

## TITLE 2

### BOARDS AND COMMISSIONS, ETC.

#### CHAPTER

1. ROAD COMMISSION AND ROAD POLICY.
2. PARKS AND RECREATION COMMISSION.

#### CHAPTER 1

### ROAD COMMISSION AND ROAD POLICY

#### SECTION

- 2-101. Road commission; establishment.
- 2-102. Membership, composition and terms of office.
- 2-103. Duties and responsibilities.
- 2-104. Street repair policy.
- 2-105. Street acceptance procedure.
- 2-106. Improving streets and installing utilities.
- 2-107. Computing special assessments.
- 2-108. Authority.

**2-101. Road commission; establishment.** (1) The mayor is hereby authorized to establish a road commission; appoint a chairman of the road commission; specify the road commission's duties, responsibilities and standards; and to establish "road policy" as set forth herein to control the maintenance and/or improvements of existing streets, including installation of applicable utilities and the development and improvement of new streets and street related, public works projects.

(2) The words "road" and "street" as used in this chapter, whether singular or plural, have the same meaning and refer to the public roads of the City of Baneberry, Tennessee; hereinafter, "city." (Ord. #215-12, Dec. 2015)

**2-102. Membership, composition and terms of office.** (1) The Baneberry Road Commission shall consist of no less than three (3), nor more than five (5) members, duly appointed by the mayor. The chairman shall be named by the mayor. All members must be residents of the City of Baneberry, Tennessee or a non-resident lot owner who is capable of attending meetings and fulfilling the duties and responsibilities listed herein.

(2) Members shall be appointed for a period of four (4) years, with staggered term expirations, so that no more than two (2) members need be replaced in a calendar year. Members may be re-appointed at the expiration of their term at the discretion of the mayor. All members serve at the pleasure of the mayor.

(3) The road commission chairman shall appoint a secretary from amongst the road commission membership.

(4) The road commission shall meet at least quarterly in open session in accordance with Tennessee Open Meetings Act; *Tennessee Code Annotated*, § 8-44-101. The road commission may meet more frequently as needed; or as they vote and choose to meet; or as often as the mayor may so direct. The public shall be notified of meeting schedules and changes thereto, a minimum of one (1) week prior.

(5) The road commission's meetings shall be conducted in the spirit of *Robert's Rules of Order*, newly revised. A simple majority constitutes a quorum and the secretary shall record minutes of the road commission business. Standing orders shall include, at a minimum: a call to order; reports; old business; new business; announcements; and adjournment.

(6) Meeting minutes shall be reviewed, accepted, tabled, or edited at each subsequent, regularly scheduled meeting and a signed copy of the accepted original minutes shall be filed with the city manager.

(7) The road commission chairman shall be seated, ex officio, as a member of the Baneberry Planning Commission as needed to report recommended road projects to the planning commission who provides zoning, subdivision and growth planning, and development oversight recommendations to the board of commissioners, hereinafter referred to as the "city council."

(8) The road commission chairman shall report progress and completion of scheduled and approved improvements and emergency road repairs to the city manager and to the city council at the city's regularly scheduled meetings of the city council.

(9) Members of the road commission should have backgrounds in municipal public works; civil engineering; excavation; road construction and street maintenance; erosion and soil and water pollution control; stormwater management and controls; building construction, and building and equipment maintenance. Given the city's size and demographics and the likelihood that the city's road commission volunteers may lack these backgrounds, it is imperative that the road commission develop and maintain a network of professional and experienced advisors. (Ord. #215-12, Dec. 2015)

**2-103. Duties and responsibilities.** The Baneberry Road Commission shall:

(1) Regularly inspect the city's accepted public roadways, roadway infrastructure, curbs, sidewalks, drainage ditches, spillways, outfalls, storm sewers, bridges, culverts, laterals, abutments, guard railing, and street signs, roadway markings, traffic control signage, and street lighting to identify and note needed repairs. Reports of needed repairs with estimated repair costs shall be provided to the city manager and reported to the city council at regularly scheduled or as needed, special emergency city meetings.

(2) Identify and facilitate planned and emergency repairs and maintenance of all paved/improved roads previously accepted by the city council.

(3) Develop and coordinate a snow removal plan with the city manager and the city council and initiate and supervise the snow removal plan as and when needed.

(4) Facilitate removal and cleanup of fallen trees, hazardous tree debris, and other traffic hazards found on Baneberry's public roads and property.

(5) Collect data and information to assist the city manager in the preparation of bid specifications and contracts for roadway construction and repair projects including the installation and/or repair of streets, roadways, roadway infrastructure, curbs, sidewalks, drainage ditches, spillways, outfalls, storm sewers, bridges, culverts, laterals, abutments, guard railing, and street signs, roadway markings, traffic control signage, and street lighting and related roadway structure and infrastructure.

(6) Collect data and information to assist the city manager in coordinating installation, maintenance and emergency repair of public utilities including natural gas, water, electricity, sewerage, and communications equipment located under the city streets and in the utility easements located in or adjacent to the city's roadway right-of-way in accordance with each utilities company's policies, practices and procedures.

(7) Assist the city manager in maintaining up-to-date bidder/contractor lists for road projects, road maintenance and public works equipment and services.

(8) Review plans and specifications provided by consultant firms and/or contractors for municipal roadway and other public works projects and advise the city manager and city council.

(9) Ensure implementation and/or compliance with state and federal regulations and applicable city ordinances regarding all public works and engineering activities.

(10) Receive roadway and/or public works inquiries or complaints and attempt to resolve. Maintain records of caller and subject by date and include resolution and feedback provided and apprise the city manager of all such calls.

(11) Advise the city manager, planning commission and city council on all public works activities, progress, costs, problems and completion.

(12) Develop, maintain and sustain a five (5) year rolling road maintenance and development plan with cost estimates for each year's proposed projects.

(13) Maintain the major road plan for the City of Baneberry, Tennessee. A certified copy of the major road plan shall be filed in the Office of the Registrar of Deeds for Jefferson County, Tennessee. (*Tennessee Code Annotated*, §§ 13-4-301 to 13-4-309).

(14) Facilitate road repair and improvements in accordance with this chapter.

- (15) Prepare and submit an annual "roads" budget to the city manager.
- (16) Work with the city manager to file and maintain all road and public works records, instruments, plans, plats, profiles, records of surveys, user manuals, inspection and maintenance records, blueprints, drawings, warranties, and all other property records and papers relating to roads and engineering work.
- (17) Communicate with the Jefferson County Highway Department; the Tennessee Department of Transportation (TDOT); the Municipal Technical Advisory Service (MTAS); and other applicable government and private concerns for advice as needed.
- (18) Apply the guidance detailed in the city's subdivision regulation (currently Ord. #211-5) and zoning ordinance (currently Ord. #212-5) as applicable to all roadway and public works projects.
- (19) Accept and complete other responsibilities, duties and assignments as may be provided by the city manager and/or the city council. (Ord. #215-12, Dec. 2015)

**2-104. Street repair policy.** (1) It shall be unlawful for anyone to make any changes, perform any street construction or otherwise change the configuration of any public right-of-way, without approval from the road commission and authorization by the city council and city manager.

(2) The directives in section 480, excavations and cuts, of Baneberry's zoning ordinance, Ord. #212-5, shall apply to all emergency street repairs and to all planned street installation and maintenance. Section 480 shall be reviewed and applied in its entirety prior to starting any work on public roads in the City of Baneberry. Among other topics, section 480 covers: permits, fees, deposits or bonds, manner of excavation, barricades and lights, temporary sidewalks, restoration of streets, insurance, supervision, and driveway curb cuts.

(3) The road commission shall determine the location, need and extent of all repairs and shall have the authority to complete repairs if the cost does not exceed the budgeted funds allotted for such repairs. If the cost exceeds the budget, the city council and city manager must approve the project through execution of applicable fiscal procedures.

(4) Requests for proposals, bidding, and contracting of road repairs shall comply with the procedures and cost thresholds established in the most current Baneberry city ordinance establishing purchasing procedures for city officials.

(5) All new roadway projects and all maintenance and repair work on Baneberry's roadways and roadway infrastructure shall be performed in accordance with the applicable sections of Baneberry's Zoning Ordinance, Subdivision Regulations and Purchasing and Contracting Procedures (currently Ord. #93-4).

(6) To the fullest extent practicable, all new roadway projects and infrastructure installations shall be designed and accomplished in accordance with the guidelines found in *Better Site Design: A Handbook for Changing Development Rules in Your Community*; copies of which are maintained in the city offices. (Ord. #215-12, Dec. 2015)

**2-105. Street acceptance procedure.** (1) Roads previously accepted by the city council are designated public roads and are maintained by the City of Baneberry. Roadways not accepted by the city council are designated private roads and are not maintained by the City of Baneberry.

(2) To be accepted as a public road, newly constructed roads must meet the minimum construction standards illustrated in Appendix B or as otherwise specified in the construction standards specified in the Baneberry ordinance adopted to levy a special assessment to construct or improve a specific road or group of roads.

(3) The city may accept newly constructed roads two (2) years after completion, following an acceptance inspection and recommendations by the city road commission, providing no unresolved construction or repair problems remain, including unrepaired damages to access roads caused by construction equipment used to construct the new road.

(a) Construction or repair problems must be resolved by the responsible road builder, prime contractor and/or subdivision developer prior to acceptance of the road by the City of Baneberry.

(b) The road commission may recommend that an acceptance inspection be conducted by a qualified road construction professional/authority.

(c) Failing such responsible repairs, the road shall remain a private road and the repairs or completion requirements remain an issue to be resolved between the adjacent and affected lot owners and the responsible developer/builder; or, in the case of damage to previously dedicated city roads, between the city and the responsible developer/builder.

(4) Upon acceptance approval by the road commission, the city manager and the city council may, at an open meeting, dedicate and accept the public road by city resolution and amend Appendix A of this chapter (which is located at the end of the chapter).

(5) A register of public roads shall be maintained by the city manager enumerating:

(a) An approved street name as authorized by the Jefferson County Emergency Communication District (911 system).

(b) GPS or survey coordinates of the termini of the new public road. This may be the point where the new road intersects or abuts a previously accepted public road; the centroid of a cul-de-sac or similar

turning terminus; or the current terminus after which the roadway continues as a private road.

(c) Date of dedication and acceptance.

(6) Nothing in this section shall prevent the city council from accepting any road or any right-of-way pursuant to law or Tennessee statutes. (Ord. #215-12, Dec. 2015)

**2-106. Improving streets and installing utilities.** Prior to the expenditure of any city funds for the construction, installation, or improvement of roads, streets, or rights-of-way, within the corporate limits of the city, such proposed expenditures must be justified and approved in public session by the city council.

(1) Facilitation procedure. Upon receipt of a petition to the city from one (1) or more owners of property, located on a platted right-of-way, requesting that the unimproved or semi-improved private road be graded, graveled, paved or otherwise improved and/or that utilities to be installed, the road commission shall review the request and, in its discretion:

(a) Conduct and document a study to determine the scope, costs and financial feasibility of the project. (See typical scope of work at Appendix D.)

(b) Prepare cost estimates for the entire project including justified contingency funds.

(c) Identify all lots (parcels of real property) that abut, adjoin, or front and that would be improved or positively affected by the proposed road and/or utility improvement.

(d) Determine which assessment type applies to the potential funding of the project (i.e., one hundred percent (100%) or sixty-six percent (66%) funding by affecting lot owners.) See § 2-107.

(e) Calculate special assessments to be levied on each lot on the street to be improved based on which funding method applies:

(i) One hundred percent (100%) funded by those lots positively affected by the proposed road and/or utility improvement. See § 2-107(1).

(ii) Cost share funding where those lots positively affected by the proposed road and/or utility improvement pay two-thirds (2/3) the cost of the project and the city pays one-third (1/3) the cost of the project. See § 2-107(2).

(f) Financial feasibility of a project, (i.e., potential assessment revenue is equal to or greater than the project's projected costs plus contingency).

(g) Keep property owners informed of project progress through direct mail, email, website updates, posted bulletins, etc.

(h) Meet regularly with the planning commission for oversight regarding the city's overall growth plans and controls.

(i) Prepare a written report for the city manager and city council recommending approval/disapproval of the project. City council may amend, reject or adopt.

(j) When the city council is confident of the scope, cost estimates, timelines, and the viability of the project, the city manager shall facilitate public notice and hearing to describe the project and process.

(i) Notice of a proposed adoption of an ordinance authorizing a road and/or utility project shall be given by publishing a notice once a week for two (2) consecutive weeks in some newspaper of general circulation in the municipality and by other notification methods routinely used by the city.

(ii) It shall not be necessary to set out, in full, the ordinance, but the notice shall state the character of the improvement or improvements and the location and terminal points of the improvements.

(iii) The notice shall include the time and place of the public hearing, to be scheduled not less than two (2) weeks from the date of first publication of the notice, at which time the legislative body of the municipality shall meet to hear public comments for and remonstrances or protests against the making of the improvement or improvements.

(A) At the time and place appointed, pursuant to *Tennessee Code Annotated*, § 7-32-105, the legislative body shall meet, and at the meeting, or at the time and place to which the meeting may be adjourned from time to time, all persons whose property may be affected by the improvement or improvements may appear in person or by attorney or by petition and provide comments regarding the making of such improvement or improvements, the material to be used, and the manner of making improvement or improvements. The city council shall consider such comments, objections and protests, if any, and may confirm, amend, modify, or rescind the original ordinance.

(B) Failure to object or protest at the time of confirmation of the original ordinance shall constitute a waiver of any and all irregularities, omissions, and defects in the proceedings taken prior to such a time.

(k) After adoption of the initial ordinance and after the city has determined the entire costs of the project, the city must provide notice of the assessments against property owners, take comments and objections, and hold another hearing on the assessments in accordance with *Tennessee Code Annotated*, §§ 7-32-121 to 7-32-123.

(2) Tennessee Code Annotated, §§ 7-32-121. (a) When the legislative body has completed apportionment, the city manager, or such person as may be designated by the legislative body of the city, shall publish a notice that the assessment list has been completed, and that, on a day named, which shall be not less than ten (10) days after the date of publication of the notice, the city council will consider any and all objections to the apportionment that have been filed in the office of the city manager or person designated.

(b) The notice shall further recite that the lists are in the office of the city manager or person designated, and may be inspected within business hours and during the time specified by anyone interested.

(c) The notice shall also state the general character of the improvement and the terminal points of the improvement.

(3) Tennessee Code Annotated, § 7-32-122. All persons whose property it is proposed to assess for the cost of the improvement or any costs incurred pursuant to *Tennessee Code Annotated*, § 7-32-101(d) may, at any time on or before the date named in the notice, and before the meeting of the legislative body, file in writing with the city manager or person designated any objections or defense to the proposed assessment or to the amount of the assessment.

(4) Tennessee Code Annotated, § 7-32-123. On the date named in the notice, or at any day to which the meeting may be adjourned or to which consideration of the assessments and the objections to the assessment may be postponed, the legislative body shall hear and consider the assessment and objections to the assessment, and, after so doing, shall confirm, modify, or set aside the assessments as shall be deemed right and proper. If any objections to an assessment to pay costs pursuant to *Tennessee Code Annotated*, 7-32-101(d) are made, the confirmation of the assessment shall require the unanimous approval of the members of the legislative body present at the meeting at which the objection is considered. (Ord. #215-12, Dec. 2015)

**2-107. Computing special assessments.** (1) One hundred percent (100%) funding by affected lot owners. Pursuant to *Tennessee Code Annotated*, § 7-32-118, property owners petitioning the city to make any improvements as authorized under *Tennessee Code Annotated*, title 7, chapter 32 shall bear the entire cost of said improvement or construction. Thus, in the event a petition is presented to the city council averring the willingness of each of the signers to pay their pro rata share of the entire cost of any improvement such as is authorized by *Tennessee Code Annotated*, title 7, chapter 32 of and relieves the municipality from the payment of any part or parts thereof, which petition is signed by the owners of at least seventy-five percent (75%) of the frontage of the lots or parcels of land abutting on such street, highway, or alley or parts thereof, proposed to be thus improved, such petition may be granted by the legislative body; and then proceedings may be had under chapter of the *Tennessee Code Annotated*, title 7, chapter 32 the same in all respects as if the improvement had been begun by the legislative body on its own initiative. Bonds may be



issued and assessment shall be made, except that the assessments shall, in such event, be made for the entire cost of the improvement, and bonds may be issued for the entire cost; provided that no assessment under this section shall in any event exceed on any lot one-half (1/2) of the assessed value of the unimproved lot for municipal taxes for the current year, and all other provisions *Tennessee Code Annotated*, title 7, chapter 32 shall be applicable in respect of any improvement made under *Tennessee Code Annotated*, § 7-32-118, except as in this section otherwise expressly provided.

(2) Sixty-six percent (66%) funding by affected lot owners. Following a request for improvement, a study and recommendation by the road commission, approval by the city council, public notice, and meetings as set out in § 2-106(1)(j) above; all lot owners may be assessed a two-thirds (2/3) percentage of the total cost of the improvements calculated as a percentage of the unimproved property values of all lots on the subject street.

A lot owner's share is calculated as a percentage of the total appraised value of the unimproved real property of all lots on the right-of-way to be improved by a road and/or utility project. The municipality pays the remaining one-third (1/3) of the project's cost.

Example:

(a) The current tax appraised value of the total real property, not including improvements of five (5) example properties on a proposed project street, is three hundred and forty thousand dollars (\$340,000.00) and the estimated cost of this example project is one hundred and twenty-five thousand dollars (\$125,000.00).

Property value	% of total	\$125,000.00	Shared cost	
		Calc. spec. assessment	2/3 share	1/3 share
\$20,000.00	5.88%	\$7,352.94	\$4,901.47	\$2,450.74
\$35,000.00	10.29%	\$12,867.65	\$8,577.57	\$4,288.79
\$75,000.00	22.06%	\$27,573.53	\$18,380.51	\$9,190.26
\$100,000.00	29.41%	\$36,764.71	\$24,507.35	\$12,253.68
\$110,000.00	32.35%	\$40,441.18	\$26,958.09	\$13,479.04
\$340,000.00		\$125,000.00	\$83,325.00	\$41,662.50

(b) The current tax appraised value of the real property, not including improvements of each of the five (5) properties shown in the first column is divided by the total value of all five (5) benefitting

properties to obtain a per-property percentage of the total property values as shown in the column, "% of total."

(c) The estimated project cost one hundred and twenty-five thousand dollars (\$125,000.00) is multiplied by each property owner's percentage to obtain an estimated special assessment calculation, representing one hundred percent (100%) of the project.

(d) Each individual calculated special assessment is divided by three (3) then multiplied by two (2) to derive each owner's two-thirds (2/3) share (the amount each lot owner will be specially assessed).

(e) Lot owners can only be assessed up to fifty percent (50%) of their current tax appraised value of the real property, not including improvements, per *Tennessee Code Annotated*, § 7-32-116.

(i) The aggregate amount of the levy or assessment made against any lot or parcel of land shall not exceed one half (1/2) of the cash value of the unimproved lot.

(ii) By cash value, it is the intent of this section to mean the fair sale price of the lot minus the value of improvements on the lot if sold at a voluntary sale.

(iii) The city or town may pay any part of the levy or assessment against any such lot or parcel of land as may be in excess of one half (1/2) of the cash value of the lot or parcel of land.

With only five (5) benefitting property owners in this example, the individual costs would most likely be prohibitive. However, individual costs go down as the number of benefitting properties increases.

(f) Total cost shall, at a minimum, include, but is not limited to: all surveying, engineering, site planning, tree removal and disposal, excavation, filling, spoil removal, topsoil management, soil erosion and sediment control, infrastructure material and equipment, road materials, bridges, culverts, drain tile laterals, storm drains, outfalls, guard rails, land restoration, signage, utility, administration, labor, insurance, and applicable bond and loan fees.

(g) Any roads project exceeding fifty thousand dollars (\$50,000.00) must be planned by a professional engineering and design firm, competitively hired by the city.

(3) Methods not exclusive. No provision of this section or the policies described herein shall be construed to limit or restrict the city council's discretion, authority or powers to utilize or proceed under any other method of assessment.

(4) Payment. (a) Special assessments are due thirty (30) days after completion of the project and may be paid in full or in six (6) annual payments. No interest will be charged if assessments are paid in full within thirty (30) days after the official completion date of the project.

(b) Payment of special assessment may be made in six (6) annual payments amortized over a five (5) year period at six percent (6%) interest, the first payment due thirty (30) days after completion of the project, and on or before that date, each successive year.

(c) An account will be declared delinquent if a payment is not paid within sixty (60) days past a due date, and the entire balance of the account will become due.

(d) A payment bond will be required from property owners wishing to finance over three (3) properties. (Ord. #215-12, Dec. 2015)

**2-108. Authority.** (1) The city charter, section 6-19-101(16) provides that the city may: "Construct, improve, reconstruct and re-improve by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining, or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of such improvements upon the property abutting upon or adjacent to such streets, highways or alleys as provided by *Tennessee Code Annotated*, title 7, chapters 32 and 33."

(2) This section reconstitutes the city road commission and adopts and amends the city's "policy," regarding road construction in the city.

(3) No provision of this section or the policies described herein shall be construed to restrict or limit the city council's discretion, authority or powers pursuant to state law, regarding city streets, construction, improvement, and acceptance/abandonment thereof. (Ord. #215-12, Dec. 2015)

## APPENDIX A - Public and Private Roads and Rights-of-way.

1. Improved roads accepted by the City of Baneberrv upon its 1986 incorporation:
  - E. Atherton Ln. (Formerly Atherton Way) (\*)
  - Harrison Ferry Rd.
  - Mountain View Ln. (Formerly Mt. View Way) (\*) (From Harrison Ferry intersection to Bonnevista intersection)
  - Red Bud Ct.
  - St. Andrews Dr.
  - W. Atherton Ln. (Formerly Atherton Way)
  
2. Improved roads accepted by the City of Baneberrv after its 1986 incorporation:
  - Back Nine Dr. (Between intersections at Iron Gate and at Mountain View)
  - Back Nine Dr. (From intersection at Mountain View to Hazelwood Ct.)
  - Back Nine Dr. (In Land's End)
  - Bonnevista Dr.
  - Carmel Ct.
  - Cove Ln. (Between the NW and SE legs of Mountain View Ln.)
  - Deer Creek Tr. (Formerly Douglas Dr.) (\*)
  - Ferry Crest Way
  - Hazelwood Ct.
  - Hillside Pl. (Formerly Hillside Road) (\*)
  - Horizon Dr.
  - Inverness Dr.
  - Iron Gate Dr. (From its intersection at Harrison Ferry Rd. to its intersection with Mountain View Ln. and continuing from its intersection with Treeline Ln. to its intersection with Stoneway Pl.)
  - Kammann Cv. (Formerly Lake Front Cv.) (\*)
  - Lake Vista Dr.
  - Lake Front Pl. (Formerly Lake Front Dr.) (\*)
  - Mountain View Ln. (Formerly Mountain View Way) (\*) (From Bonnevista intersection to Iron Gate Dr. intersection)
  - New Bern Ct.
  - Nina Ferry Pointe Way
  - Pashley Ct.
  - Travelers Cv. (Formerly Bonnevista Cv.) (\*)
  - Treeline Ln.
  - Stoneway Ct.

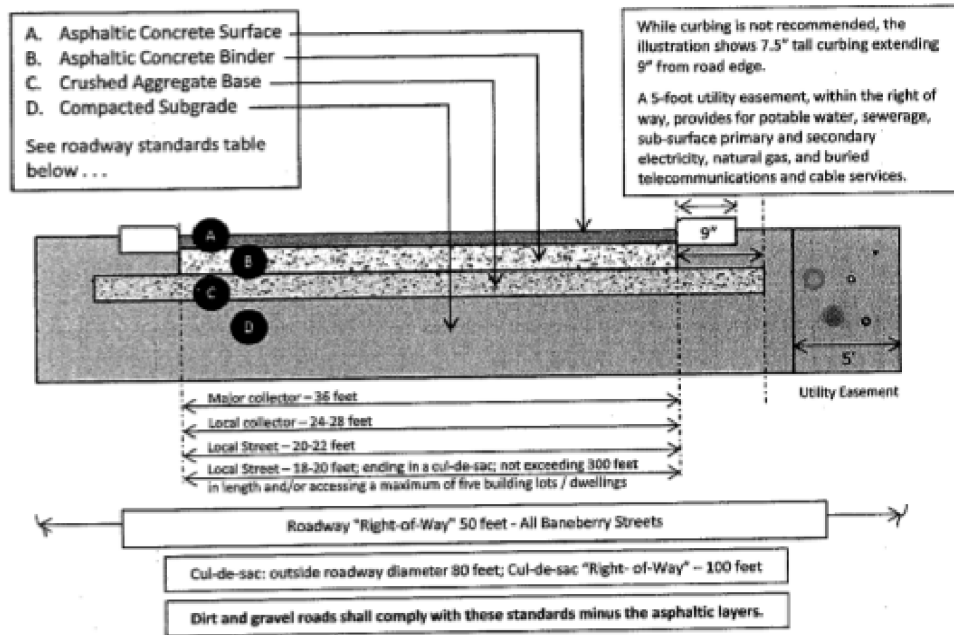
3. Roads in use; not yet fully improved; but accepted by the city:
  - Iron Gate Dr. from the end of the paving NW of the water tower to its intersection with Nina Road
  - Stoneway Ct.
  - Stoneway Pl.
4. Roads in use; not yet improved; nor accepted by the city:
  - Grant Pl.
  - Highrise Dr.
  - Hodges Ct. (Formerly Hickory Ct.) (\*)
  - Merrel Ln. (Formerly Laurel Ct.) (\*)
  - Rustic Dr. (Formerly Rustic Pine Ct.) (\*)
  - Timber Line Ln.
  - Virginia Ct.
  - Watersedge Dr. (\*)
5. Roads named on the Master road plan but not in use; not improved; nor accepted by the City of Baneberry:
  - Aspen Ct.
  - Astor Pl.
  - Azalea Ct.
  - Benson Pl.
  - Buckeye Ln.
  - Cabin View Ct.
  - Carriage Ln.
  - Center Ridge Ct.
  - Center Ridge Pl.
  - Cove Ln. (From Mountain View Ln. to terminus near Lake Douglas)
  - Creekside Ct.
  - Devon Ct.
  - E. Skyline Pl.
  - Fortunato Dr.
  - Fox Tr.
  - Hollow Ct.
  - Honeysuckle Ln.
  - Iris Pl.
  - Lakeway Ln.
  - Lee Pl.
  - McCorkle Rd.
  - Meadow Ct.
  - Mossy Hollow Rd.
  - Pine Ct.
  - Primrose Ln.
  - Rebel Pl.
  - Ridge Ct.

- Shady Hollow
- Shady Ln.
- Smokie Ln.
- Spring Hollow Ln.
- Spring Ln.
- Sunny Ct.
- Sunnyview
- Tyler Ct.
- W. Skyline Pl.
- Yacht View Dr.

(\* In cooperation with Jefferson County's Emergency Communications (911) District requirements, streets marked "formerly" were re-named in 2003 to the street names listed above. (modified)

**APPENDIX B – Road Construction Standards**

Road construction standards for acceptance by the City of Baneberry.



Roadway Standards			
	(A) Surface (Wear Coat)	(B) Binder (Prime Coat)	(C) Base (Compacted Subgrade)
Residential Street	1.5"	2.0"	5.0"
Commercial Street	2.0"	3.0"	8.0"
Industrial Street	2.0"	3.0"	10.0"

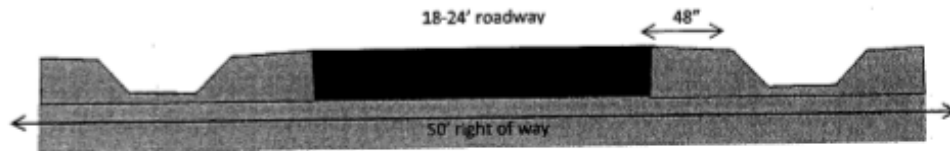
  

MINIMUM Burial of Utilities	
Water:	Natural Gas:
Main ..... 36"	Main ..... 24"
Supply ..... 18"-24"	Service ..... 18"
Electricity:	Sewerage:
Primary ..... 48"	Septic Tank ..... None
Secondary ..... 36"	Collection Box ..... None
Communications ..... 18"	Field Lines ..... 12"

The applicable utility companies will either install or provide contractor oversight and approval inspections of these utilities.

**APPENDIX B – Road Construction Standards, pg. 2**

Storm water drainage (typical). This illustration shows a concept of storm water drainage.



Actual drainages to be designed by road engineer based on topographical and hydrological conditions.

**Use of Right of Way (examples)**

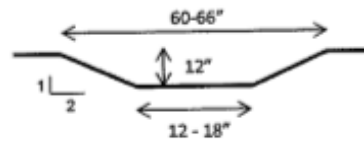
50' right of way  
 Minus 24 foot carriage way  
 Minus two 4-foot shoulders  
 Minus two 5.5 foot storm drains  
 Leaves 7 feet of right of way (3.5' per road side)  
 (8-feet if 5 foot storm drain)

50' right of way  
 Minus 18 foot carriage way  
 Minus two 4-foot shoulders  
 Minus two 5.5 foot storm drains  
 Leaves 13 feet of right of way (3.5' per road side)  
 (14-feet if 5 foot storm drain)

**Notes:**

Five (5) feet of easement is required for buried utility equipment.

Reduced shoulder allowance and / or reduced storm water drainage provides additional right of way.





**Appendix C – Major Road Plan (approximation) – City of Baneberry, TN**



### **APPENDIX D - Typical scope of a road project.**

The scope outlined herein, does not apply to the scope of a subdivision developer, nor is this example representative of every step and decision necessary to accomplish a road improvement project.

1. Receive request or petition to improve a road.
2. Conduct cursory site inspection to note obvious needs and obstacles.
3. Identify all affected properties by owner and the current tax appraised value of the real property and improvements.
4. Obtain rough estimates for project costs.
5. Compare rough cost estimate to 50% of the total appraised value of the real property and improvements.
6. Determine to proceed or stop. Apprise requestor(s).
7. Draft city ordinance to levy a special assessment.
8. Post notice of public hearings.
9. Conduct public hearings.
10. Prepare detailed plan of work and timelines.
11. Prepare and issue competitive Requests for Proposals (RFPs) for:
  - (a) Surveying.
  - (b) Site planning/engineering.
  - (c) Tree removal and disposal.
  - (d) Excavation /filling /spoil removal /topsoil management
    - (i) Soil erosion and sediment control.
  - (e) Infrastructure materials, equipment and installation.
    - (i) Bridges.
    - (ii) Culverts.
    - (iii) Drain tile laterals.
    - (iv) Storm drains.
    - (v) Outfalls.
    - (vi) Utilities.
    - (vii) Road materials and installation.
  - (f) Inspections.
  - (g) Guard rail and signage materials and installation.
  - (h) Embankment and soil restoration.
12. Calculate costs for administration, insurance, loan fees, etc.
13. Calculate true total project costs plus contingency.
14. Obtain funding and deposit in project fund.
15. Obtain proof of contractor bonds and insurances.
16. Award contracts.
17. Apprise requestor(s) of project progress.
18. Provide regular and frequent project oversight and quality control checks.
19. Pay approved invoices.
20. Pay final invoices.
21. Obtain warranty work as/if needed.

22. Levy calculated special assessments.
23. Conduct acceptance inspections and quality samples after two (2) years.
24. Accept and dedicate road, as applicable.

## CHAPTER 2

### PARKS AND RECREATION COMMISSION

#### SECTION

2-201. Establishment.

2-202. Membership, terms of office.

**2-201. Establishment.** There shall be established a parks and recreation commission whose purpose is to seek governmental or private grants or funds to establish structures and/or outdoor areas to be used to provide park(s) and recreational uses, to seek available real property upon which to construct said structures and/or outdoor areas, and to make recommendations to the board of commissioners as to the expenditures of funds to complete the recreational projects. The commission shall also recommend recreational programs, recommend uses for recreational and community facilities, and stimulate interest in beautification of the city, which meet the needs of the city. The commission shall implement all programs upon which the city commissioners approve. (1999 Code, § 2-201)

**2-202. Membership, terms of office.** The parks and recreation commission shall increase its membership from five (5) to seven (7) members of which one (1) member shall be a city commissioner. The six (6) non-city commissioners shall be appointed by the mayor for four (4) year terms to be staggered annually and the city commissioner shall serve for the period in which he is elected. All members of the park and recreation commission shall serve as such without compensation. The initial non-commissioners shall be appointed by the mayor to serve terms of four (4), three (3), two (2) and one (1) respectively. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor, who shall also have the authority to remove any appointive member at his will and pleasure. (Ord. #213-4, May 2013)