



# State of Tennessee

## PUBLIC CHAPTER NO. 643

SENATE BILL NO. 1687

By Niceley

Substituted for: House Bill No. 1476

By Matheny

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to premier type tourist resorts.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

( ) (i) A commercially operated resort, restaurant, marina and recreational facility possessing all of the following characteristics:

(a) Is located on at least five (5) acres but no more than seven (7) acres at day marker four (4) as designated by the Tennessee Valley Authority on Norris Lake;

(b) Has a marina with at least one hundred forty-five (145) boat slips, most of which are contracted for use on an annual basis, but also includes use for drive-ups;

(c) Rents pontoon, ski, and house boats;

(d) Has a marina store;

(e) Has a restaurant with a full service kitchen with combined seating indoors and outdoors for at least one hundred (100) patrons;

(f) Has a restaurant that serves at least twelve (12) meals on a weekly basis with exceptions of closures for private groups or events, seasonal reasons, vacations, general maintenance and remodeling by the owners;

(g) Has special events and weddings inside and outside;

(h) Has at least fifty-five (55) condominiums with at least thirty (30) of the condominiums available for rental on a nightly or weekly basis;

(i) Has a restaurant that possesses a beer permit for on and off-premise consumption;

(j) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and

(k) Is located in a county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800) according to the 2010 federal census or any subsequent federal census.

(ii) The facility licensed pursuant to this subdivision (26)(    ) shall make food available at any time when alcoholic beverages are being served.

(iii) When used in this subdivision (26)(    ), "facility" means any location within the property as designated by the licensee.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

( ) A commercially operated marina, restaurant, and recreational facility possessing all of the following characteristics:

- (i) Is located on at least thirty-two (32) acres of land located off Old Awalt Road;
- (ii) Has a marina with at least two hundred fifty (250) wet slips located on Tims Ford Lake;
- (iii) Has a restaurant with a dining room to accommodate at least two hundred (200) patrons;
- (iv) Includes at least five (5) rental cabins and a motel with at least (5) rental units on its grounds; and
- (v) Has a fuel dock with a stationary tank that holds at least six thousand (6,000) gallons of fuel.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

( ) A commercially operated mountaintop resort and recreational facility possessing all of the following characteristics:

- (i) Is located on at least one thousand two hundred (1,200) acres at an altitude of between two thousand five hundred feet (2,500') and three thousand feet (3,000');
- (ii) Provides nightly lodging in at least eleven (11) furnished suites with balconies, all of which are located in at least two (2) buildings;
- (iii) Has a restaurant with a full service kitchen with combined seating indoors and outdoors for at least one hundred (100) patrons; and which serves at least twelve (12) meals on a weekly basis with exceptions of closures for private groups or events; and seasonal closures, vacations, general maintenance and remodeling by the owners; provided however that food shall be made available at any time which alcoholic beverages are being served; and such restaurant shall already possess a beer permit for on-premise consumption;
- (iv) Hosts special on-site events including weddings, receptions, reunions, corporate meetings, and club or group gatherings;
- (v) Has a wooden walkway through chimney rock formations;
- (vi) Has a heliport with at least two (2) landing pads;
- (vii) When used in this subdivision (26)(\_\_\_), "facility" includes any location within the property as designated by the licensee;
- (viii) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and
- (ix) Is located in a county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800) according to the 2010 census or any subsequent federal census.

SECTION 4. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

( ) A commercially owned marina, resort, and recreational facility possessing each of the following characteristics:

- (i) Includes a full service marina that includes at least one hundred thirty (130) boat slips with the capacity to have three hundred seventy-five (375) covered boat slips ranging in size from twenty-four feet (24') to thirty feet (30') deep; and which is located opposite the one hundred and thirty-three and one-third R (133.3R) mile marker on the Clinch River on Norris Lake;

(ii) Has a public pump station;

(iii) Has a restaurant with at least one hundred (100) seats both indoors and outdoors which serves at least six (6) meals on a weekly basis, with exceptions of closures for private groups or events, and seasonal closures, vacations, general maintenance, and remodeling by the owners;

(iv) Has a ship store;

(v) Has gas docks;

(vi) Has a marina campground with at least twenty (20) campsites with electric, water, and wastewater connections;

(vii) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and

(viii) The facility is located within a county having a population of not less than thirty-two thousand two hundred (32,200) nor more than thirty-two thousand three hundred (32,300), according to the 2010 federal census or any subsequent federal census. When used in this subdivision, "facility" includes any location within the property designated by the licensee.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1687

PASSED: March 24, 2014



RON RAMSEY  
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 8<sup>th</sup> day of April 2014



BILL HASLAM, GOVERNOR