGE 291

MACK SMITH ROAD (R/W VARIES)

S 23°36'23" W 81.09

S 67°20'22" E
2.01

N 22°31'41" E
26.46

POINT OF BEGINNING

S 23°36'23" W
26.48

RETAINING WALL FOUNDATION
(PORTION OF FOUNDATION
WITHIN RIGHT OF WAY
47 SF +/-)

N 66°23'37" W
1.51

CONCRETE
ROW MARKER

R/W

Commencing at the Southeast intersection of Mack Smith Road and Slater Road and being the Northwest corner of the ERWD, LLC property as recorded in Deed Book 14000, Page 291, Register of Deeds Office of Hamilton County, Tennessee, Thence along said Mack Smith Right of Way, South 23 degrees 36 minutes 23 seconds West a distance of 81.09 feet to the Point of Beginning of herein described property. Thence continue along said Right of Way, South 23 degrees 36 minutes 23 seconds West a distance of 26.48 feet to a Concrete Right of Way Monument; thence leaving said Right of Way, North 66 degrees 23 minutes 37 seconds West a distance of 1.51 feet; thence North 22 degrees 31 minutes 41 seconds East a distance of 26.46 feet to a point; Thence South 67 degrees 20 minutes 22 seconds East a distance of 2.01 feet to the Point of Beginning and having an area of 47 square feet, more or less.

VF: 65 EMERSON PROPERTIES 5
FB:
FF: FILE
JOB: 25-166
DRAFTED BY: JD
CHECKED BY:

SURVEY FOR: EMERSON RUSSEL



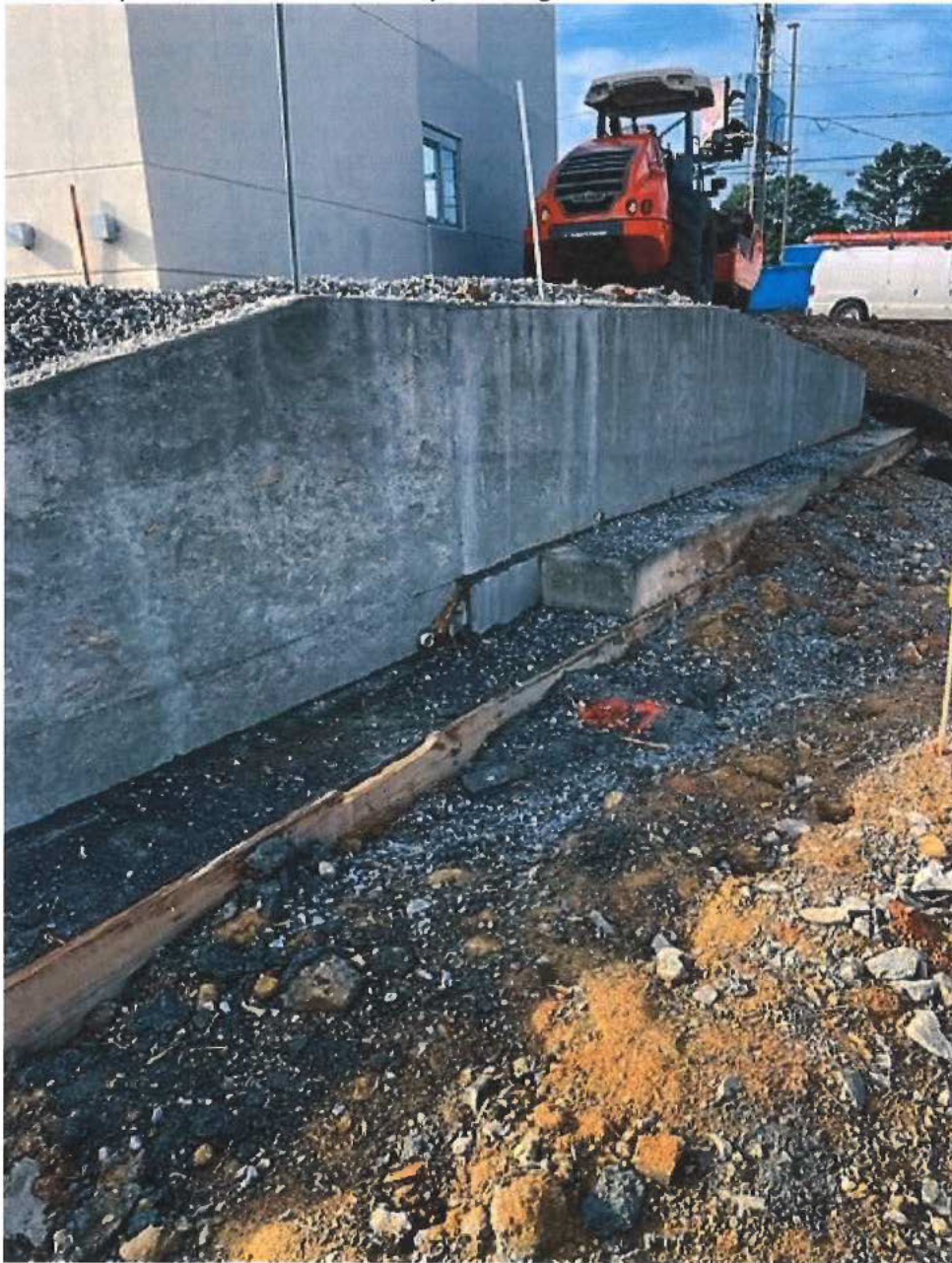
3902 CHURCHILL ROAD
CHATTANOOGA, TN 37406
PH: 423-621-5041
ADMIN@NILESSURVEYING.COM
NILESSURVEYING.COM

EXHIBIT DRAWING
RETAINING WALL FOUNDATION
6501 RINGGOLD ROAD
EAST RIDGE, HAMILTON COUNTY, TENNESSEE
1" = 20' ---- AUGUST 11, 2025

Scott J. Miller

From: Scott Miller [REDACTED]
Sent: Thursday, June 26, 2025 9:44 AM
To: Scott J. Miller
Subject: Wall

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.



Sent from my iPhone

RESOLUTION NO. 3746

AGENDA MEMORANDUM

**APPROVAL OF BID TO REPLACE A PORTION OF THE ROOF
ON THE CITY HALL COMPLEX**

October 9, 2025

Submitted by:

Chris Gilbert

Chris Gilbert, Building Maintenance Supervisor

On September 7, 2025, the City of East Ridge publicly advertised an invitation for bids for the replacement of a portion of the roof on the City Hall Complex. The project includes the section of the roof covering the Administration portion of the complex. Sealed bids were received and publicly opened on September 30, 2025, at 2:00 p.m. in the East Ridge City Hall. A total of eight (8) bids were received:

Bidder	Bid Amount
Quality Exteriors	\$81,207.67
AK Roofing and More	\$82,800.00
JDH Company	\$84,826.00
Genesis Roofing Company	\$88,600.00
Porter Roofing Contractors	\$88,970.00
JD Helton Roofing	\$91,792.00
Tri State Roofing Contractors	\$101,297.00
Pinaire Roofing	\$108,970.00

After reviewing all bid documents and verification of contractor qualifications, City staff determined that Quality Exteriors submitted the lowest responsive and responsible bid in the amount of \$81,207.67. Staff recommends awarding the contract to Quality Exteriors for this project. Funds for this roof replacement project are included in the Capital Improvement Fund under upgrades to buildings-various sites.

RESOLUTION NO. 3746

A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING A BID FOR THE REPLACEMENT OF A PORTION OF THE ROOF ON THE CITY HALL COMPLEX SPECIFICALLY, THE PORTION OF THE ROOF COVERING ADMINISTRATION

WHEREAS, on September 7, 2025, the City of East Ridge advertised for bids for replacement of a portion of the roof on the City Hall Complex specifically, the portion of the roof covering the East Ridge City Library; and

WHEREAS, sealed bids were opened and publicly read on September 30, 2025, beginning at 2:00 p.m. at East Ridge City Hall; and

WHEREAS, City staff has maintained a file of the bids which were submitted; and

WHEREAS, after conducting a public bid opening and reviewing the bid documents, City staff recommend the bid for replacement of a portion of the roof on the City Hall Complex, specifically the Administration portion, be awarded to Quality Exteriors in the amount of \$81,207.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the bid for the replacement of a portion of the roof on the City Hall Complex specifically, the portion of the roof covering the East Ridge City Library be awarded to Quality Exteriors in the amount of \$81,207.00, to be paid for from the Capital Projects Fund (Upgrades to Building – Various Sites.)

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized to execute any contract or agreement necessary between the City of East Ridge and Quality Exteriors, subject to approval of the City Attorney, in the amount stated herein.

BE IT FURTHER AND FINALLY RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this _____ day of _____, 2025.

Brian W. Williams, Mayor

Attest:

J. Scott Miller, City Manager

Approved as to Form:

Mark W. Litchford, City Attorney



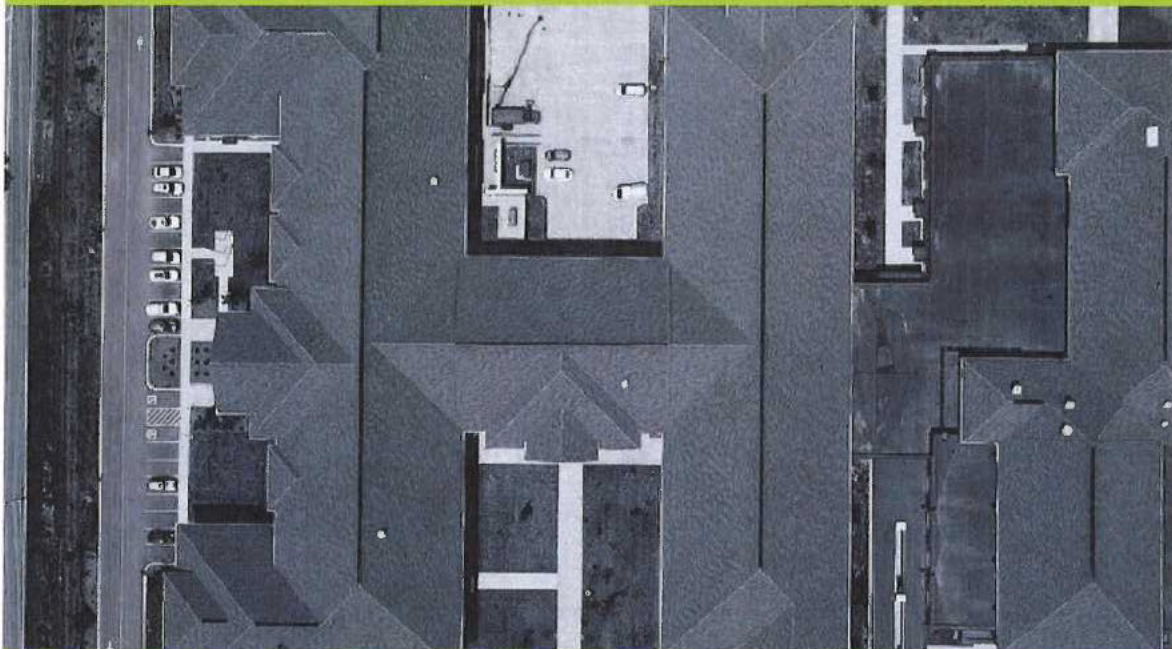
PROJECT PROPOSAL



ROOFING AND SERVICE THAT LASTS

ABOUT US.

01.



Whether you have an office, school, warehouse, apartment, church, or retail space, you can rest assured that Quality Exteriors has the training and experience to best protect your investment.

No matter what type of commercial roofing material you are considering, we will work closely with you to ensure that we deliver to you the most appropriate roof system for your structure and your budget.

02. OUR MARKET.

Multi Family
Single Ply



Multi Family
Steep Slope



Educational



Municipal



Retail



Religious



PREPARED BY

John Kranske
Quality Exteriors
(615) 806-9998
john@qualityexteriors.com
9068 Franklin Rd, Murfreesboro, TN 37128, USA

PREPARED FOR

Chris Gilbert
City of East Ridge
(423) 509-1021
cgilbert@eastridgetn.gov
1517 Tombras Ave, East Ridge, TN 37412, USA

RE-ROOF PROPOSAL DETAILS

1517 Tombras Avenue
1517 Tombras Ave, East Ridge, TN 37412, USA

This Proposal includes the following Scope of Work: Re-roof of Approx.: 7500SF of Roof and 2200SF of Walls

TPO 60mil Re-Roof:

Scope of Work:

1. Arrive on the job site, set up safety and load material onto the roof.
2. Remove the existing coping and set it aside for reuse.
3. Remove the existing roof systems down to the metal deck.
4. Inspect the decking for any deficiencies, and replace any damaged decking. (Decking boards to be replaced at \$425 per sheet)
5. Mechanically attach one layer of 2.6-inch Poly-iso over the roof surface.
6. Induction Weld 60mil TPO over the roof surface.
7. Adhere the membrane up and over the (3) walls with coping.
8. Terminate under overhang wall with new termination bar per the manufacturer's specifications.
9. Flash in all pipes, curbs, and penetrations per the manufacturer's specifications.
10. Flash in (4) new drains and overflow scuppers.
11. Reinstall the existing coping.
12. Clean up the job site and dispose of any debris off-site.

DuroLast Submittal Binder, including the assembly layout, is included in the files section.

DESCRIPTION

Material

Labor

Other

TOTAL

\$81,207.67

Terms, Conditions, Assumptions, Exclusions

① Warranty

Quality Exteriors will provide a 2-Year Workmanship Warranty. DuroLast will provide a 20Y NDL Labor and Material Warranty.

① Inclusive

Quality Exteriors offers this quote all inclusive of labor, materials, equipment, taxes, and insurance (with current policy) Adding coverage will require a change order.

① Assumptions

This proposal assumes the following:

Decking is in good order

Flat roofs are tapered

Ventilation calculations are met with current design

① Exclusions

Underground, overhead and/or side obstructions

Any unforeseen conditions. Or new conditions created by another trade.

The price of a payment/performance bond. If required, it shall be an addition to our base bid.

Liability and charges associated with liquidated damages.

Material Pricing changes- bid includes CURRENT material pricing.

Wood replacement

Blocking

Permits

Any damage below the roofline - roof removals and installations can cause extreme vibrations. QE is not responsible for any damage beneath the roofline.

Any existing MEP installations that are improperly installed.

Our typical Payment Terms are as follows:

Zero amount due at contract signature.

50% of the contract amount due upon material arrival

45% of the contract amount due upon completion

5% Retainage due within 30 days of warranty receipt

Additional work or correction work (caused by other trades) will not hold up retainage as retainage cannot be used as leverage (per Amendments to PPA 2017)

All sections of this document, including the terms and conditions below, and any agreement executed in writing, pursuant thereto, between QE Construction, LLC d/b/a Quality Exteriors (the "Company") and the property owner(s) or property owner's representative(s), hereinafter the "Customer", are subject to the laws in effect in the State in which it has been signed and executed.

THIS CONTRACT IS THE ENTIRE AGREEMENT BETWEEN THE PARTIES. ANY REPRESENTATION, STATEMENTS, OR OTHER COMMUNICATIONS NOT WRITTEN IN THE CONTRACT, OR MADE IN WRITING PURSUANT THERETO, ARE AGREED TO BE INVALID, AND NOT RELIED ON BY EITHER PARTY AND, DO NOT SURVIVE THE EXECUTION OF THIS CONTRACT.

1. This Contract is subject to the credit and pricing approval by the management of the Company.
2. First payment is due when materials are delivered, Payment is due for the remainder of the Contract with the completion of each individual trade. Final payment is due upon completion of work. Some work may be opted out by Company in the event of material, labor shortage, or volatile pricing. Invoicing will document credits for work that is unable to be performed.
3. Should default be made in payment of this Contract, a lien will be placed on the property, and late fee charges, as well as interest in the amount of 10% per month, will be added from the date of substantial completion. If placed in the hands of any attorney for collection, all attorney fees, expenses, and court or arbitration costs (including fees of the arbitrator) will be paid by the Customer. Tennessee: Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions.
4. The Company and the Customer agree to settle all disputes through the American Arbitration Association.
5. The full amount of all moneys as specified by an agreed price, or, as specified by "Full Scope of Insurance Proceeds", does not include any extras such as carpentry repairs, or any other repairs not specified or otherwise covered by the "Full Scope of Insurance Proceeds", that are necessary to complete the repair process as required by local building codes, and building officials, or to satisfy cosmetically, the Customer.
6. If the Customer is credited for a part of the scope of the Contract, an individual line item, or a trade, the Customer releases the Company of its obligations for the performance of that component with regard to the integrity of the building system as a whole.
7. The Company is not responsible for damage below the roof due to leaks (non-consequential). The Company is not responsible for roof or subsequent interior damaged caused by excessive wind greater than 55 mph, ice, or hail, at any time during construction process, or the warranty period. Company is not responsible for damage to HVAC lines, electrical, plumbing, or other mechanical work that is below the roofline. In the event of a unforeseen weather event during a project, Company is not responsible for any interior damage that may occur. The Company is not responsible for any framing or design flaws by original construction.

8. The Company will not be responsible for slight scratching and/or denting of gutters or gutter guards, oil in driveways/parking lots, hairline fractures in concrete, damage to flowers or other landscaping, broken branches on plants/shrubbery, attic debris, interior items on walls/ceilings/floors, or nail pops/cracks to the drywall due to vibration during construction.
- 9. You may cancel this contract at any time before midnight on the third business day. This right to cancel is in addition to any other rights of cancellation which may be found in state or federal law or regulation.**
10. This contract cannot be canceled once materials that are not available locally have been ordered, subject to Paragraph 9 hereinabove, and or, once material has been delivered to your job-site without written mutual agreement of both parties.
11. If this contract is canceled by the Customer later than three (3) days from execution, subject to Paragraph 9 hereinabove, Customer agrees to pay the Company 25% of the contract price for: 1) Consulting Services Rendered and/or 2) Liquidated Damages. If materials must be returned due to this cancellation, the Customer agrees to pay an additional fee of 10% for restocking.
12. The Company reserves the right to supplement the Insurance Company / supplement the contract as a Change Order for increases in the "Full Scope of Work", and, or documented prices increases. Customer agrees to allow these supplements to be paid directly to Company.
13. All excess materials remain the property of the Company.
14. For insurance claims - "Full Scope of Insurance Proceeds" shall be defined as the full price for repairs and replacements allowed by the Insurance Company.
15. If any provisions of this contract should be held invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected thereby.
16. Customer agrees that Customer shall not engage in any pattern of conduct that involves the making or publishing of written or oral statements or remarks (including, without limitation, the repetition or distribution of derogatory rumors, allegations, negative reports or comments) which are disparaging, deleterious or damaging to the integrity, reputation or good will of the Company, its management, or of management of corporations affiliated with the Company.

Acceptance of Proposal:

The above/attached prices, specifications, and conditions are satisfactory and are accepted as signed below. Quality Exteriors will provide SDS, TIS, and other drawings upon receipt of this executed contract. By accepting this proposal, the owner is aware of the Tennessee Prompt Pay Law and its recent Amendments. The owner understands that work done in the State of Tennessee are governed by Tennessee Law and not by other States.

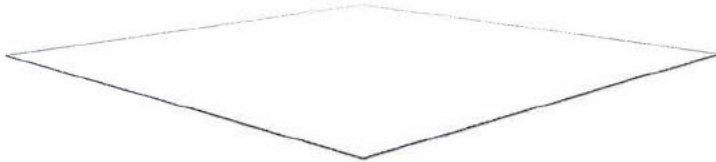
The above specifications, costs, and terms are hereby accepted.

CUSTOMER'S SIGNATURE

DATE

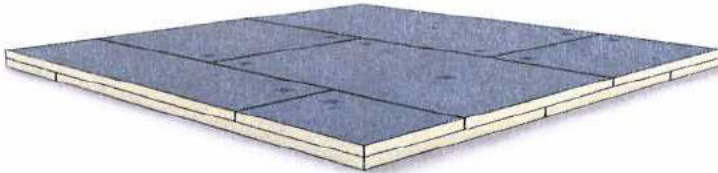
Assembly Summary

Duro-Tech TPO 60-mil Membrane (Roll Goods)



Membrane Type:	Duro-Tech TPO 60-mil Membrane (Roll Goods)
Roll Width:	120"
Membrane Color:	White
Attachment Type:	Induction Welded
Induction:	Induction welded to induction plates

Duro-Guard® ISO III (Coated Glass Facer)



Insulation Assembly Type:	Duro-Guard® ISO III (Coated Glass Facer)
Board Application:	Flat Stock
Board Style:	Assembly Thickness
Board Size:	4' x 8'
Thickness/R-Value:	2.50"
Attachment Type:	Mechanically Fastened
Fasteners:	HD Screw (#14)
Plates:	Duro-TECH TPO Induction Plate

Existing Steel Deck (20 ga)



Deck Type:	Existing Steel Deck (20 ga)
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RESOLUTION NO. 3747

AGENDA MEMORANDUM
COMMUNITY CENTER EXPANSION
CHANGE ORDER – ROOF SYSTEM

October 9, 2025

Submitted By:



J. Scott Miller, City Manager

SUBJECT:

The initial roof system proposed for the Community Center was to leave the existing roof panels in place and provide a matching R-type roof panel on the new addition with a galvalume finish. Then on top of the new and existing roof panels install a new TPO Duro-Last Roofing System.

Three optional roofing systems were presented to the City by HK Architects and Pillar Construction, as follows:

- A standing seam roof system for the new and existing roof; however, this option would add 16 weeks to the project schedule.
- A Durolast PVC membrane roof system.
- A silicone roof coating to be applied over the new and existing roof panels.

The structural engineers expressed concern with the adding of any additional weight to the roof; and thus, called for structural reinforcement to be added to both the PVC and silicone roof options. The cost of the two options is \$100,000+.

Attached hereto please find additional information on the roofing systems: email dated October 6, 2025 from Michael Prater, HK Architects, and a copy of the change order request in the amount of \$176,473.

Attachments

JSM/

RESOLUTION NO. 3747

**A RESOLUTION OF THE EAST RIDGE CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO APPROVE A
CHANGE ORDER REQUEST FOR THE COMMUNITY
CENTER RENOVATION AND EXPANSION PROJECT**

WHEREAS, on March 27, 2025, the East Ridge City Council awarded the bid for the Community Center Renovation and Expansion Project to Pillar Construction; and

WHEREAS, Pillar Construction is requesting a change order to the original agreement to include a Durolast “Duro-Tuff” PVC membrane roof system; and

WHEREAS, the cost of the Change Order is One Hundred Seventy-six Thousand Four Hundred Seventy-three Dollars (\$176,473.00); and

WHEREAS, the City Council deems the completion of the project, including the additional funds for the Change Order, to be in the best interest of the citizens of East Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the City Council hereby authorizes the City Manager to approve the Change Order with Pillar Construction for the Community Center Renovation and Expansion Project in an amount not to exceed One Hundred Seventy-six Thousand Four Hundred Seventy-three Dollars (\$176,473.00).

BE IT FURTHER RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this _____ day of _____ 2025.

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

Scott J. Miller

From: Michael Prater <mprater@hkarchitects.net>
Sent: Monday, October 6, 2025 11:34 AM
To: Scott J. Miller
Cc: Heidi Hefferlin
Subject: ERCC

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Scott,

See explanation below:

During the design phase of this project, the structural engineer and HK consulted with Pre-Engineered Metal Building (P.E.M.B) manufacturers on design solutions for adding onto this 30 year old structure. With this being a public bid project, the final P.E.M.B. manufacturer will have an internal engineer that has to review and approve designs. In this case, the winning P.E.M.B. subcontractor had changes that were required to the design after bidding, that were required by the engineers with the P.E.M.B. company he is sourcing the addition from. They also viewed the existing R Panel roof over the existing structure as a structural element. They have suggested we do a PVC roof over the existing and the new r panel roofing, in order to achieve a 20 year warranty for the roof. However, although they may retrofit roofs often with the PVC roof option they recommended, they cannot stamp a drawing saying the existing building could hold the system. We had to go back to our engineer, who then had to take this new roofing system and its weight and assess the building's ability to hold it. He is requiring the additional structure to support the suggested system. The contractor has added a contingency to the cost in case unforeseen issues arise while uncovering the structure to add the additional purlins and girts.



Michael Prater | Project Manager
HK Architects | 1216 E Main St | Suite 120 | Chattanooga, TN | 37408
www.hkarchitects.net | mprater@hkarchitects.net
off. 423-266-3656 ext. 115



CHANGE ORDER REQUEST

COR Number: 002b.1

Date: 10/6/2025

Project: East Ridge Community Center
Owner: City of East Ridge

Proposal Description: Included in roofing option #2 is a Durolast "Duro-Tuff" PVC membrane roof system and additional PEMB reinforcing currently required by HK & March Adams to hold the additional roof weight added by this system. This includes replacing ceiling insulation/simple-saver in the existing PEMB. This also includes an optional colored option upgrade if color other than 'White' is desired. This includes field measuring by the erector and lift to complete. This option will add 6 weeks to the project schedule if approved (GC/GRs included), assuming approval no later than 10/10/25.

Warranties Include:

- Duro-last Material Warranty (20-year)
- Not Included but Optional No-Dollar-Limit Warranty (extra 18.5 cents/SF). See terms in backup.

This change order includes a contingency fund for mold remediation if needed in the gym ceiling only. Any funds not used will be returned to the owner via deductive change order.

Clarifications:

- Does not include funds for remediation for mold found in the side wall insulation. This will be added cost if owner wishes to remediate.
- EOR to review and approve connection details for new structural members.

Description	Qty.	Unit Cost	Material	Unit Cost	Labor	Unit Cost	Sub	Total
S&H - PEMB Reinforcing & Insulation	1 LS		\$0.00		\$0.00	\$103,835.00	\$103,835.00	\$103,835.00
PVC Roofing Add (White Color Only)	1 LS		\$0.00		\$0.00	\$14,255.00	\$14,255.00	\$14,255.00
Add for Optional Colored PVC Roofing	1 LS		\$0.00		\$0.00	\$7,285.00	\$7,285.00	\$7,285.00
Gym Ceiling Mold Remediation Contingency	1 LS		\$0.00		\$0.00	\$14,400.00	\$14,400.00	\$14,400.00
Lift for Field Measuring	1 Day		\$0.00		\$0.00	\$574.00	\$574.00	\$574.00
SUBTOTAL "A"			\$0.00		\$0.00		\$140,349.00	\$140,349.00
Sales Tax (9.25%)			\$0.00					\$0.00
Labor Burden (41%)					\$0.00			\$0.00
Subcontractor Default Insurance (1.3%)							\$1,825.00	\$1,825.00
Warranty/Quality Control (0.2%)								\$285.00
Gross Receipts/Franchise Tax (0.3%)								\$428.00
General Liability & Builder's Risk Ins. (1.1%)								\$1,572.00
General Conditions (1.5 Months)	1.5 Month			\$5,274	\$7,911.00			\$7,911.00
General Requirements (1.5 Months)	1.5 Month			\$6,776	\$10,164.00			\$10,164.00
SUBTOTAL "B"								\$162,534.00
Fee (7.5%)								\$12,191.00
Payment & Performance Bonds (1.0%)								\$1,748.00
TOTAL								\$176,473.00

Owner Approval:

Approved By:

Date:

RESOLUTION NO. 3748

AGENDA MEMORANDUM

**Electric Easement
For
“Welcome to East Ridge”
Gateway Monument Signs**

October 9, 2025

Submitted by:

Cameron McAllister

Administrator of Economic & Community Development

SUBJECT: Approval of Electrical Easement for “Welcome to East Ridge” signs

City Administration requests approval from the Mayor and Council to accept an executed electrical easement from Life Care Centers of America on their property located at 1502 McDonald Road.

On March 14, 2024, Council approved Resolution No. 3524, authorizing the installation of two “Welcome to East Ridge” gateway monument signs located at Interstate 75 Exit 1 positioned near 1504 McDonald Road and the other at 639 Camp Jordan Parkway.

The project was subsequently approved by the Tennessee Department of Transportation (TDOT) through a License Agreement dated September 16, 2024, granting the City permission to use the identified right-of-way areas for the construction and maintenance of these gateway monuments. As part of project completion, the City of East Ridge is required to connect electrical service to the sign located at 1504 McDonald Road. This connection requires an electrical easement from Life Care Centers of America, the adjoining property owner located on McDonald Road to allow for permanent electrical access across their property.

Staff respectfully requests that the Mayor and City Council approve and authorize execution of the Electrical Easement Agreement between the City of East Ridge and Life Care Centers of America for the installation and maintenance of electrical service to the welcome monument sign at Exit 1 (McDonald Road).

RESOLUTION NO. 3748

A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN EASEMENT AGREEMENT WITH EAST RIDGE ALF REAL ESTATE INVESTORS LLC RELATIVE TO A 20-FT ELECTRICAL EASEMENT LOCATED AT 1504 McDONALD ROAD, TAX MAP NUMBER 169M-M-010

WHEREAS, on March 14, 2024, the East Ridge City Council approved Resolution No. 3524 authorizing the installation of two “Welcome to East Ridge” gateway monument signs to be located near 1504 McDonald Road and 639 Camp Jordan Parkway; and

WHEREAS, the Tennessee Department of Transportation (TDOT) subsequently approved the project and granted the City of East Ridge permission, through a License Agreement dated September 16, 2024, to use the identified right-of-way areas for the construction and maintenance of these gateway monuments; and

WHEREAS, as part of project completion, the City is required to connect electrical service to the gateway monument sign located near 1504 McDonald Road; and

WHEREAS, the proposed electrical connection requires an easement across property owned by ALF Real Estate Investors LLC, located at 1502 McDonald Road, to provide permanent electrical access; and

WHEREAS, ALF Real Estate Investors LLC has executed an Electric Easement Agreement granting the City of East Ridge the necessary easement for installation and maintenance of electrical service to the gateway monument sign.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, hereby approves and accepts the Electric Easement Agreement for the property located at 1502 McDonald Road and authorizes the Mayor or his designee to enter into the agreement attached hereto.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this the _____ of _____ 2025.

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney

GRANTEE

City of East Ridge
1517 Tombras Avenue
East Ridge, TN 37412

GRANTOR

East Ridge ALF Real Estate Investors, LLC
3570 Keith Street NW
Cleveland, TN 37312

State Tax Map Number: 169M-M-010

ELECTRIC EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, EAST RIDGE ALF REAL ESTATE INVESTORS, LLC, hereinafter referred to as GRANTOR, does hereby sell, transfer, and convey unto the CITY OF EAST RIDGE, hereinafter referred to as GRANTEE, a permanent easement through, over, and under the hereinafter described portion of our property located in Hamilton County, Tennessee, to wit:

SITUATED in the East Ridge area of Hamilton County, Tennessee, as shown by Deed of Record in Book 10990, Page 259, and being Lot 1, Lifecare of East Ridge Subdivision, recorded in Plat Book 107, Page 62, in the Register's Office of Hamilton County, Tennessee, said easement being more particularly described as follows, to wit:

PERMANENT ELECTRIC EASEMENT

Being a permanent easement for the construction, operation, and maintenance of an electric line, said easement shall be limited to a minimum area of twenty feet (20') in width, as shown on attached drawing by Asa Engineering and Consulting, Inc., drawing number 23-0012 (E-1), dated 04/01/2025, a copy of which is made a part of by attachment hereto.

Said permanent electric easement containing 2,143 square feet, more or less.

This instrument prepared by and return to:
Asa Engineering and Consulting, Inc.
201 Cherokee Boulevard, Suite 101
Chattanooga, TN 37405

(Use legal description only if a drawing is unavailable for reference)

This is not a conveyance of the fee in said property, but only the rights, privileges and easements herein set forth.

Said GRANTEE agrees to see that the surface of the land is restored to as near the same condition as practicable by the GRANTEE.

Said easement is conveyed for electric purposes and for the purpose of permitting the GRANTEE to construct and/or maintain an electric line and appurtenances, and the herein before recited consideration includes any other incidental damages of any kind or nature that may now or hereafter result to said property as a result of the GRANTEE constructing and/or maintaining an electric line and appurtenances on said easement.

Notwithstanding anything mentioned above and upon completion of any construction or repair work, GRANTEE shall restore all the disturbed areas to conditions better than or equal to conditions existing prior to the start of said utility work including, but not limited to, reseeding, repairing, or replacing any vegetation, and repairing any damages to fences, irrigation components, driveways, parking, and other existing improvements.

GRANTOR agrees to the purpose of said easement and shall provide the GRANTEE unobstructed access to said easement in order for the GRANTEE to carry out said purpose.

It is understood that this electric line will cross a vacant part of said property and that no buildings will be affected. Also, the easement area crosses over a non-exclusive 15-foot TAWC Easement as recorded in Book 10192, page 748, in the Register's Office for Hamilton County, Tennessee, and as shown on plat recorded in Plat Book 107, page 62, in the said Register's Office. Further, the easement area crosses over two additional easements (20-foot sanitary sewer and 20-foot power & communication) as shown on plat recorded in Plat Book 107, page 62, in the said Register's Office.

TO HAVE AND TO HOLD THE above-described easement for electric purposes unto the City of East Ridge, its successors and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands this 23rd day of Sept., 2025.

East Ridge ALF Real Estate Investors, LLC

By: Developers Investment Company,
Inc., corporate manager

By: Gundy A. Cross

Its: Vice President

This instrument prepared by and return to:
Asa Engineering and Consulting, Inc.
201 Cherokee Boulevard, Suite 101
Chattanooga, TN 37405

**STATE OF TENNESSEE
COUNTY OF BRADLEY**

Before me, JAIME E. SIPE, a Notary Public in and for the State and County
aforesaid, personally appeared CINDY S. CROSS, with whom I am personally
acquainted and who, upon oath, acknowledged himself/herself to be
VICE PRESIDENT of Developers Investment Company, Inc., corporate manager of
East Ridge ALF Real Estate Investors LLC, the within named bargainer, a Tennessee limited liability
company, and that he/she as such VICE PRESIDENT, being authorized so to
do, executed the foregoing instrument for the purpose therein contained, by signing the name of
the company by himself/herself as VICE PRESIDENT.

Witness my hand and seal at office in Bradley County, Tennessee this 23rd day of
September, 2025.

Jaime E. Sipe
Notary Public

My Commission Expires: 4/10/2029



This instrument prepared by and return to:
Asa Engineering and Consulting, Inc.
201 Cherokee Boulevard, Suite 101
Chattanooga, TN 37405

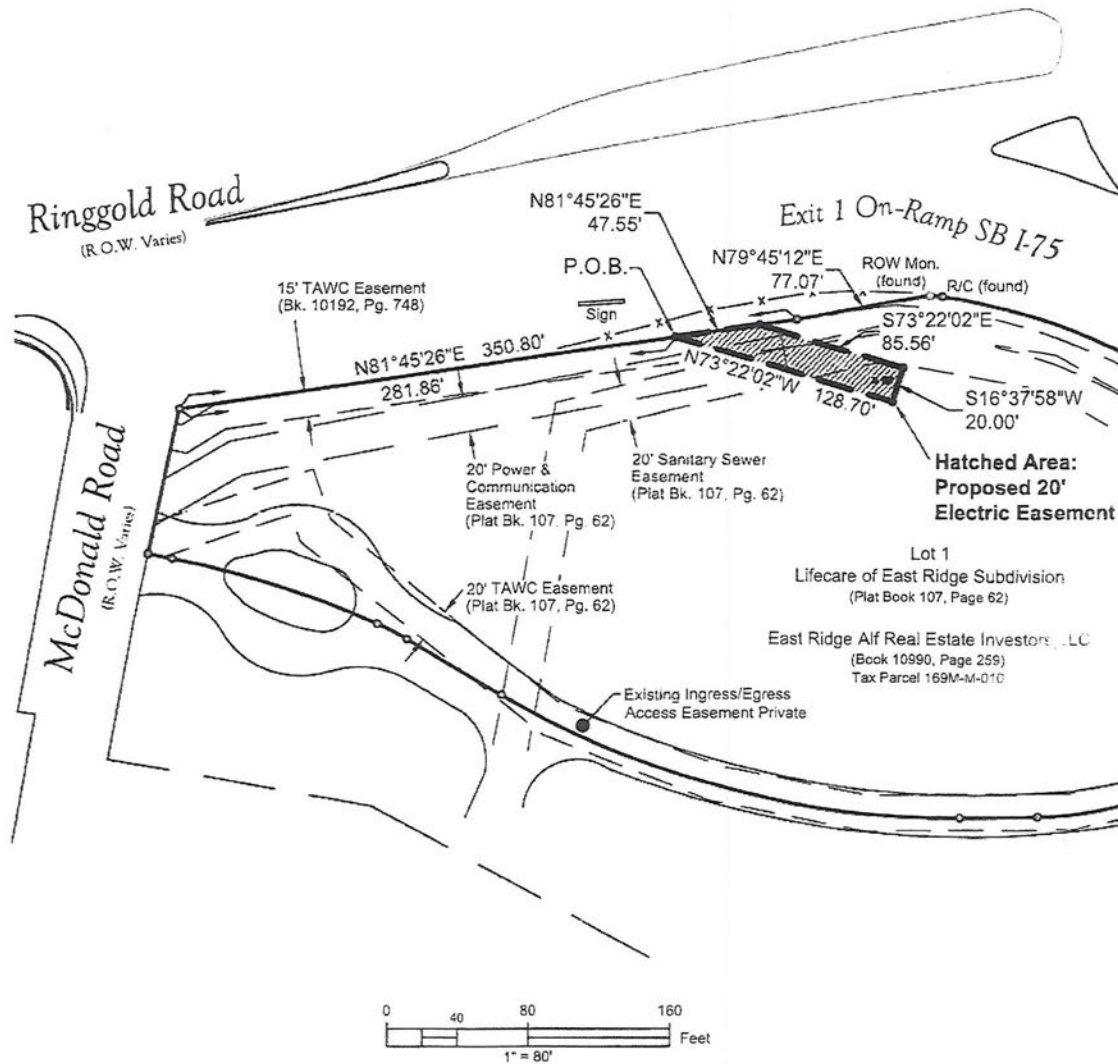
**STATE OF TENNESSEE
COUNTY OF HAMILTON**

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$_____, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Subscribed and sworn to before me on
This ____ day of _____, 2025.

NOTARY PUBLIC

My commission expires:



OWNERSHIP:
East Rodge Alf Real Estate Investors LLC
(Deed Bk. 10990, Page 259)

Address: 1504 McDonald Road
Tax Parcel: 169M-M-010

GENERAL NOTES:

1. PROPERTY AND EASEMENT LINES SHOWN HEREON ARE COMPILED FROM RECORDED PLATS AND DEEDS.
2. NORTH BASED ON: PLAT BOOK 107, PAGE 62
3. THE HATCHED PERMANENT ELECTRIC EASEMENT SHOWN HEREON IS 10' ON EITHER SIDE OF A PROPOSED ELECTRIC LINE.
4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY STATE OF FACT THAT A CURRENT TITLE REPORT MIGHT REVEAL.
5. THIS PLAN DOES NOT CONSTITUTE A BOUNDARY SURVEY PURSUANT T.C.A. 820-03.00.

TITLE

Easement Exhibit

SHEET TWO

E-1

PROJECT NO.	23-0012
DATE	04/01/2025
SCALE	AS SHOWN
FILE	
DRAWN BY	CFF
CHECKED BY	RBR

Proposed 20' Electric Easement

East Ridge, Hamilton County, Tennessee

ASA
ENGINEERING & CONSULTING, INC.
P.O. BOX 108
CHATTANOOGA, TN 37401
www.AsaEngineeringInc.com
423 805 3700

RESOLUTION NO. 3749

AGENDA MEMORANDUM PROFESSIONAL LANDSCAPING SERVICES FOR CITY-DESIGNATED OUTDOOR SPACES

OCTOBER 9TH, 2025

Subject: Selection of Landscaping Design/Build Firm

The City of East Ridge issued a **Request for Qualifications (RFQ)** to identify experienced landscaping design/build firms for upcoming beautification and enhancement projects across municipal properties including Venue 1921 at East Ridge which is needed now. These services will support improvements to public parks, medians, building entrances, and other outdoor spaces throughout the City.

Following the RFQ process, two firms were evaluated:

- **Phillips/Creasley**
- **Big Sky Landscapes**

Both firms submitted strong proposals and demonstrated relevant experience. After careful review of qualifications, project approach, and alignment with the City's goals, **Big Sky Landscapes** was selected as the preferred firm. Their proposal best meets the needs of our beautification initiatives.

Please note: Each individual project will be negotiated separately to determine scope and pricing, ensuring flexibility and cost-efficiency across various sites and needs.

We respectfully request Council approval to proceed with **Big Sky Landscapes** as the selected contractor for landscaping design/build services for the City of East Ridge.

SS

RESOLUTION NO. 3749

A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING THE SELECTION OF A FIRM TO PROVIDE PROFESSIONAL LANDSCAPING SERVICES FOR CITY-DESIGNATED OUTDOOR SPACES, CONDITIONED UPON A SUCCESSFULLY NEGOTIATED AGREEMENT

WHEREAS, the City of East Ridge issued a Request for Qualifications (RFQ) to identify qualified landscaping design/build firms to provide professional landscaping services for City-designated outdoor spaces; and

WHEREAS, the intent of this RFQ is to secure professional services to support beautification and enhancement projects across municipal properties, including but not limited to public parks, medians, building entrances, and other outdoor spaces throughout the City; and

WHEREAS, after thorough review and evaluation of qualifications, project approach, and alignment with the City's beautification goals, City staff recommends Big Sky Landscapes as the preferred firm; and

WHEREAS, each individual landscaping project will be negotiated separately with the selected firm to determine the specific scope of work and pricing, ensuring flexibility and cost-efficiency for various locations and needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that the City Council hereby approves Big Sky Landscapes as the selected contractor to provide professional landscaping design/build services for City-designated outdoor spaces and that the City Manager or his designee is authorized to execute project-specific agreements with Big Sky Landscapes for landscaping design/build services as needed, consistent with the City's procurement policies and budgetary guidelines.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the City requiring it.

Adopted this the _____ of _____ 2025.

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney



RFQ Packet

Prepared for
Venue 1921

September 24, 2025

Presented to
City of East Ridge



Letter of Interest

On behalf of Big Sky Landscapes, I am pleased to submit this Letter of Interest and RFQ response to provide landscaping design/build services for Venue 1921 and the City of East Ridge. We are a full service landscaping firm with extensive experience in delivering commercial and venue projects that balance function, sustainability, and visual appeal.

Our team specializes in complete project delivery, including consultation, design, installation, and long term maintenance. We bring a track record of on budget, large scale developments and venue landscaping across the region, with representative projects including Chattanooga Choo Choo, Happy Valley Farms, Social Circle Residential Development, and multiple other multi phase developments.

We understand the City's goals to enhance public spaces with sustainable, low maintenance, and visually impactful landscaping. Our team's in depth plant knowledge, particularly in native species, ensures installations that thrive in East Ridge's environment while reducing long term maintenance costs. Our commitment to excellence is reflected not only in the quality of our installations but also in our ability to work within established budgets while maintaining design integrity and long term sustainability.

What sets us apart:

- Planning/Strategic Consultation – Direct communication with client, outlining vision and budget. We have a solution oriented mindset and provide innovative recommendations by presenting three options based on client objectives.
- Partnerships – We partner with venue owners and developers through every phase of their project (designing, constructing, and maintaining). We build lasting relationships with all our clients.
- Professional Standards – We are fully licensed by the city, county, and state of TN (copies are attached). We are fully insured, providing each of our clients a COI.
- Expert Team – Big Sky Landscapes holds all employees to a high standard of hard work and dedication. We have detailed standard operating procedures for all installations. We are also committed to company wide safety protocols and detailed staff training.
- Technological Processes – A CRM portal tracks all quotes, invoices, and project specifications with the goal of transparency for our clients. We are happy to work with any project management platforms already in use by our clients.

We would be honored to contribute to the success of Venue 1921 by creating a landscape that is not only beautiful but also functional, sustainable, and welcoming for years to come.

Thank you for your consideration. We look forward to the opportunity to present our full qualifications and proposal for your review.

Sincerely,

Luke Bowling, Owner

Big Sky Landscapes



Big Sky Landscapes Overview

Year Established: 2020

Location: 1406 E 51st St, Chattanooga, TN 37409

Contacts:

- **Luke Bowling**, Owner
 - Email: luke@bigskylandscapes.com
 - Phone: (423) 424-9653
- **Gabriela Grassmid**, Executive Assistant
 - Email: info@bigskylandscapes.com
 - Phone: (423) 488-8905

About Us:

At Big Sky Landscapes, we're passionate about transforming outdoor spaces into high-quality and sustainable areas. We have a proven track record of delivering results for municipalities, businesses, and developers. Whether consulting for conceptual layout, budget planning, designing green spaces, or finalizing tree and plant layout, we are a full service landscaping firm that can be a long term guiding partner for every phase of outdoor construction.

Core Services:

- Expert Consultation
- Landscape Design & Installation
- Hardscape Design & Installation
- Irrigation Systems & Management
- Drainage Systems
- Outdoor Lighting
- Planting & Seeding
- Mulch and Pine Straw Application
- Pressure Washing
- Signage
- Retaining Walls



Chattanooga Choo Choo

Big Sky Landscapes had the privilege of landscaping the iconic Chattanooga Choo Choo with the installation of a diverse range of native plants. Our work included native shrubs such as Switchgrass, Yaupon Hollies, Rhododendron, Itea, Beautyberry, and more. In addition to the plant installations, the project encompassed a variety of essential landscaping elements, including the application of mulch, sod installation, irrigation setup, topsoil addition, drainage solutions, and the creation of planter beds.

This comprehensive installation reflects our commitment to blending natural beauty with functionality in every detail and our team's knowledge in plant selection and layout for the Chattanooga region.

1400 Market St. Chattanooga, TN 37402





Happy Valley Farms

Big Sky Landscapes partnered with Happy Valley Farms to restore and enhance this historic venue. Our team revitalized the old barn and surrounding grounds, transforming the area into a welcoming community space. With limited direction, we guided the vision by presenting creative options for lighting, gathering areas, and overall layout. The project highlighted our expertise in hardscape design and installations, including concrete, site grading, and the creation of functional outdoor spaces designed to support both daily use and special events.

This installation reflects our commitment to building timeless community spaces that balance function with beauty, as well as our team's knowledge in hardscape design.

490 Hutcheson Rd, Rossville, GA 30741





Social Circle Residential Development

Big Sky Landscapes has installed multiple outdoor/community spaces throughout the greater Chattanooga area. Recently, the Social Circle community was brought to life through thoughtful landscaping across their multi-family residential development.

This project reflects our dedication to building strong partnerships with developers while showcasing our ability to understand the unique requirements in design, construction, and enhancement of community green spaces.

7531 Pinewood Drive, Chattanooga, TN 37421





References

- Second Story Real Estate Management - Chattanooga, TN
 - Tara Viland, Property Manager
 - (423)-682-8241
- Collier Construction - Chattanooga, TN
 - Ernie Freistat, VP of Construction
 - (423)-593-4236
- Berry Hutton Construction - Chattanooga, TN
 - Steve Lance, Project Superintendent
 - (423)-356-2347
- Thousand Hills Management
 - Sheldon Grizzle, Partner
 - 423-498-9669



Key Qualifications

Leadership

- Luke Bowling, Owner
 - Luke brings 15 years of hands-on experience in landscape design, installation, and maintenance. As founder of Big Sky Landscapes, he leads a 65-person team and oversees all field operations. Since launching the company in 2020, he has grown it from a two-person startup to a multi-million-dollar operation recognized on the Inc. 5000 and awarded Chattanooga's Best of the Best in 2024. His leadership ensures dependable, high-quality landscaping execution aligned with project specifications and performance standards.
- Garry Rawlston, Installation Director
 - Over 20 years of experience in the landscaping industry, Garry has spent the last 3 years managing and overseeing the successful execution of large multi-phase outdoor construction projects for commercial and high end residential projects. He has managed the installation of hardscapes, plant material, irrigation, outdoor lighting, artificial turf, and worked directly with our architects and designers to make adjustments in the field based on site changes.
- Nathan Caffarelli, Maintenance Director
 - Over 30 years of Golf Course experience at private golf courses managing teams, turf, etc. He has worked at Big Sky Landscapes for 2.5 years in the Accounts manager role managing multiple teams, over 120 commercial and residential clients, and currently managing approximately \$1.5 million in annual contracts.

Licenses

- City of Chattanooga
- County of Hamilton
- Landscaper License - TN Dept of Agriculture



**City of Chattanooga
Business Tax Standard License**

June 18, 2025

BIG SKY LANDSCAPES LLC
1406 E 51ST ST
CHATTANOOGA TN 37407-3515

Letter ID: L0124290752
Expiration Date: 15-May-2026
Return Due By: 15-Apr-2026

The business tax license printed below certifies the receipt and approval of your business tax license application or the renewal of a license for your existing business. The license is valid until the expiration date noted above. Your license number is 1001851197 and your classification is 3. The certificate must be displayed publicly at the location for which it is issued.

All business tax returns are required to be filed and the payment remitted electronically. Your return is due on April 15, 2026. Please visit www.tn.gov/revenue for additional information.

Note: This license does not permit operation unless properly zoned and/or in compliance with all other applicable state, county, or city laws, rules and regulations. Also, as required by Tenn. Code Ann. § 39-17-1801 et seq., businesses must comply with all provisions of the Tennessee Non-Smoker Protection Act.

DETACH LICENSE BELOW AND DISPLAY IN PUBLIC AREA



**City of Chattanooga
Business Tax Standard License**
This certificate must be publicly displayed.

BIG SKY LANDSCAPES LLC
1406 E 51ST ST
CHATTANOOGA TN 37407-3515



Date Issued: 18-Jun-2025
Classification: 3
Letter ID: L0124290752
License Number: 1001851197
Expiration Date: 15-May-2026

W.F. (BILL) KNOWLES, HAMILTON COUNTY CLERK

LICENSE
0161673

STANDARD BUSINESS TAX LICENSE

wk103 Drawer: 3 Site: 4
Work Date: 07/03/2025

DETACH THIS PORTION FOR CONFIDENTIAL FILE

W.F. (BILL) KNOWLES
HAMILTON COUNTY CLERK
625 GEORGIA AVENUE
ROOM 201
CHATTANOOGA, TN 37402
STANDARD BUSINESS TAX LICENSE

LICENSE
0161673

Mailing

Location

102419987 BIG SKY LANDSCAPES LLC
D.B.A. BIG SKY LANDSCAPES

PO BOX 2436
CHATTANOOGA, TN 37409

BIG SKY LANDSCAPES

1406 E 51ST ST
CHATTANOOGA, TN 37407

LUKE BOWLING

LOCAL ACCOUNT NUMBER 102419987
STATE ACCOUNT NUMBER 1001851197
TRANSACTION NUMBER _____
CLASS 04
SALES TAX NUMBER _____

ISSUE DATE 07/03/25
TAX PERIOD 1/1/2024 - 12/31/2024
PAYMENT DUE BY 4/15/2026
EXPIRATION DATE 05/15/2026

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.

William F. (Bill) Knowles

CLERK SIGNATURE

wk103 Drawer:3 Site:4

-- POST AT LOCATION OF BUSINESS --
IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE



Mailing Address:

Big Sky Landscapes
1406 E 51st Street
Chattanooga TN 37404

Physical Address:

Big Sky Landscapes
1406 E 51st Street
Chattanooga TN 37404

This license is issued on 07/01/2025 and is conditioned on the faithful observance of the applicable laws and rules of the Tennessee Department of Agriculture.

Plant Certification Landscaper License

Expires: 06/30/2026

License # BCOL-C36QXY

The UNDERSIGNED HEREBY CERTIFY upon inspection of the below named firm that , its facilities, premises, and stock having been found to be apparently free of pests, pest plants, and disease, and valid inspection certificates for its plant stock having been observed, the firm is authorized to sell or move plant stock from the named facility.



Commissioner Charlie Hatcher, D.V.M.

DISCUSSION ITEM

BRIAN WILLIAMS
Mayor

JACKY CAGLE
Councilmember

ANDREA WITT
Councilmember



DAVID TYLER
Vice Mayor

JEFFREY EZELL
Councilmember

J. SCOTT MILLER
City Manager

City of East Ridge

*1517 Tombras Avenue
East Ridge, Tennessee 37412
(423) 867-7711*

AGENDA MEMO

TO: Mayor and Council
FROM: Mark W. Litchford
SUBJECT: Charter Amendment
DATE: October 9, 2025

I was asked to assist in connection with drafting a proposed amendment relative to Section 5 of the East Ridge City Charter. Specifically, the request was to revise the part within Section 5 related to capping the term for service by a councilmember and capping the term for service by the mayor at 12 consecutive years. In connection with this request, I researched the genesis of the current version of the Charter which was approved by referendum in 1992 pursuant to Ord.#522 when the City converted from a Commission-Mayor form of government to a City County-Mayor form of government. I pulled the minutes from the public meetings relative to Ord. #522. At that time, all members of the governing body were elected at the same time. Upon the adoption of Ord. # 522, staggered terms were first introduced under the City Council-Mayor form of government and a limitation of 12 consecutive years was included in the Ordinance. Notwithstanding, the text of Ord. #522 included certain language to protect situations wherein the 12-year limit fell during a current term of a sitting councilmember or mayor. In such situations, Ord. #522 included language allowing the sitting councilmember or mayor to complete the term even if doing so went beyond the 12 consecutive year limit.

For example, starting in 1994, the two councilmembers receiving the lowest votes at the 1994 election only received a two year term. Thus, to avoid a situation that would potentially penalize those two councilmembers, Ord. #522 included language providing that nothing in the Charter was to be construed as abridging the term of any official prior to the end of the term for which the official was elected. In more modern occurrences, councilmembers who are appointed to unexpired terms could potentially face similar situations. Also, if a member of the council elects to run for the mayor position (or, alternatively, if a mayor decides to run for a council position), then that individual could potentially be faced with a situation wherein the last term extended beyond the 12 consecutive year limitation. Under the existing language of the Charter, that individual would be permitted to complete the term even if doing so extended beyond the 12 consecutive year limitation.

The attached draft is for discussion purposes only and is not intended to be presented for first reading at the October 9 council meeting. I welcome any dialogue and deliberation regarding this draft.

ORDINANCE NO. _____

AN ORDINANCE TO SUBMIT IN REFERENDUM TO THE PEOPLE OF EAST RIDGE, TENNESSEE, THE QUESTION OF AMENDING THE CHARTER OF THE CITY OF EAST RIDGE, TENNESSEE, BY AMENDING SECTION 5 OF THE CHARTER.

BE IT ORDAINED by the City Council of the City of East Ridge, Tennessee, as follows:

SECTION 1:

That at the general state election to be held on November __, 2026 (the “Election”), there shall be submitted in referendum to the people of East Ridge, Tennessee, the question of amending the Charter of the City of East Ridge, Tennessee by deleting Section 5 of the East Ridge City Charter and substituting in lieu thereof a new provision set forth below.

SECTION 2:

That to accomplish said referendum, the Election Commission of Hamilton County, Tennessee, is hereby directed to place upon the ballots to be used within the precincts of the City of East Ridge, Tennessee, during said Election the following words and figures:

PROPOSAL: Section 5 of the Charter for the City of East Ridge, Tennessee, is proposed to be amended by deleting the existing text and replacing the same with the following such that Section 5 would state as follows:

The East Ridge City Council shall be composed of a mayor and four (4) councilmembers to be elected by the voters of the City of East Ridge at large to staggered four (4) year terms. The two (2) councilmembers and the mayor who are elected in the general city election in November 2026 shall be elected to a term of office that shall extend until they or their successors shall be elected and qualified to four (4) year terms of office in the general city election to be held on the first Tuesday following the first Monday in November 2030. The two (2) councilmembers who are elected in the general city election in November 2028 shall be elected to a term of office that shall extend until they or their successors shall be elected and qualified to four year terms of office in the general city election to be held on the first Tuesday following the first Monday in November 2032. The Mayor may not serve more than three (3) complete terms as Mayor and a Councilmember may not serve more than three (3) complete terms as a

for Councilmember receiving the third (3rd) and fourth (4th) highest number of votes, shall hold office for two (2) years. From and after the election of 1994, the candidates receiving the highest number of votes for the number of Councilmember positions subject to election shall be elected to those positions. However, at each and every City election thereafter, which shall always be held on the first Tuesday following the first Monday in November of each even-numbered year, the successors to the office of Mayor and Councilmember shall be elected for terms of four (4) years. The Mayor and Councilmembers shall be eligible for re-election, but following, and including, the general city election in 1994 no member of the Council shall serve more than a total of twelve (12) consecutive years as Mayor and/or Councilmember. Nothing in this Charter shall be construed as having the effect of removing an incumbent from office or abridging the term of any official prior to the end of the term for which the official was elected. The Mayor and the other four (4) Councilmembers shall be subject to removal from office for the same cause and in the same manner as provided for the ouster of public officers by Section 8-47-101 through 8-47-126 of the Tennessee Code Annotated (providing for ouster in cases of misconduct in office as set out therein), and for recall of elected officials, as provided for under Titles 2 and 6 of the Tennessee Code Annotated.

The Mayor elected in the general City election in 2010, and every general City election thereafter, shall be the candidate for Mayor receiving the highest number of votes.

The Mayor and Councilmembers elected in the general city election in 2010, and the candidates elected in every general city election thereafter, shall commence their terms on the second Monday of the month following the date of the City election, which terms shall end four (4) years thereafter, or when their successors are elected and qualified. [Priv. Acts 1921, ch. 569; as amended by Ord. #498, Sept. 1990; replaced by Ord. #522, May 1992; and amended by Ord. #849, Nov. 2008; and Ord. #974, July 2014]

SECTION 3.

BE IT FURTHER ORDAINED, that, with the exception provided in Sections 1 and 2 above, all laws constituting the present Charter of the City of East Ridge, Tennessee, not in conflict with this amendatory home rule ordinance, be and the same are continued in full force and effect, and all laws or parts of laws in conflict therewith are hereby repealed.

SECTION 4.

BE IT FURTHER ORDAINED, that if any clause, sentence, paragraph, section, or part of this ordinance shall be held to be unconstitutional or void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding such part, if any, as may be held to be invalid.

SECTION 5.

BE IT FURTHER ORDAINED, that this Ordinance shall be published in full by the Clerk of the City Council in the daily newspaper of general circulation in the City of East Ridge, Tennessee, after the passage thereof on second and final reading.

SECTION 6.

BE IT FURTHER ORDAINED, that the Clerk of the City Council shall certify the passage of this Ordinance to the Hamilton County Election Commission and request that the proposed amendment to the City Charter of the City of East Ridge, Tennessee, be placed on the ballot to be used in the general state election to be held on or about November __, 2026.

SECTION 7.

BE IT FURTHER ORDAINED, that the cost of the referendum election shall be paid from the general funds of the City of East Ridge, Tennessee.

SECTION 8.

BE IT FURTHER ORDAINED, that a copy of this ordinance be furnished by the Finance Director to the Election Commission of Hamilton County as its authority to hold such referendum and to make such provision for the advertising and implementation of such referendum as is necessary.

SECTION 9.

BE IT FURTHER ORDAINED, that the Hamilton County Election Commission shall certify to the Clerk of the City Council of the City of East Ridge, Tennessee, the result of said election, and the said Clerk shall cause said certification to be made a part of the minutes of the City Council.

SECTION 10.

BE IT FURTHER ORDAINED, that a copy of this ordinance be published by the City in accordance with law.

SECTION 11.

BE IT FURTHER ORDAINED, that this ordinance take effect from and after its passage, the public welfare of the City requiring it.

Passed first reading _____, 2025.

Passed second reading _____, 2025.

Brian W. Williams, Mayor

Attest:

J. Scott Miller, City Manager

Approved to form:

Mark W. Litchford, City Attorney

ORDINANCE NO. _____

AGENDA MEMORANDUM

REZONE

Date: October 23, 2025

Submitted by:



Michael Howell, Chief Building Official

SUBJECT:

On October 6th, 2025, Joshua Lindsay petitioned the East Ridge Planning Commission to rezone the parcel located at 416 Donaldson Road (Tax Map# 156E L 009) from R-1 Residential District to R-2 Residential Duplex District.

The East Ridge Planning Commission approved the request to rezone the parcel.



Zoning Change Application Form

CASE NUMBER: 2025-0139		Date Submitted: 07/21/2025	
Sections 1-9 below to be filled out by Applicant- RPA staff will assist if needed			
1 Applicant Request			
Rezone From: R-1		Rezone To: R-2	Total acres in request area: 0.52
2 Applicant Requested Conditions		Yes:	No: ☒
3 Proposed Conditions – Attach a separate page if conditions won't fit in this box			
N/A			
4 Property Information			
Property Address: 416 Donaldson Rd		Property Tax Map Number: 156E-L-009	
5 Proposed Development			
Reason for request/Project description:		Bring a duplex into conformity	
6 Site Characteristics			
Current Use:		Duplex	
Adjacent Uses:		Residential	
7 Applicant Information			
Name: Joshua Lindsay			
Address (street, city, state, zip): 416 Donaldson Rd, Apt A, Chattanooga, TN 37411			
Phone: [REDACTED]		Email: [REDACTED]	
Primary Contact (if different than applicant information):			
Address (street, city, state, zip):			
Phone:		Email:	
☒ If the Applicants Information is the same as the Property Owners, please check the box to the left.			
8 Property Owner Information Only fill out this section if applicant is <u>not</u> the property owner. RPA requires a signed Owner Authorization form from the property owner. Property Owner Authorization Forms are available through the RPA.			
Name:			
Address (street, city, state, zip):			
Phone:		Email:	
9 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: See Submitted Application		Date:	
Office Use Only:			
Checklist			
☒ Application	☒ Site Plan	☒ Ownership Authorization	
☒ Property Cards	☒ Deeds	☒ Plats	
☒ Application Fee: \$150	☐ Cash	☒ Credit	☐ Check
☒ Notice signs	Number of notice signs: 2		
Municipality: East Ridge	Planning District: 6	Neighborhood: None	
County Commission District: 8	City Council District: 0		
PC meeting date: East Ridge	Application processed by: Jennifer Ware		
<u>Staff Recommendation :</u>	<u>PC Action/Date:</u>	<u>Legislative Action/Date/Ordinance:</u>	



Emily Wood <ewood@chattanooga.gov>

Proposed Re-zone from R-1 to R-1

Joshua Lindsay

To: rezoningapplications@chattanooga.gov

Thu, Jul 24, 2025 at 11:55 AM

Good morning,

I would like to rezone my existing property from R-1 to R-2. It is currently legal, non-conforming. The property is an existing duplex. There are no proposed changes to any structures or land. Thank you for your time.

—
Best,

Joshua

5 attachments



Deed.pdf

100K



Site Plan.docx

26K



Plat GIS Map.pdf

237K



Hamilton County Unofficial Property Card.pdf

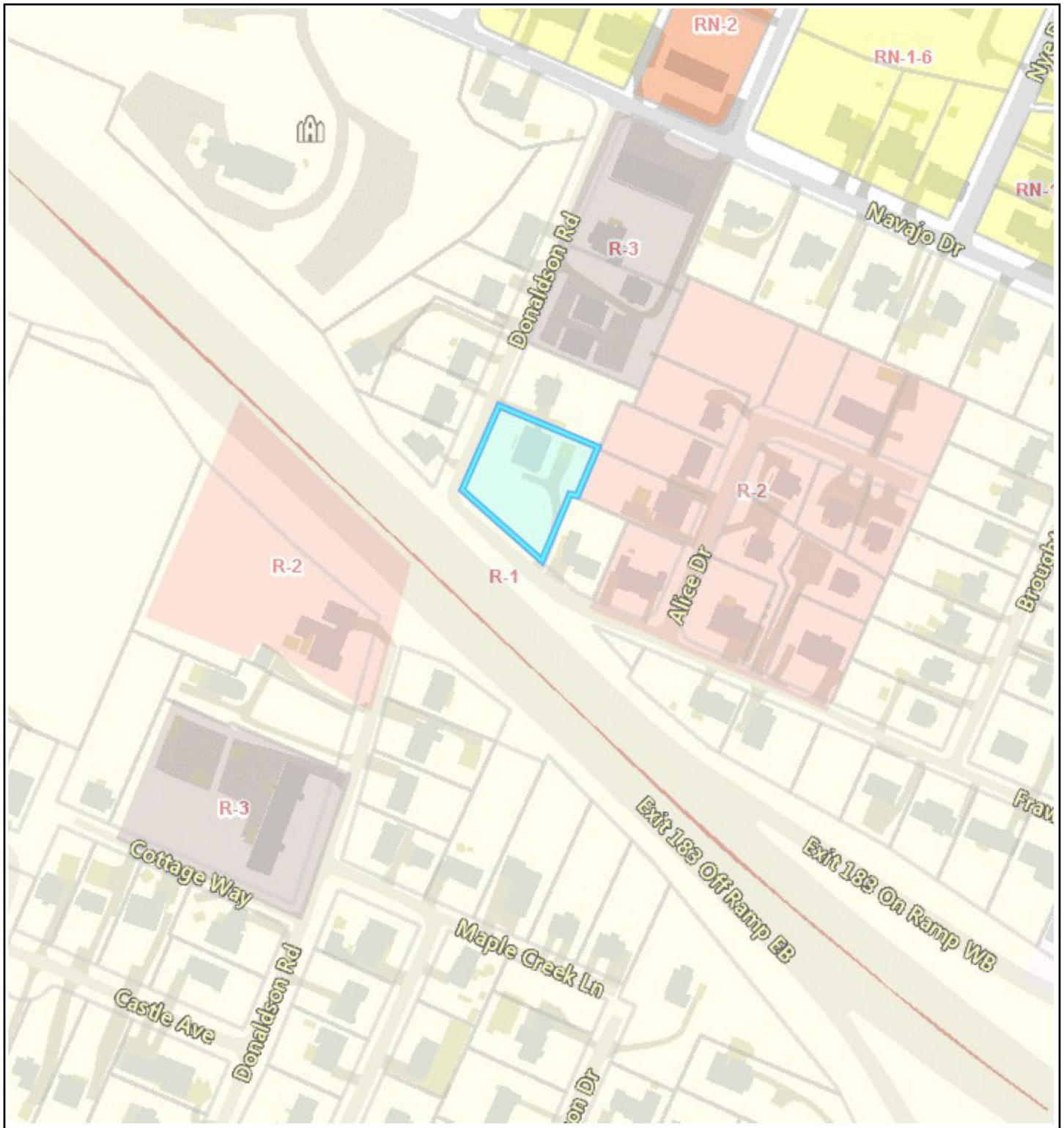
123K



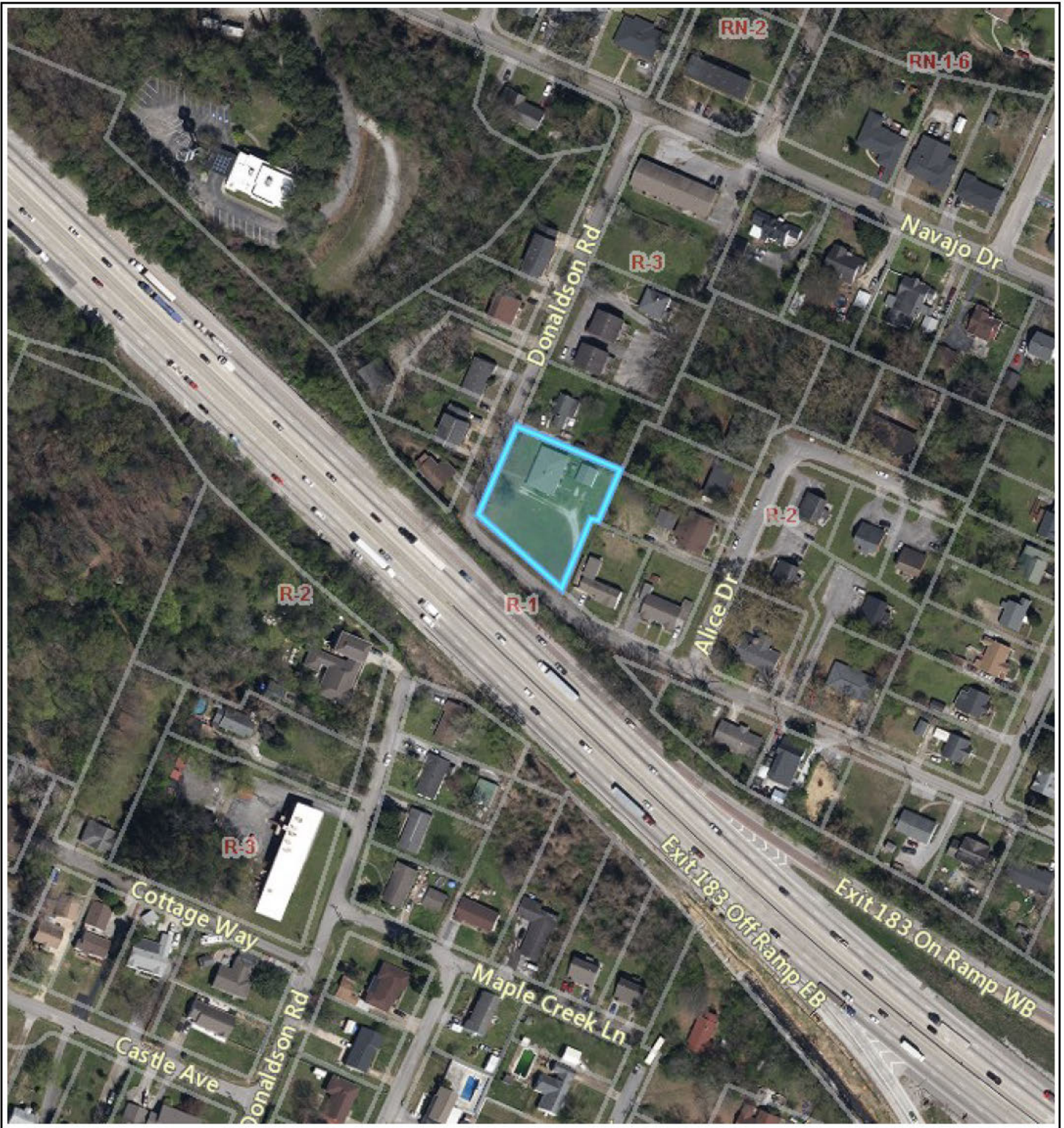
Re-zoning Application.pdf

8482K

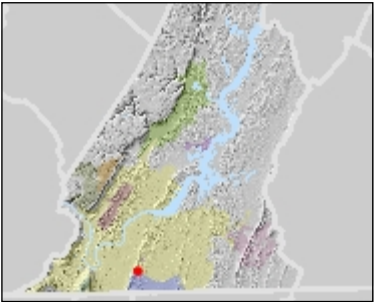
2025-0139 Rezoning from R-1 to R-2



2025-0139 Rezoning from R-1 to R-2



GISMO 5



Legend

- Address Labels
- Parcels
- Road Paved Surface
- County Boundary
- Recycling Centers
- Healthcare Facilities
- Emergency Services Locations
 - FIRE
 - MEDIC
 - POLICE
- Cemeteries
- Religious Facilities
- Schools
- Building Footprints
- Miscellaneous Structures
- Driveways
- Parking
- Water Bodies
- Other Water Bodies
- Recreational Areas
- Surrounding
- Hamilton

0 50.00 100.0Feet

NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
© Latitude Geographics Group Ltd.



Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. This map was automatically generated using HCGIS Mapping System. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

1. Parcel Boundary & Rezoning Area

Parcel lines for 156E L 009 (and adjacent parcels affected).

Rezoning request area (R-2) Existing parcel

2. Existing & Proposed Structures

Existing single-family (duplex) home located along the center of the parcel (approx. 40' × 60' footprint).

3. Ingress & Egress

Vehicular ingress/egress:

Existing driveway from the adjacent street, 20' wide.

Pedestrian access:

Existing sidewalk connection from front porch to public sidewalk (5' wide).

Rear walkway linking units to parking and dumpster.

4. Landscape Buffers

10'-wide buffer along all side and rear property lines (adjacent to R-1 zoning)

Street yard buffer (front): 8' wide with low shrubs and street trees every 30'.

5. Parking Area Design

Surface parking lot

Existing Total parking: 4 spaces.

6. Dumpster Location

N/A

7. Floodplain Information

Overlay floodplain zones per FEMA data:

100-year floodplain: eastern 25' of parcel

500-year floodplain: eastern 10' beyond 100-year zone

Floodway zone: *none* on the parcel.

All proposed structures and parking kept outside mapped floodplain.

Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT

CASE NUMBER: 2025-0139	APPLICANT: Joshua Lindsay	PROPERTY OWNER: Joshua Lindsay
PROPERTY ADDRESS: 416 Donaldson Road	TAX MAP PARCEL ID: 156E-L-009	JURISDICTION: East Ridge
SIZE OF PROPERTY: 0.52 acres	REQUEST: Rezone from R-1 Residential District to R-2 Residential Duplex District to bring a duplex into conformity with the zoning.	

PROPERTY DESCRIPTION

EXISTING LAND USE Two-Unit Residential (Converted)	SURROUNDING LAND USES <u>North:</u> Single-Unit Detached Residential <u>East:</u> Multi-Unit Residential & Single-Unit Detached Residential <u>South:</u> I-24 <u>West:</u> Two-Unit Residential		ACCESS Donaldson Road
TRANSPORTATION Donaldson Road is a local road.	PROPOSED RESIDENTIAL DENSITY 3.8 du/ac (2 units)	ADJACENT RESIDENTIAL DENSITY 6 du/ac (north of site)	NATURAL RESOURCES N/A

ZONING

ZONING HISTORY	- There is R-2 zoned property abutting the site to the east. - Case 1993-0204 located at 3301 Navajo Dr & 400-406 Donaldson Rd (north of the site) was rezoned from R-1 to R-3 with conditions of "no additional units be built or placed upon the subject tract in excess of 18 units currently in existence on said property (Ordinance #566). - Case 2020-0126 located at 406 Broughton St (east of the site) was rezoned from O-1 Office District to R-1 Residential District (Ordinance #1138).		
ZONE DISTRICT COMPATIBILITY	USE	CURRENT R-1 DISTRICT	PROPOSED R-2 DISTRICT
	Single-Unit Detached Residential	☒	☒
	Two-Unit Residential	☐	☒
	Institutional	☒	☐
	DEVELOPMENT STANDARDS	CURRENT R-1 DISTRICT	PROPOSED R-2 DISTRICT
	Lot Size	10,000 sf	10,000 sf
	Lot Frontage	75'	75'
	Setbacks	Front: 25' Side: 10' Rear: 25'	Front: 25' Side: 10' Rear: 25'
	Building Height	2 ½ stories or 35'	2 ½ stories or 35'

DISCUSSION OF STAFF RECOMMENDATION

☒ Yes ☐ No ☐ See Comments	COMPATIBILITY WITH ADJACENT LAND USES The proposed use of a two-unit dwelling is compatible with the adjacent residential uses in the area.
☒ Yes ☐ No ☐ See Comments	COMPATABILITY WITH DEVELOPMENT FORM There is already development of this type in the area.
☐ Yes ☒ No ☐ See Comments	CONCERNS REGARDING LOCATION, LIGHTING, OR HEIGHT There are no concerns with nuisances. Approving the R-2 District at this location is an extension of an existing zone.

Re: Rezone - 416 Donaldson Rd

From Joshua Lindsay [REDACTED]
Date Tue 10/7/2025 8:29 AM
To Mike Howell <mhowell@eastridgetn.gov>

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning Michael,

I want to move forward with the City Council for the review of the rezoning.

Best,

Joshua

On Tue, Oct 7, 2025 at 8:08 AM Mike Howell <mhowell@eastridgetn.gov> wrote:
Joshua,

Please send me an email stating that you want to move forward with the City Council for the review of the rezoning.



Michael Howell

City of East Ridge
Chief Building Official

Main 423-867-7711 **Email** mhowell@eastridgetn.gov

Desk 423-805-3189 **Website** www.eastridgetn.gov

Address 1517 Tombras Avenue, East Ridge, TN 37412

This transmission is confidential and may be privileged or proprietary. If you are not the intended recipient, you are not authorized to use the information in this transmission in any way. Please inform the sender immediately if you have received this transmission in error and permanently delete and destroy the original and any copies of the information.



City of East Ridge

1517 Tombras Avenue
East Ridge, Tennessee 37412
(423)867-7711 • www.eastridgetn.gov

Department of Building and Codes

DATE: September 19, 2025
TO: Planning Commission Members
FROM: Building and Codes Department
SUBJECT: Rezone

Applicant: Joshua Lindsay

Location: 416 Donaldson Road
Tax Map Number: 156E -L- 009

Consider the request of Joshua Lindsay to have the property located at 416 Donaldson Road rezoned from R-1 Residential District to R-2 Residential Duplex District.

This request is to bring a duplex into conformity.

No compatibility challenges were identified.

1. The site is surrounded by areas of low-intensity residential use and high-density residential use, and it is compatible with the adjacent residential developments. To the east, there is an R-2 zoned property that borders the site.
2. Prior to the adoption of the East Ridge Municipal Code, Ordinance 481, this structure was in compliance with zoning regulations, as the parcel was designated as Urban Residential (UR), which permitted the use of a duplex (Section 501.13).
3. There are no concerns regarding nuisances; approving the R-2 district would simply extend an existing zoning classification.

Section 5-V - DISTRICT URBAN RESIDENCE DISTRICT REGULATIONS

501. Use Regulations

501.1 Principal Uses Permitted

501.11 Farming, including all types of agriculture and horticulture except (a) commercial dairies, (b) commercial kennels, rabbit, fox, goat and other animal raising or feeding farms, (c) poultry farms, (d) commercial nurseries or greenhouses,

(e) farms operated by public or private agencies for the disposal of garbage.

501.12 Public parks and golf country clubs, and similar uses, but not including any sport, athletic, recreation or amusement enterprise operated as a business or for commercial purposes.

501.13 One and two family dwellings.

501.14 Churches, schools, museums, libraries, art galleries and other cultural institutions, but not including convents, orphan asylums, or public or private penal, correctional or welfare institutions.

(501.15 Hospitals and clinics, except for the insane or contagious diseases.

*out by
Res. 123
made 6.01.18*

501.16 Railroad stations and railroad lines, not including switching or storage yards or repair shops.

501.17 Public signs, notices, and warnings wherever necessary.

501.2 Accessory Uses Permitted.

501.21 Buildings, structures, and uses customarily incident to any of the above uses, when located on the same lot or tract, and not involving the conduct of a business, subject to the regulations and restrictions of sections 12 and 13.

501.22 Home occupations, offices, and studios, when situated in the building used by the person engaged in the occupation as his or her private dwelling, provided no advertising sign, merchandise, products or equipment is displayed for advertising purposes.

501.3 Additional Uses Permitted, Upon Conditional Permit of the Board of Appeals, subject to the Principles and Limitations Prescribed by Section 1304.32.

501.31 Apartment houses and multiple dwelling groups (See Section 1304.3223).

501.32 Storage garage (See Section 1304.3225).

501.33 Public Utility buildings and structures (See Section 1304.3226).

501.34 Radio and Television Broadcasting Stations, Studios, Towers and Facilities.

501.35 Fire Halls, Sub Stations, Watertowers, Booster Pumping Stations and Telephone Exchanges.

502. Height Regulations

502.1 Building Height Limit

Except as provided in Sections 12 and 13, and in special conditional permits, no building shall exceed two and one-half stories or 35 feet in height.

ORDINANCE NO. _____

AGENDA MEMORANDUM

REZONE

Date: October 23, 2025

Submitted by:

A handwritten signature in blue ink, appearing to read 'Michael Howell', is written over a horizontal line.

Michael Howell, Chief Building Official

SUBJECT:

On October 6th, 2025, Nikolay Timoschchuk, Jr, with NPS Builds, LLC, petitioned the East Ridge Planning Commission to rezone the parcel located at 1438 N Smith Street (Tax map# 169K A 014) from RT-1 Residential Townhome District to R-1 Residential District.

The East Ridge Planning Commission approved the request to rezone the parcel.



Zoning Change Application Form

CASE NUMBER: 2025-0146		Date Submitted: 08/13/2025	
Sections 1-9 below to be filled out by Applicant- RPA staff will assist if needed			
1 Applicant Request			
Rezone From: RT-1		Rezone To: R-1	Total acres in request area: 0.24
2 Applicant Requested Conditions		Yes:	No: ☒
3 Proposed Conditions – Attach a separate page if conditions won't fit in this box			
N/A			
4 Property Information			
Property Address: 1438 N Smith Rd		Property Tax Map Number: 169L-K-001.01	
5 Proposed Development			
Reason for request/Project description:		To build a single family home	
6 Site Characteristics			
Current Use:		Vacant	
Adjacent Uses:		Residential and Commercial	
7 Applicant Information			
Name: Nikolay Timoshchuk Jr. with NPS Builds			
Address (street, city, state, zip): 6118 Airways Blvd, Chattanooga, TN 37421			
Phone: 423-827-5695		Email: nikolay@npsbuilds.com	
Primary Contact (if different than applicant information):			
Address (street, city, state, zip):			
Phone:		Email:	
☒ If the Applicants Information is the same as the Property Owners, please check the box to the left.			
8 Property Owner Information Only fill out this section if applicant is <u>not</u> the property owner. RPA requires a signed Owner Authorization form from the property owner. Property Owner Authorization Forms are available through the RPA.			
Name:			
Address (street, city, state, zip):			
Phone:		Email:	
9 Applicant Signature and Consent			
By signing below, I verify that am the property owner, or have been authorized to act as an agent on behalf of the applicant or owner. I have read and understand the information provided in the RPA Application Policy, and agree to adhere to the policies of the RPA and responsibilities of the applicant as outlined.			
Signature: See Submitted Application		Date:	
Office Use Only:			
Checklist			
☒ Application	☒ Site Plan	☒ Ownership Authorization	
☒ Property Cards	☒ Deeds	☒ Plats	
☒ Application Fee: \$150	☐ Cash	☒ Credit	☐ Check
☒ Notice signs	Number of notice signs: 1		
Municipality: East Ridge	Planning District: 6	Neighborhood: None	
County Commission District: 8	City Council District: 0		
PC meeting date: East Ridge	Application processed by: Jennifer Ware		
<u>Staff Recommendation :</u>	<u>PC Action/Date:</u>	<u>Legislative Action/Date/Ordinance:</u>	

Application Narrative - 1438 N Smith St Chattanooga TN 37412

To whom it may concern,

I am writing my request to rezone 1438 N Smith St Chattanooga TN 37412 from RT-1 to R-1. I am wanting to build a single family home instead of townhouses. The previous owner had the intention of building townhouses, but I just want to build a 3 bedroom 2 bathroom house.

The land was zoned R-1 before it was rezoned to RT-1. Please consider down zoning back to the original R-1 zoning.

Let me know if you have any questions or concerns.

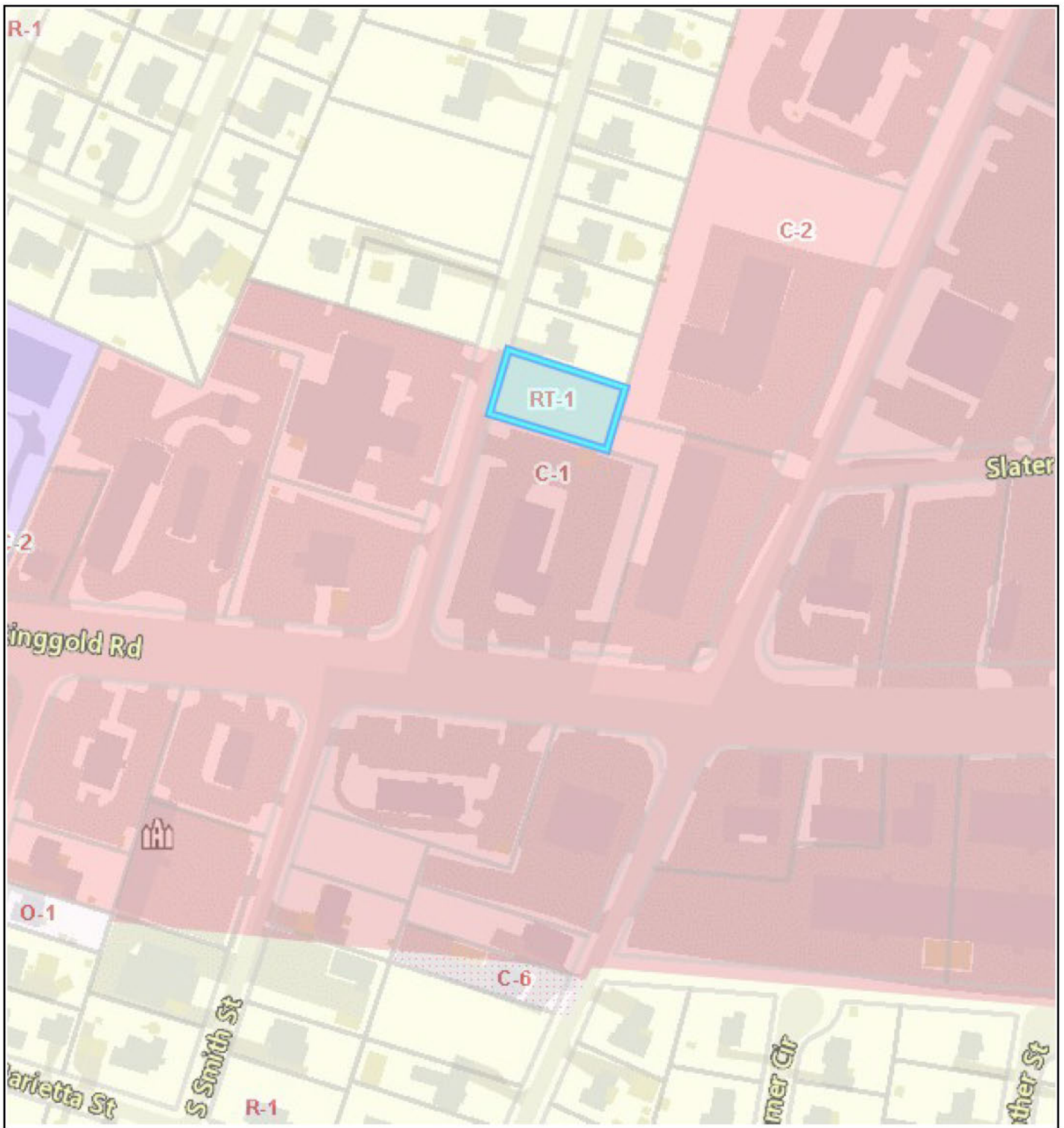
Thank you for your time.

NPS Builds LLC

Nikolay Timoshchuk Jr

A handwritten signature in dark ink, appearing to be 'NT' or similar initials, written in a cursive style.

2025-0146 Rezoning from RT-1 to R-1



2025-0146 Rezoning from RT-1 to R-1



ORDINANCE NO. 1194

AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 1438 NORTH SMITH STREET, TAX MAP #169L-K-001.01 FROM R-1 RESIDENTIAL DISTRICT AND C-1 COMMERCIAL TOURISM DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT

WHEREAS, N & R Properties petitioned the East Ridge Planning Commission to recommend to the Mayor and Councilmembers of the City of East Ridge, Tennessee, the rezoning of property located at 1438 North Smith Street, Tax Map #169L-K-001.01 from R-1 Residential District and C-1 Commercial Tourism District to RT-1 Residential Townhome District. The property is more particularly described as follows:

Lot 19, Corrective Plat of the Resubdivision of Lots 19, 20, and 21, Maypo Addition, Plat Book 42, Page 3, ROHC, being the property described as Tract 2 in Deed Book 13217, Page 83, ROHC. Tax Map 169L-K-001.01

WHEREAS, the East Ridge Planning Commission held a public hearing on this petition on July 10, 2023, where it reviewed the rezoning request and heard and considered all statements concerning the petition; and

WHEREAS, the East Ridge Planning Commission, by motion, recommended approval of the rezoning petition on June 10, 2023 with conditions; and

WHEREAS, the applicant has properly advertised in a paper of general circulation in the City of East Ridge that they will make application to the City Council of the City of East Ridge to request approval of the rezoning; and

WHEREAS, notices of the public hearing before the City Council of the City of East Ridge have been served upon all property owners in the City within a distance of 300 feet from the affected property; and

WHEREAS, the East Ridge City Council held a public hearing on August 10, 2023 at which time all interested parties were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, as follows:

Section 1. That the zoning regulations and the zoning map of the City of East Ridge, Tennessee, be and the same hereby are amended to rezone the property located at 1438 North Smith Street, Tax Map #169L-K-001.01 from R-1 Residential District and C-1 Commercial

Tourism District to RT-1 Residential Townhome District, for uses consistent with such zoning.

Section 2. That approval of this ordinance will be subject to the following conditions:

- A. The number of townhomes to be constructed will be limited to three units.
- B. No parking allowed off North Smith Street.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Approved on First Reading

August 10, 2023

Approved on Second Reading

August 24, 2023

Brian W. Williams
Brian W. Williams, Mayor

ATTEST:

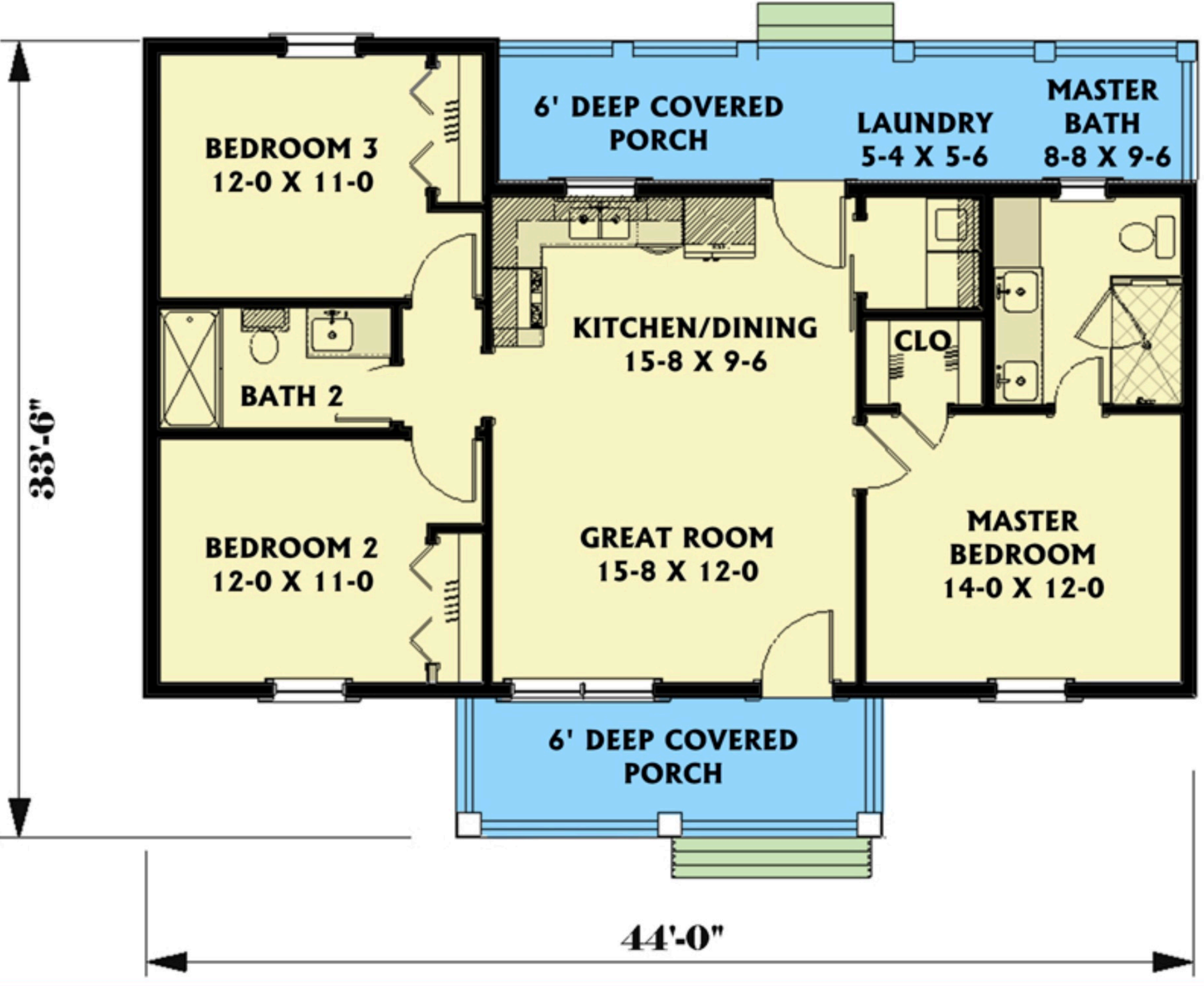
J. Scott Miller
J. Scott Miller, City Manager

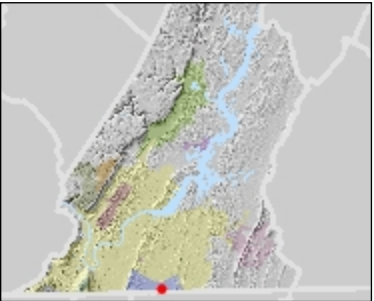
APPROVED AS TO FORM:

Mark W. Litchford
Mark W. Litchford, City Attorney

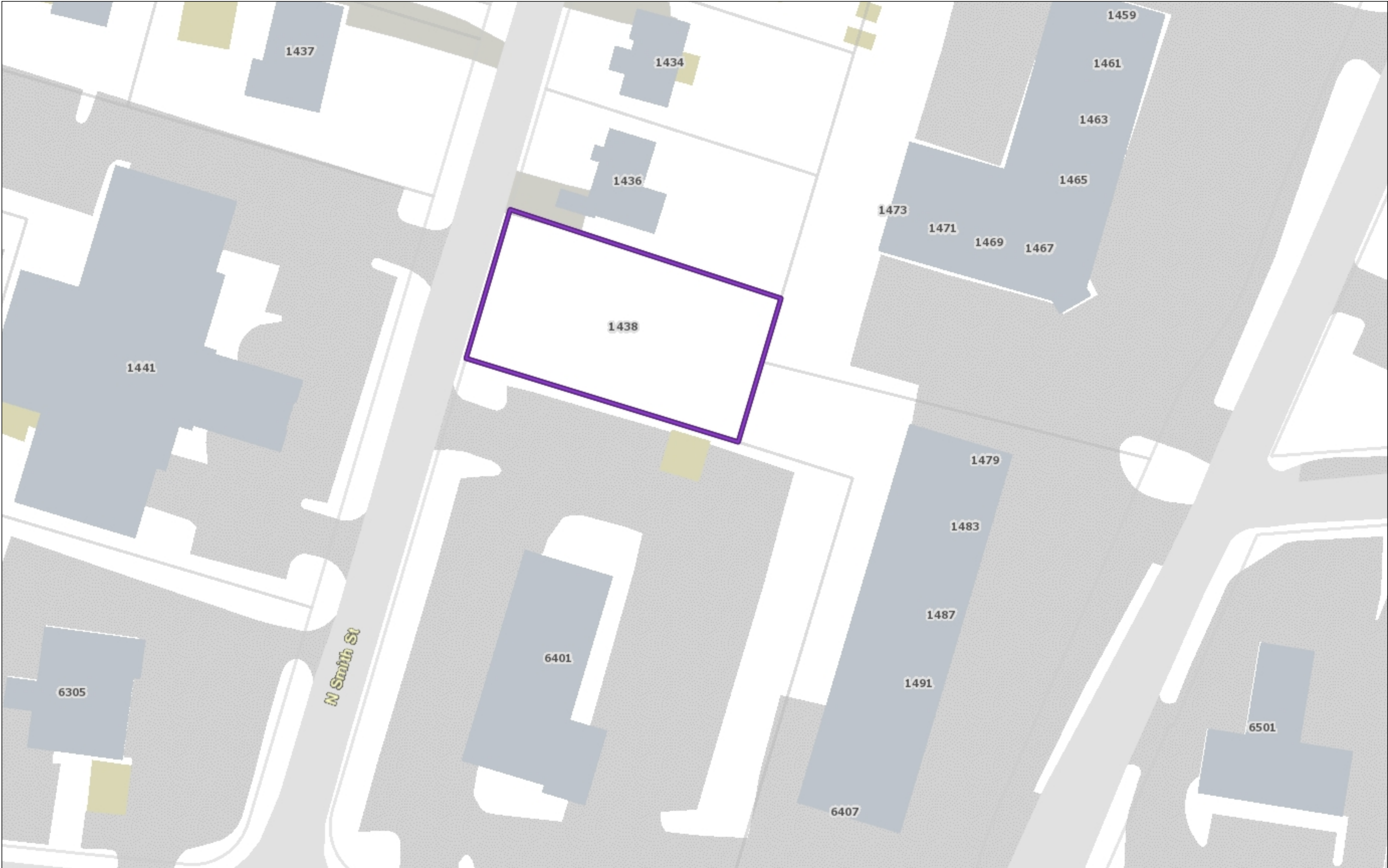








- Legend
- Address Labels
 - Parcels
 - Road Paved Surface
 - County Boundary
 - Recycling Centers
 - Healthcare Facilities
 - Emergency Services Locations
 - FIRE
 - MEDIC
 - POLICE
 - Cemeteries
 - Religious Facilities
 - Schools
 - Building Footprints
 - Miscellaneous Structures
 - Driveways
 - Parking
 - Water Bodies
 - Other Water Bodies
 - Recreational Areas
 - Surrounding
 - Hamilton



Chattanooga-Hamilton County Regional Planning Agency
PLANNING COMMISSION STAFF REPORT

CASE NUMBER: 2025-0146	APPLICANT: Nikolay Timoshchuk Jr, NPS Builds	PROPERTY OWNER: Nikolay Timoshchuk Jr, NPS Builds
PROPERTY ADDRESS: 1438 N Smith Road	TAX MAP PARCEL ID: 169L-K-001.01	JURISDICTION: East Ridge
SIZE OF PROPERTY: 0.24 acres	REQUEST: Rezone from RT-1 Residential Townhouse District to R-1 Residential District to construct a single-family dwelling.	

PROPERTY DESCRIPTION

EXISTING LAND USE Vacant	SURROUNDING LAND USES <u>North:</u> Single-Family Detached Residential <u>South:</u> Commercial <u>East:</u> Commercial <u>West:</u> Lodging	ACCESS N Smith Road
PROPOSED RESIDENTIAL DENSITY 4 du/ac (1 unit)	ADJACENT RESIDENTIAL DENSITY 4.5 du/ac	NATURAL RESOURCES A portion of the site is in the 500-year floodplain.

ZONING

ZONING HISTORY	- Case 2023-0099 rezoned the site from R-1 and C-1 to RT-1 for a townhouse development (Ordinance #1194) subject to the following conditions: - The number of townhomes to be constructed will be limited to 3 units. - No parking allowed off N Smith Street.		
ZONE DISTRICT COMPATIBILITY	USE	CURRENT RT-1 DISTRICT	PROPOSED R-1 DISTRICT
	Single-Unit Detached Residential	☒	☒
	Townhouse	☒	☐
	Institutional	☒	☒
	DEVELOPMENT STANDARDS	CURRENT RT-1 DISTRICT	PROPOSED R-1 DISTRICT
	Lot Size	1,350 sf	10,000 sf
	Lot Frontage	18'	75'
	Setbacks	Front: 25' from street Side: 25' from any boundary except when abutting RZ-1, R-3, R-5 or commercial zone then no side setback Rear: 25'	Front: 25' Side: 10' Rear: 25'
	Building Height	2 ½ stories or 35'	2 ½ stories or 35'

DISCUSSION OF STAFF RECOMMENDATION

☒ Yes ☐ No ☐ See Comments	COMPATIBILITY WITH ADJACENT LAND USES The site is surrounded by single-unit residential dwellings and commercial uses..
☒ Yes ☐ No ☐ See Comments	COMPATABILITY WITH DEVELOPMENT FORM The surrounding development form includes small, suburban lots with one to two-story dwellings onsite parking and moderate intensity commercial uses with associated parking along Ringgold Road.
☐ Yes ☒ No ☐ See Comments	CONCERNS REGARDING LOCATION, LIGHTING, OR HEIGHT There are no concerns with nuisances. Approving the R-1 District at this location is an extension of an existing zone.

Re: Rezone - 1438 N Smith Street

From Nikolay Timoshchuk Jr <nikolay@npsbuilds.com>

Date Mon 10/6/2025 6:00 PM

To Mike Howell <mhowell@eastridgetn.gov>

CAUTION: This email originated from outside the organization and may contain unverified links. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Mr. Michael,

I would like to move forward with the city council for the review of the rezoning. Please let me know if there's anything else I need to do on my end.

Also, do I need to come to the city council meeting? Or is that just them?

Thank you!!

Best regards,

Nikolay Timoshchuk Jr

NPS Builds LLC
6118 Airways Blvd
Chattanooga, TN 37421
Cell: 423-827-5695
Email: nikolay@npsbuilds.com

On Mon, Oct 6, 2025 at 5:54 PM Mike Howell <mhowell@eastridgetn.gov> wrote:
Nikolay,

Please send me an email stating that you want to move forward with the City Council for the review of the rezoning.



Michael Howell
City of East Ridge
Chief Building Official

Main 423-867-7711 **Email** mhowell@eastridgetn.gov
Desk 423-805-3189 **Website** www.eastridgetn.gov

Address 1517 Tombras Avenue, East Ridge, TN 37412



City of East Ridge

1517 Tombras Avenue
East Ridge, Tennessee 37412
(423)867~7711 • www.eastridgetn.gov

Department of Building and Codes

DATE: September 19, 2025
TO: Planning Commission Members
FROM: Building and Codes Department
SUBJECT: Rezone

Applicant: Nikolay Timoshchuk

Location: 1438 N Smith
Tax Map Number: 169L K 001.01

Consider the request of Nikolay Timoschuck to have the property located at 1438 N Smith rezoned from RT-1 Residential District to R-1 Residential Single-Family District.

This request is to rezone to construct a single-family dwelling on the lot.

No compatibility challenges identified.

1. The site is bordered by low-intensity residential areas and commercial properties to the south.
2. The parcel was recently rezoned from R-1 to RT-1 to allow for the construction of three townhomes with off-street parking, which serves as a more effective use of transitional zoning. There are no concerns regarding nuisances, and approving an R-1 district would simply extend an existing zone.
3. The request to rezone 1438 N Smith Street from RT-1 to R-1 aims to revert the zoning back to R-1 in order to construct a single-family dwelling. In 2023, the City Council approved the rezoning of this parcel to RT-1 to allow for the construction of three townhomes. While this represents a reasonable use of transitional zoning from C-2 to RT-1, RPA identified the lot as compatible with the adjacent land use to the north, which is designated as R-1, and aligned with the appropriate development form.

AGENDA MEMORANDUM (TENTATIVE)
STORMWATER MASTER PLAN

October 9, 2025

Submitted By:


J. Scott Miller, City Manager

SUBJECT:

The City of East Ridge and surrounding communities experienced an intense heavy rainfall event on Tuesday late afternoon, August 12, 2025 that severely taxed the city's drainage system. The rainstorm dumped 6.7 inches of rain within a 3-hour time period. The city's existing storm drainage system, consisting of concrete flumes, drainage ditches and channels, underground culverts, and limited private stormwater detention could not handle the intense rainfall accumulation thus overloading the system and creating severe flooding conditions affecting neighborhoods, businesses, and public roadways. While no system could have fully prevented flooding during such an extreme event, the storm did highlight several deficiencies in the city's existing infrastructure. Furthermore, repeated heavy rainfall throughout this year has continued to strain the system, resulting in frequent overflows and localized flooding.

The City does not possess an inventory of existing stormwater infrastructure assets, stormwater maps, a stormwater asset management plan, or an adopted stormwater master plan that identifies and prioritizes critical needs for the repair, maintenance, upgrade, and rehabilitation of the existing storm drainage system. The City's existing drainage system includes a series of concrete flumes and major drainage ditches/channels that are connected throughout the city and generally moves water from the west and to the east end of the city; eventually emptying into Spring Creek, South Chickamauga Creek, and ultimately the West Chickamauga Creek in Camp Jordan Park. Unfortunately, many of the concrete flumes and drainage ditches/channels (located on public and private properties) are in dire need of attention to eliminate blockages such as fallen trees, the overgrowth of vegetation, and the collapse of the concrete walls of the flumes; as well as the rehabilitation of the concrete flumes. The flumes and ditches need to be unobstructed in order to facilitate the free flow of stormwater to be effective and reduce property flooding. Lastly, the City does not possess a designated revenue stream to fund the repair, maintenance, upgrade, and rehabilitation of the concrete flumes and drainage ditches/channels on public property.

I am recommending to the Mayor and City Council that we commission an engineering firm through the request for qualification (RFQ) process to develop a Stormwater Master Plan (SWMP) for the City to reduce flooding; upgrade, maintain, repair and rehabilitate

stormwater infrastructure; and increase the community's resiliency against storms. The SWMP will inventory and evaluate the performance of the existing drainage system, identify stormwater problem areas, develop a capital improvement program to address the critical needs across the city, and develop a revenue stream to fund the program. I should note that Hamilton County charges an annual fee of \$9 per residential unit and a rate of \$108 per impervious acre for commercial, industrial and manufacturing activity for water quality purposes; not stormwater drainage infrastructure.

I propose the following components to the Stormwater Management Plan:

- The development of a stormwater master plan.
- The adoption of a stormwater utility fee for all parcels within the city to provide funding for the maintenance, repair, improvement, and rehabilitation of the infrastructure.
- The adoption of a stormwater drainage system maintenance policy defining the maintenance responsibilities for stormwater and drainage features.

In summary, if the overall stormwater plan is to be effective then all three of the aforementioned components need to be incorporated into the stormwater package.

JSM/