

Finance & Administration Committee Meeting
June 18, 2019
4:00 p.m.

- 1. Multi-Modal – CDBG – Mayor Hanson**
- 2. People Helping People Funds – Recorder Tina Dunn**
- 3. Fireworks Ordinance – Chief Lewis, Chief Griggs, Building Official Fisher**
- 4. Budget Hearings – 2019-20 Budget**



Tennessee Department of Transportation 2018 Multimodal Access Grant Application

Application Requirements

Without evidence of the following, projects will not be eligible for consideration.

1. Project applications **MUST** be complete and contain all supporting materials as outlined in the application.
2. Projects **MUST** include a letter of support from the corresponding Rural Planning Organization (RPO) or Metropolitan Planning Organization (MPO/TPO).
3. Project applications **MUST** be accompanied by a letter of support from the county or municipal legislative body and a written acknowledgement of 5% local match and future maintenance responsibility. The Multimodal Access Grant is a reimbursable program. Local governments are required to pay 100% of all project invoices up-front prior to seeking reimbursement of the 95% state share.
4. Project applications **MUST** be accompanied by a letter of support from a corresponding state legislator. Find your legislator at <http://wapp.capitol.tn.gov/Apps/fmlv3/districts.aspx>

Instructions

- Please provide one (1) electronic copy in pdf form of your complete application by the deadline of September 28, 2018 (4:00 PM Central). **NOTE:** TDOT's mailbox limit is 15MB per email. Applications should be submitted by the respective RPO or MPO Coordinator to TDOT's Multimodal Division at TDOT.MultimodalPlanning@tn.gov
- Attach pages to the completed application as necessary such as support letters, any planning documents, engineering plans, feasibility studies, reports, etc.
- Address all questions and criteria as concisely as possible. Provide attachments if additional space is needed. If you are unsure of any question or criteria, please contact Byron Head, Transportation Program Monitor, by phone at 615-837-5463 or by email at byron.c.head@tn.gov.

PART I

I. Project Information

1. Project Title: _____

2. MPO/RPO: _____

3. Name of Applicant (County or City): _____

4. Termini/Intersection (ex. Main Street from 1st Street to 5th Street):

5. Applicant Contact Information:

Contact Name: _____

Contact Title: _____

Mailing Address: _____

City and Zip Code: _____

Email Address: _____

Phone Number: _____

6. Funding

Total Amount of Funding Requested:

State (95%) _____ Local (5%) _____

Total: _____

!! Applicants MUST fill out the attached Budget Template (Part II) in order to show a breakdown in project costs. Access recent TDOT average unit prices by item number at <https://www.tn.gov/content/tn/tdot/tdot-construction-division/transportation-construction-division-resources/transportation-construction-price-information.html>

Has the community sought funding from other sources for this project? Yes No

If yes, list the source(s) of funding that was sought?

In some cases, TDOT may consider funding a portion of the proposed project. Would the applicant consider accepting a reduced project scope/amount of funding?

Yes No

If yes, how would you revise the project scope and/or limits?

7. Project Eligibility:

Please check only those eligibilities that apply. Please Refer to TDOT's [Multimodal Project Scoping Manual](#) for further guidance regarding appropriate facility type.

- Pedestrian crossing improvements, including signage, signalization, median pedestrian refuge islands and crosswalks
- Shoulders
- Sidewalks
- Bicycle Lanes (on-road facility delineated with pavement markings and signs)
- Improvements that address requirements of the Americans with Disabilities Act
- Multi-use paths located within the transportation corridor. Multiuse paths (pedestrian plus bicycle traffic) must be a minimum of 10 feet wide.
- Pedestrian-scale lighting
- Bus shelters and concrete pads
- Road diets or traffic calming measures that enhance bicycle and/or pedestrian safety
- Separated bicycle facilities
- Park and ride facilities for carpooling or access to transit
- Bus turnouts
- Utility Relocation (eligible as a project component if utilities are located on private property or as part of an urban revitalization plan)
- Other (Please explain):

8. Project Description:

Please provide a brief description (include termini and length) of the proposed project and the scope of all work to be performed. Applicant must illustrate the project's relationship to surface transportation in the project proposal. On a separate sheet, include a map(s) of the project area. Color photos of existing conditions are required.

II. Evaluation Criteria

9. Safety: (Up to 30 points)

Please provide a brief description of how the proposed project will improve safety for pedestrians, bicyclists, and other transportation users.

10. Connectivity: (Up to 25 points)

Please provide a brief description of how the proposed project will increase connectivity among a mixture of land uses and activity centers such as transit, residential neighborhoods, low-income housing, medical facilities, schools, retail, parks, employment centers, etc. Please include a color map that demonstrates these connections with your application.

11. Local Priority: (Up to 10 points)

Is this project identified in state and/or local plans (including, but not limited to, Bicycle and Pedestrian Master Plan, ADA Transition Plan, Long Range Transportation Plan, Corridor Study, etc.)?

Yes No

If yes, please list the date and name of plan(s). Please provide evidence documenting inclusion of proposed project in the listed plans. This can be a copy of a page from the plan where the project is listed; you do not have to include the entire plan.

Name of Plan	Date

Does your municipality have a Private/Public Sidewalk Installation Program, New Development Sidewalk standard, or Annual budgeted Sidewalk Project List? If yes, please explain.

Yes No

Regarding the proposed project, please describe any public involvement meetings or partnerships that demonstrate coordination between local governmental agencies (i.e. Planning, Public Works, Transit Agency, etc.) and the public.

12. Project readiness: (Up to 25 points)

Has any level of environmental or preliminary engineering work been completed?

Yes No

If yes, please provide a brief explanation.

Is all land necessary for the project publicly owned or leased? Yes No

Is any part of the project to be constructed inside State or Federal highway right-of-way? Yes No

Will the project impact an existing or eligible National Register Historic Site or District? Yes No

Does the project include a pedestrian/bike bridge or tunnel or impact an existing TDOT structure? Yes No

Does the project exist within 200-ft of a railroad or will any part of the project impact a rail line? Yes No

13. Economic Impact: (Up to 10 points) How will this project aid economic development in the community or serve economically disadvantaged populations?



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APPLICATION ATTACHMENTS

I. Project Budget

II. Maps

III. Pictures

Included in abbreviated version.

~~IV. Police Incident Report~~

~~V. Transportation Masterplan Excerpts~~

~~VI. Sidewalk Ordinances~~

~~VII. Commitment of Match~~

~~VIII. Public Input/Public Meetings~~

~~IX. Support Letters~~



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PROJECT BUDGET

BUDGET TEMPLATE

Estimated Project Costs

Line items can be added or deleted as needed for any stage; however this is the format in which the budget must be submitted.

INSTRUCTIONS: List all items necessary to develop and construct the project. The applicant is responsible for verifying all costs for accuracy. Cost overruns will be solely the responsibility of the Local Government (Responsible Charge). This budget form may not be duplicated without permission.

LOCAL PROJECTS: Please note that the % match from the local government is cash only. In-kind match is not allowed. Also, all projects must be competitively bid and awarded to the lowest responsive bidder.

ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	95% STATE FUNDS	5% LOCAL EXPENSE (Cash Match Only, Non-Reimbursible)
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Preliminary Engineering/Design/Environmental (PE)

Environmental Documentation, Preliminary Design Plans (Up to 80% of total PE budget)	LS	1	\$ 55,000.00	\$ 55,000.00	\$ 52,250.00	\$ 2,750.00
Local, State and Federal Permits	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 3,325.00	\$ 175.00
ROW/Construction Plans, Specs, & Estimate (PS&E) Document Completion	LS	1	\$ 34,500.00	\$ 34,500.00	\$ 32,775.00	\$ 1,725.00
SUBTOTAL				\$ 93,000.00	\$ 88,350.00	\$ 4,650.00

Right-of-Way/Utilities (ROW)

ROW Acquisition	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 19,000.00	\$ 1,000.00
License Agreements, Easements, Recording Fees	LS	1	\$ -	\$ -	\$ -	\$ -
Utility Relocation/Certifications*	LS	1	\$ -	\$ -	\$ -	\$ -
SUBTOTAL				\$ 20,000.00	\$ 19,000.00	\$ 1,000.00

Construction (CONST)

All projects must be competitively bid and awarded to the lowest responsive bidder.

Site Preparation & Demolition	UNIT	QUANTITY	UNIT PRICE	TOTAL	95% STATE FUNDS	5% LOCAL EXPENSE (Cash Match Only, Non-Reimbursible)
Clearing and Grubbing	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 14,250.00	\$ 750.00
Removal of Obstructions	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 19,000.00	\$ 1,000.00
Erosion and Siltation Control	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 19,000.00	\$ 1,000.00
Construction Items						
Mobilization	LS	1	\$ 35,000.00	\$ 35,000.00	\$ 33,250.00	\$ 1,750.00
Traffic Control	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 38,000.00	\$ 2,000.00
Drainage Pipe and Structures	LS	1	\$ 60,000.00	\$ 60,000.00	\$ 57,000.00	\$ 3,000.00
Earthwork (including general, drainage and structural excavation and back fill)	CY	5000	\$ 20.00	\$ 100,000.00	\$ 95,000.00	\$ 5,000.00
Undercutting	CY	500	\$ 20.00	\$ 10,000.00	\$ 9,500.00	\$ 500.00
Concrete Curb and Gutter	LF	400	\$ 25.00	\$ 10,000.00	\$ 9,500.00	\$ 500.00
Concrete Sidewalks	SF	30000	\$ 8.00	\$ 240,000.00	\$ 228,000.00	\$ 12,000.00

Pedestrian ADA Ramp	SF	1200	\$ 19.00	\$ 22,800.00	\$ 21,660.00	\$ 1,140.00
Painted Pavement Marking 12"	LF	1000	\$ 18.00	\$ 18,000.00	\$ 17,100.00	\$ 900.00
Intersection Improvements	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 19,000.00	\$ 1,000.00
Utility Relocation*	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 14,250.00	\$ 750.00
Sign	EA	1	\$ 500.00	\$ 500.00	\$ 475.00	\$ 25.00
Sign Posts	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 1,900.00	\$ 100.00
Asphalt Road Repairs	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 14,250.00	\$ 750.00
**Landscaping						
Seeding/Sod	SY	3200	\$ 5.00	\$ 16,000.00	\$ 15,200.00	\$ 800.00
Pedestrian Amenities						
Pedestrian Lighting				\$ -	\$ -	\$ -
Bike Racks				\$ -	\$ -	\$ -
Other				\$ -	\$ -	\$ -
SUBTOTAL of Itemized Quantities Above				\$ 659,300.00	\$ 626,335.00	\$ 32,965.00
Administration Costs						
CONST. Survey & Layout	LS	1		\$ 10,000.00	\$ 9,500.00	\$ 500.00
Construction Contingency	10%	of CONST		\$ 65,930.00	\$ 62,633.50	\$ 3,296.50
TDOT Engineering Services	EA	1		\$ 5,000.00	\$ 4,750.00	\$ 250.00
TDOT Materials & Testing	2%	of CONST		\$ 13,186.00	\$ 12,526.70	\$ 659.30
CEI Administration	6%	of CONST		\$ 39,558.00	\$ 37,580.10	\$ 1,977.90
***Construction Engineering Inspection (CEI) and Contract/Construction Administration	20%	of CONST		\$ 131,860.00	\$ 125,267.00	\$ 6,593.00
TOTAL of Reimbursible Construction Expenses				\$ 885,276.00	\$ 841,012.20	\$ 44,263.80
GRAND TOTAL ALL PROJECT COSTS				\$ 998,276.00	\$ 948,362.20	\$ 49,913.80

* Relocation of utilities is eligible for reimbursement if and only if one of the following conditions are met: 1) The relocation is caused by this project and the utilities to be relocated are on private property, or 2) the relocation is caused by this project and is listed in a current urban revitalization plan. If these conditions are met, reimbursement is limited to 33% of eligible and reimbursable construction costs. Please insert the budget for the relocation work in the construction budget.

**Landscaping is limited to 25% of eligible and reimbursable construction costs and must be necessary to this project only.

*** The CEI Estimate may not exceed 20% but can be decreased by the local agency at their discretion depending on the scope and complexity of the project. If contract administrative duties are performed by a private firm other than the contracted CEI consultant, this firm must still be TDOT pre-qualified and a copy of the fully executed contract between them and the CEI consultant must be sent to TDOT electronically. Costs for contract administration must be included within the CEI budget.

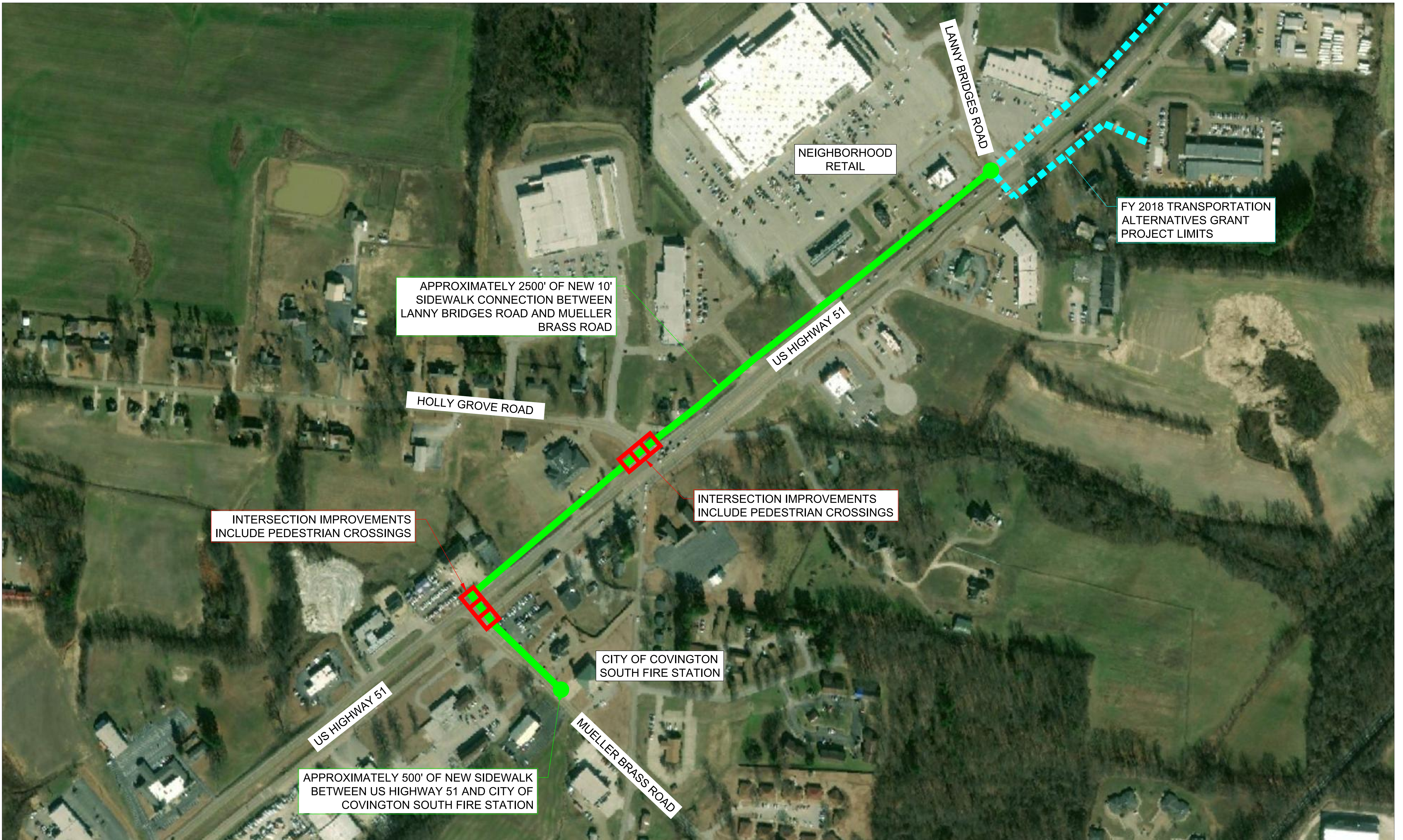


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MAPS

Project Map

Multimodal Connector Phasing Plan Map



APPROXIMATELY 2500' OF NEW 10' SIDEWALK CONNECTION BETWEEN LANNY BRIDGES ROAD AND MUELLER BRASS ROAD

NEIGHBORHOOD RETAIL

FY 2018 TRANSPORTATION ALTERNATIVES GRANT PROJECT LIMITS

INTERSECTION IMPROVEMENTS INCLUDE PEDESTRIAN CROSSINGS

INTERSECTION IMPROVEMENTS INCLUDE PEDESTRIAN CROSSINGS

CITY OF COVINGTON SOUTH FIRE STATION

APPROXIMATELY 500' OF NEW SIDEWALK BETWEEN US HIGHWAY 51 AND CITY OF COVINGTON SOUTH FIRE STATION





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PICTURES

PHOTO NARRATIVE



View: Southwest corner of Lanny Bridges Road, looking South.
The proposed project will begin where the Phase I project ends.



View: At Verizon Store, looking South.
The proposed project will construct a 10'-wide multimodal path in existing Right-of-Way. Grass and drainage buffers will be used to create separation between pedestrian and motor vehicle traffic.

PHOTO NARRATIVE



View: At one of the large retail strip entrances along the route, looking north.
Driveway crossing improvements, such as pavement markings and truncated domes, will define the path and give right-of-way to pedestrians.



View: At drive of Funeral Home along route, looking north at Holly Grove Rd Intersection.
Curb ramps, truncated domes, pavement markings, and audible pedestrian signalization upgrades will be added to improve inspection safety and improve ADA compliance and accessibility.

PHOTO NARRATIVE



View: North of Office Complex entrance, looking South towards Mueller Brass Intersection



View: In Insurance Agent Parking Lot on Mueller Brass, looking West towards Highway 51
A pedestrian crosswalk will be installed on the northern side of the Mueller Brass intersection so that pedestrians can safely cross Highway 51 to access Mueller Brass Road.

PHOTO NARRATIVE



View: Bank Entrance, looking West.

The proposed sidewalk will continue east on the north side of Mueller Brass.



View: Bank entrance, Looking East towards Fire Station.

The proposed termination point of Phase II is the Covington Fire Department South Station.

PHOTO NARRATIVE

Documentation of Frequent Non-Motor Vehicle Traffic Along Highway 51



Walker traveling south towards shopping center.



Cyclist traveling north on Highway 51 within proposed project area.



Family with stroller traveling north towards shopping center within project area.



Pedestrian crossing Highway 51 without a crosswalk and very close to oncoming traffic within the proposed project area.

CHAPTER 4

FIREWORKS

SECTION

- 7-401. Definitions.
- 7-402. Permits and permit fees.
- 7-403. Permit revocation.
- 7-404. Permissible fireworks.
- 7-405. Storing and structures.
- 7-406. Limitations on structures.
- 7-407. Location of fireworks outlets.
- 7-408. Parking for retail fireworks sales site.
- 7-409. Additional standards for fireworks retailers.
- 7-410. Unlawful sale to certain children and other persons; unlawful use of fireworks.
- 7-411. Limited time period to use fireworks.
- 7-412. Exemptions.
- 7-413. Violations and penalty.

7-401. Definitions. (1) As used in this chapter, unless the content otherwise requires:

(a) "Combustible material" means a substance that can be burned to provide heat or power.

(b) "Fireworks" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition:

(i) As referenced in the currently adopted fire codes.

(ii) Exceptions:

(A) Toy caps for use in toy pistols, toy canes, or toy guns, and novelties and trick noisemakers manufactured in accordance with DOT regulations, 49 C.F.R. 173.100(p), and packed and shipped according to those regulations;

(B) Model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models;

(C) Propelling or expelling charges consisting of a mixture of sulfur, charcoal, saltpeter are not considered as designed to produce audible effects.

(c) "Mobile retailer" means a vendor operating from motor vehicles, trailers, bicycles, or motorbikes.

(d) "Permit" means the written authority of the City of Covington issued under the authority of this section.

(e) "Person" means any individual, firm, partnership, or corporation.

(f) "Retailer" means any person engaged in the business of making retail sales of fireworks to the general public.

(g) "Sale" means an exchange of articles of fireworks for money and also includes barter, exchange, gift, or offer and each such transaction made by any person, whether as principal, proprietor, salesperson, agent, association, copartnership, or one (1) or more individual(s).

(h) "State fire marshal permit" means the appropriate fireworks permit issued by the Tennessee Fire Marshal under the authority of Tennessee Code Annotated, § 68-104-101, et seq.

(2) Singular words and plural words used in the singular include the plural and the plural as singular. (Ord. #1599, Nov. 2009)

7-402. Permits and permit fees. (1) It is unlawful for any person to sell or to offer for sale in the City of Covington any item of fireworks without first having secured a state fire marshal permit and a permit issued by the City of Covington.

(a) Permits are not transferable.

(b) A permit to sell fireworks to the general public is valid only from June 20 through July 5 or December 10 through January 2.

(c) The permit fee for retail permits is fifty dollars (\$50.00) for the summer period and fifty dollars (\$50.00) for the winter period.

(2) A permit to sell fireworks in the City of Covington must be obtained at least two (2) weeks prior to the date on which the applicant begins making sales. Each application shall contain the following:

(a) The application must include the name, address, and telephone number of applicant.

(b) The applicant must be the natural person who will operate or be responsible for sales.

(c) The applicant's name must be the same as the name on the state fire marshal's permit.

(d) The applicant is liable for all violations of this chapter by persons under his/her supervision.

(3) For a state permit to be obtained by a retailer, the mayor or his or her designee must sign on behalf of the retailer an application for fireworks permit that the state requires before a state permit is issued to a retailer for a specific location.

(4) A person that applies for a retail fireworks permit must show proof that a state sales tax number has been obtained for sales tax purposes.

(5) A site plan must be submitted that includes the dimensions of the lot, size and location of structure, setback of structure from the right-of-way, location of other structures in the area that are occupied, location and number

of parking places, location of any nearby residences, location of the nearest fuel outlets, and location of other fireworks outlets if located within seven hundred fifty feet (750') of a retail structure.

(6) Mobile vendors are not permitted.

(7) Signage shall conform to current codes.

(8) The application must contain evidence that general liability insurance has been obtained by applicant naming the City of Covington as additional insured for at least one million dollars (\$1,000,000.00) for each occurrence, whether in respect to bodily injury liability or property damage liability or bodily injury liability and property damage liability combined.

(9) The application must disclose the location where the applicant will conduct the business of selling fireworks and the dates for which the right to do business is desired.

(10) Applicant shall pay one hundred dollars (\$100.00) cleanup deposit per location, which shall be refunded after the fireworks season or used by the city to clean up the retail fireworks site if needed.

(11) After the application has been submitted and approved, the city building inspector, fire inspector, and state electrical inspector (fire inspector and electrical inspector must also inspect by law/ordinance) shall inspect the site for compliance with applicable codes and ordinances. (Ord. #1599, Nov. 2009, as amended by Ord. #1610-1, Feb. 2011)

7-403. Permit revocation. (1) The City of Covington may revoke any permit upon failure of retailer to correct any of the following conditions within thirty-six (36) hours after the building official gives written notice.

(a) When the permittee or the permittee's operator violates any lawful rule, regulation, or order of the city building official.

(b) When the permittee's application contains any false or untrue statements.

(c) When the permittee fails to timely file any report or pay any tax, fee, fine, or charge.

(d) When the permittee or the permittee's operator violates any fireworks ordinance or statute.

(2) When any activities of the permittee constitute a distinct hazard to life or property, the building inspector and/or fire inspector, may revoke the permit immediately. (Ord. #1599, Nov. 2009)

7-404. Permissible fireworks. (1) It is unlawful for any individual, firm, partnership, or corporation to sell or use within the City of Covington, except as provided in this chapter, any fireworks as defined in § 7-401(1)(a), other than the following:

(a) Those items classified by the U.S. Department of Transportation as 1.4G Consumer Fireworks; or

(b) Those items that comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public under its regulations.

(2) Any display using 1.3G Display Fireworks as defined in the fire code must be under the control of a licensed pyrotechnics technician. (Ord. #1599, Nov. 2009)

7-405. Storing and structures. No person may smoke within a structure where fireworks are sold. No person selling fireworks may permit the presence of lighted cigars, cigarettes, or pipes within a structure where fireworks are offered for sale. At all places where fireworks are stored or sold, there must be posted signs with the words Fireworks--No Smoking in letters not less than four inches (4") high. An inspected and currently tagged fire extinguisher with a minimum 2A rating and one (1) pressurized water type fire extinguisher must be present at each retail fireworks site. Fireworks sold at retail may be sold only from a freestanding structure. Fireworks must be stored at least ten feet (10') away from windows and other areas where the sun may shine through. Fireworks are not permitted to be stored in residential districts, except for personal use. (Ord. #1599, Nov. 2009)

7-406. Limitations on structures. Retail structures including tents meeting the current adopted fire code, building code and Life Safety Code (NFPA 101), and electrical code may be used for the retail sale of fireworks. Ground fault interrupter protection must be used for power cords that supply power to tents and other outdoor structures. Electrical wiring inside tents and other outdoor locations shall be securely installed, without splices, and lamps shall be protected from accidental breakage by a suitable fixture or guard. No structure from which fireworks are sold may exceed three thousand two hundred (3,200) square feet. Fireworks may not be stored in a permanent building unless the building has a sprinkler system and is constructed of non-flammable materials such as metal or concrete block. (Ord. #1599, Nov. 2009)

7-407. Location of fireworks outlets. Fireworks sales structures must be no closer than sixty feet (60') from any occupied building. Fireworks sales are permissible only on commercial/industrial property as approved by the planning department and the sales structure must be located a minimum of forty-five feet (45') from the right-of-way. Any fireworks sales structure must be at least one hundred fifty feet (150') from a residence. (Ord. #1599, Nov. 2009)

7-408. Parking for retail fireworks sales site. (1) The site for a fireworks retailer shall be improved to provide at least twelve (12) graveled or paved parking places for off street customer parking.

(2) The retail fireworks site must provide for an on-site turn-around area so that backing of vehicles onto the street will not be necessary.

(3) The parking area must be large enough and constructed so as to accommodate a fire truck as spelled out in NFPA 1124 7.3.4. (Ord. #1599, Nov. 2009)

7-409. Additional standards for fireworks retailers. (1) Any site for a fireworks retailer must be located so that all parts of the structure and fireworks inventory on the site are no closer than one hundred feet (100') to any combustible material.

(2) The parcel on which fireworks retail sales is proposed shall be a minimum of seven hundred fifty feet (750') from other similar uses. This distance shall be measured in a straight line from structure to structure. Priority shall be given to the retailer who obtained a permit the previous year at the same location. (Ord. #1599, Nov. 2009)

7-410. Unlawful sale to certain children and other persons; unlawful use of fireworks. (1) It is unlawful to offer for sale or to sell any fireworks to children under the age of sixteen (16) years of age or to any intoxicated person.

(2) It is unlawful to explode or ignite fireworks within six hundred feet (600') of any church, assisted living facility, nursing home, hospital, funeral home, public or private school academic structure, or within three hundred feet (300') of where fireworks are stored, sold, or offered for sale.

(3) It is unlawful to ignite or discharge any permissible articles of fireworks within or throw them from a motor vehicle.

(4) It is unlawful to place or throw any ignited article of fireworks into or at a motor vehicle, or at or near any person or group of persons.

(5) It is unlawful to ignite fireworks on another person's private property unless permission is obtained from the owner or occupant of the property.

(6) It is unlawful to launch fireworks onto property of persons who have not given permission.

(7) It is unlawful to use fireworks at times, places, or in any manner that endangers other persons.

(8) It is unlawful to ignite fireworks during a burning ban declared by either the State of Tennessee or the City of Covington Fire Department, except for public (and/or group) displays for which permits have been granted. (Ord. #1599, Nov. 2009)

7-411. Exclusions. Nothing in this chapter prohibits:

(1) The sale of any kind of fireworks that are to be shipped directly out of the corporate limits of the city in accordance with the regulations of the

United States Department of Transportation covering the transportation of explosives and other dangerous articles by motor, rail, and water.

(2) The sale, transportation, handling, or use of industrial pyrotechnic devices or fireworks, such as railroad torpedoes, fuses, automotive, aeronautical, and marine flares and smoke signals.

(3) The sale or use of blank cartridges for theater, for signal or ceremonial purposes, in athletics or sporting events, or legal power tools.

(4) The transportation, handling, or use of any pyrotechnic devices by the armed forces of the United States.

(5) The use of pyrotechnics in training by the fire service, law enforcement, or similar government agencies.

(6) The use of fireworks for agricultural purposes under conditions approved by the fire chief or his designee.

(7) Supervised displays of fireworks as provided for in this chapter.
(Ord. #1599, Nov. 2009)

7-412. Violations and penalty. Violations of any provision of this chapter shall be subject to a penalty of up to fifty dollars (\$50.00) per violation.
(Ord. #1599, Nov. 2009)

ORDINANCE 1696

AN ORDINANCE TO AMEND THE TEXT OF THE COVINGTON MUNICIPAL CODE, (FIRE PROTECTION AND FIREWORKS) TITLE 7, CHAPTER 4.

WHEREAS, the Board of Mayor and Alderman deem it necessary, for the purpose of promoting the health, safety, prosperity, morals, and general welfare of the City to amend The Covington Municipal Code; and

WHEREAS, the Board of Mayor and Alderman have discussed and reviewed proposed amendment; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF COVINGTON:

SECTION 1. That the following be added to Title 7, Chapter 4,

7-413. Limits on fireworks discharge. The discharge of fireworks within the corporate limits of the City of Covington shall be limited to December 31st, January 1st, July 4th or any date approved by the vote of the Board of Mayor and Alderman. The discharge of fireworks shall be only allowed by persons over the age of sixteen (16) or accompanied by an adult over the age of twenty-one (21).

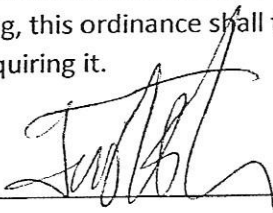
7-414. Penalties. Any person found guilty of violating the terms of this chapter shall be subject to having their fireworks confiscated and shall be subject to the maximum penalty allowed by the laws of the State of Tennessee. In addition, The Police Chief or his/her designees or The Fire Chief or his/her designee shall have authority to stop the discharge of fireworks if such activity presents a danger from fire due to combustibles (i.e. tall grass, accumulation, drought conditions, etc.) that may be near the discharge area.

SECTION 2. BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon its passage after third and final reading, this ordinance shall take effect from and after its passage, the welfare of the City requiring it.

Passed First Reading 10/10/17

Passed Second Reading 10/24/17

Passed Third Reading 11/14/17



Mayor Ana C Dunn

Recorder-Treasurer