

ORDINANCE NO. 2025-006

ADOPTING AN IMPACT FEE ORDINANCE AND SETTING IMPACT FEES FOR THE CITY OF EAGLEVILLE, TENNESSEE (With Attachment A)

Whereas, Article II, Section 2.1 (15) of the Eagleville City Charter gives the following power to the City of Eagleville to: Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle, and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries, squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, assess fees for the use of or impact upon such property and facilities, and regulate the use thereof within the corporate limits, and property may be taken and appropriated therefor under Tennessee Code Annotated §§ 7-31-107 - 7-31-111 and 29-16-203, or in such other manner as may be provided by general law; and,

Whereas, the City of Eagleville engaged in the services of TischlerBise, a well-respected and knowledgeable firm to complete an Impact Fee Report; and,

Whereas, the City of Eagleville has observed all methodologies prescribed in the TischlerBise report; and

Whereas, the City of Eagleville finds it to be in the City's best interest to adopt an Impact Fee Ordinance and Impact Fee Schedule that sets development impact fees to be imposed on new development to offset the cost of public capital improvements for Fire, Parks and Police services, and,

NOW THEREFORE, BE IT ORDAINED by the City of Eagleville, Tennessee City Council that the Eagleville Code of Ordinances, also known as the Municipal Code, is hereby amended to add Ordinance 2025-006:

Section 1.01 Title

This Chapter shall be known and cited as "Eagleville TN Impact Fees Chapter."

Section 1.02 Purpose

This Chapter is intended to assure the provision of adequate public facilities to serve new development in the City by requiring each development to pay a share of the cost of improvements necessitated by such new development. Impact fees are additional and supplemental to, and not in substitution of any other requirements imposed by the City on the development of land or the issuance of a building permit or certificate of occupancy.

Section 1.03 Impact Fee Schedule

- A. Residential Uses: Impact fees for residential development will be assessed per dwelling unit, based on the type of unit: single family and multi family. For these purposes, duplexes and multi-family will be counted as the same.
1. Single Family: a dwelling principally used, designed, or adapted for use by a single household.
 2. Duplex: a building principally used, designed or adapted for used by two households, the living quarters of each of which are completely separate.
 3. Multi-Family: a dwelling principally used, designed or adapted for use as occupancy by three or more households each of which has separate living quarters.
- B. Nonresidential Uses: Impact fees for nonresidential will be assessed per square foot of floor area (Gross Floor Area as defined by the Eagleville Zoning Ordinance), according to five general types of development: Industrial, Warehouse, Commercial, Office and other Service and Institutional.
1. Commercial: Establishments primarily selling merchandise, eating/drinking places and entertainment uses. By way of example, Commercial uses include shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters.
 2. Industrial: Establishments primarily engaged in the production, transportation, or storage of goods. By way of example, Industrial includes manufacturing plants, distribution warehouses, trucking companies, utility substations, power generation facilities, and telecommunication buildings.
 3. Institutional: Public and quasi-public buildings providing educational, social assistance, or religious services. By way of example, Institutional includes schools, universities, churches, daycare facilities, hospitals, and government buildings.
 4. Office: Establishments providing management, administrative, professional, or business services. By way of example, Office includes banks, business offices, medical offices, and veterinarian clinics.

C. Fees

The allocation of impact fees collected shall be assigned to various components identified in the Impact Fee Report as shown in Attachment A.

Residential Fees shall be assessed per unit as follows:

| | Fire | Parks | Police | Total |
|------------------|---------|---------|---------|----------|
| 1. Single Family | \$6,300 | \$3,657 | \$1,011 | \$10,968 |
| 2. Multi-Family | \$2,840 | \$1,649 | \$ 456 | \$ 4,945 |

Nonresidential Fees shall be assessed per 1000 square feet (gross floor area) as follows:

| | Fire | Parks | Police | Total |
|-------------------------|---------|-------|--------|---------|
| 1. Industrial | \$1,110 | \$0 | \$ 144 | \$1,254 |
| 2. Warehouse | \$ 768 | \$0 | \$ 100 | \$ 868 |
| 3. Commercial | \$5,566 | \$0 | \$ 724 | \$6,290 |
| 4. Office/Other Service | \$2,470 | \$0 | \$ 321 | \$2,792 |
| 5. Institutional | \$3,398 | \$0 | \$ 442 | \$3,839 |

1.04 Collection of Impact Fees

The impact fee due for a new development shall be collected at the time of issuance of the building permit. No building permit shall be issued until the impact fee is collected.

1.05 Establishment of Accounts

The City's Finance Department shall establish an account or accounting system for each service area for each category of capital facility for which the impact fee is imposed. Each impact fee collected within the service area shall be deposited into such account or accounting system as to have a correct fund for each service. IE Fire, Parks and Police.

Interest earned on the account into which impact fees are deposited shall be considered funds of the account and shall be used solely for the purposes authorized.

The City's Finance Department shall establish adequate accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized. The Finance Department shall maintain financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended from each service area.

1.06 Exemptions

The City of Eagleville holds the right to waive any impact fees for developments for which the City believes such uses serve a broad public purpose, or when the City believes the public benefit of the development will outweigh the benefit of collecting the impact fee. Examples of such uses for consideration of being waived are: institutional uses such as public schools, religious facilities, and governmental facilities.

1.07 Other

1. Additions to any nonresidential buildings shall only pay for the additional square feet.
2. If a demolition has occurred, the developer shall pay the difference in square feet from the old structure to the new structure.
3. Additions to residential units shall not be levied an impact fee, regardless if impact fee was paid or not.

4. A commercial business that is projected to generate significant additional local sales taxes to the City during the first two years of operation may have the required impact fee reduced by an equivalent amount subject to submission of financial documentation from the business on projected taxable sales to support the reduction. Any reduction shall be subject to consideration and approval by the City Council.

Be it Ordained by the City of Eagleville, Tennessee that this Ordinance shall become effective on _____, in accordance with the Charter of the City of Eagleville, Tennessee, and the public welfare demanding it.

Approved and adopted by the City of Eagleville, Tennessee, Mayor and the Eagleville Councilmembers.

Date

Chad Leeman, Mayor Tennessee

APPROVED AS TO FORM:
Date

Stephen Aymett, City Attorney

Attest:_____
Christina Rivas, City Recorder

Date of Public Hearing

1st Reading _____

2nd Reading _____