

CHAPTER NO. 130

HOUSE BILL NO. 3337

By Representatives McKee, Gunnels

Substituted for: Senate Bill No. 3320

By Senator Miller

AN ACT to amend Chapter 82, of the Private Acts of 1965, as amended by Chapter 137 of the Private Acts of 1969, Chapter 172 of the Private Acts of 1996, and any other acts amendatory thereto, relative to permit fees in Monroe County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 82 of the Private Acts of 1965, as amended by Chapter 137 of the Private Acts of 1969, Chapter 172 of the Private Acts of 1996, and any other acts amendatory thereto, is amended by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. (a) Any person, partnership or corporation who intends to erect, place, install, construct, reconstruct or to have erected, placed, installed, constructed, altered or reconstructed any structure in Monroe County, and any person, partnership or corporation desiring to alter or have altered any existing structure in Monroe County where the value of such alteration is greater than Five Thousand Dollars (\$5,000.00) shall apply to the Monroe County Clerk for a building permit for such erection, placement, installation, construction or reconstruction or alteration. The term "structure" shall include mobile homes and manufactured housing.

(b) The application shall be in a form to be prescribed by the County Clerk and shall contain the following information:

(1) whether the proposed work is to be new construction or the alteration of an existing structure;

(2) the location or address of the proposed construction or alteration;

(3) the identity of the owner or owners of the premises;

(4) the cost of the completed structure, in the case of new construction, or in the case of the alteration of an existing structure, the value of the structure before and after the alterations; and

(5) such other information as the County Clerk may prescribe.

(c) Upon proper application duly made and filed, the County Clerk shall issue a building permit, file a copy in his or her office and cause a copy to be filed in the office of the County Assessor of Property, and the office of Monroe County E-911, so that the fact of such erection, construction, or alteration shall be noted for their records.

SECTION 2. Chapter 82 of the Private Acts of 1965, as amended by Chapter 172 of the Private Acts of 1996 and any other acts amendatory thereto, is amended by deleting Section 2 in its entirety and by substituting instead the following as a new Section 2:

SECTION 2. The Monroe County Board of County Commissioners shall have the power and the authority to determine and establish fees to be charged for permits, which fees may be changed or altered as said County Commissioners deem proper and necessary.

SECTION 3. Chapter 82 of the Private Acts of 1965, as amended by Chapter 137 of the Private Acts of 1969, Chapter 172 of the Private Acts of 1996, and any other acts amendatory thereto, is amended by deleting Section 3 in its entirety and by substituting instead the following as a new Section 3.

SECTION 3. (a) No municipality, county, cooperative or utility district shall furnish utility services to any property on which a building or other structure is being erected, placed, installed, constructed, reconstructed or altered, or to such building or other structure unless notified by the County Court Clerk of Monroe County that the provisions of Section 1(a) have been complied with. This notification shall be in the form of a copy of a building permit provided by the person intending to erect, place, install, construct, reconstruct or alter any building, structure or facility for the value of the alterations is greater than Five Thousand Dollars (\$5,000.00) or notification from the County Court Clerk that a building permit is not necessary. No municipality, county, cooperative or utility district who furnishes utility services in violation of the statute shall be liable for said violation unless the violation is knowing and intentional.

(b) It shall be unlawful to erect, place, install, construct, reconstruct or alter any building, structure or facility where the value of the alteration is greater than Five Thousand Dollars (\$5,000.00) without securing such permit and paying the fee prescribed by the Board of County Commissioners under the authority of this act. Any person, firm or corporation violating any such regulations or provisions of this act shall be assessed with a civil penalty of any amount not to exceed One Thousand Dollars (\$1,000.00).

(c) This permit requirement shall not apply to the erection, placement, installation, construction, reconstruction, or alteration of any structure in a municipality requiring a similar permit if a copy of the municipal permit is filed with the County Clerk and if a fee of Ten Dollars (\$10.00) is paid to cover the cost of registering the permit in the office of the County Clerk, the Assessor of Property, and the E-911 Office.

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Monroe County on or before the next regular meeting of such Board of County Commissioners occurring more than thirty (30) days after its approval by the Governor of the State of Tennessee or after its otherwise effective date. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Legislative Body and certified by him or her to the Secretary of State.

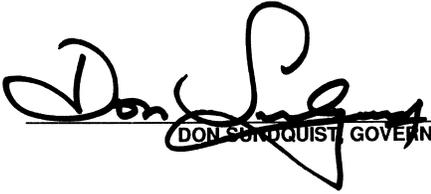
SECTION 5. For the purposes of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

PASSED: May 25, 2000


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 31st day of May 2000


DON SUNDQUIST, GOVERNOR