

ORDINANCE NO. 2503

AN ORDINANCE TO AMEND SECTION 5-701 OF THE GATLINBURG MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO REPEAL THE SECOND PARAGRAPH OF SAID SECTION AND SUBSTITUTE AN ADDITIONAL PARAGRAPH AND FURTHER BEING AN ORDINANCE TO DEFINE TOURIST RESIDENCY.

WHEREAS, the State of Tennessee has duly held Public Hearings and promulgated rules and regulations with regard to the definition of tourist residency; and

WHEREAS, City of Gatlinburg wishes to be consistent with the State standards recently adopted; and

WHEREAS, the adoption of this Ordinance is in the best interest of the citizens and residents of the City of Gatlinburg.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GATLINBURG, TENNESSEE:

Section 1. Section 5-701 of the Gatlinburg Municipal Code is hereby amended by repealing the second paragraph of said section in its entirety and substituting new language as follows:

"Tourist Residencies shall be reviewed and permitted under the adopted Building Codes and Life Safety 101 Code using one (1) of the following criteria:

(a) Tourist Residency, as defined herein, consisting of three (3) or less stories, less than five thousand (5,000) gross square feet, and twelve (12) or fewer occupants shall be classified as one and two family dwellings. These dwellings are subject to the fire sprinkler exemptions of TCA §68-120-101(a)(8)(A);

(b) Tourist Residency, as defined herein, consisting of more than (3) stories, more than five thousand (5,000) gross square feet, or more than twelve (12) occupants, shall be classified as R-1 or R-3 as determined by the provisions of NFPA 101-Life Safety Code and the International Building Code Requirements. These dwellings are not subject to the fire sprinkler exemptions of TCA §68-120-101(a)(8)(A)".


Section 2. The provisions of the Ordinance shall be effective from, and applicable to new Tourist Residency Permit applications from the date of its adoption forward.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. This Ordinance shall take effect fifteen days from and after its adoption, the public welfare requiring it.


MAYOR

ATTEST:


CITY RECORDER

Passed first reading 8-16-16

Passed second reading 9-6-16

APPROVED AS TO FORM:


Ronald E. Sharp, City Attorney