

HOUSE BILL 2078

By Harrison

AN ACT to amend Tennessee Code Annotated, Section 13-3-403 and Section 13-4-303, relative to the revision of plats.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-403(b), is amended by deleting the subsection in its entirety and replacing it with the following:

(b) Such regulations may include requirements such as the extent and manner in which roads shall be graded and improved, and water, sewer and other utility mains, piping, connections or other facilities shall be installed as a condition precedent to the approval of the plat. The regulations or practice of the commission may provide for the tentative approval of the plat prior to such improvements and installation, but any such tentative approval shall not be entered on the plat. Such regulations may provide that, in lieu of the completion of such work and installations previous to the final approval of a subdivision plat, the commission may accept a bond, in form and amount and with conditions and surety satisfactory to it, providing for and securing to the public the actual construction and installations of such improvements and utilities within a period specified by the commission and expressed in the bond. The attorney for the county in which the subdivision is located is hereby granted the power and duty to enforce any such bond by all appropriate legal and equitable remedies, and moneys collected on such bond shall be paid into the state treasury and, upon the order of the regional planning commission, shall be applied to the construction and installation of the improvements and utilities. The regulations may provide, in lieu of the completion of the work previous to the final approval of a plat, for an assessment or other method whereby the county, municipality or metropolitan government served by the regional planning commission at the location

of the platted property is put in an assured position to do the work and make the installations at the cost of the owners of the property within the subdivision.

SECTION 2. Tennessee Code Annotated, Section 13-3-403(c), is amended by adding the following language immediately after the existing language in the subsection:

In addition to providing notice of a hearing in a newspaper of general circulation, the regional planning commission shall publish notice of the hearing on the regional planning commission's web site, if the commission maintains a web site.

SECTION 3. Tennessee Code Annotated, Section 13-4-303(b) is amended by deleting the subsection in its entirety and replacing it with the following:

(b) Such regulations may include requirements of the extent to which and manner that streets are graded and improved, and water, sewer and other utility mains, piping, connections or other facilities are installed as a condition precedent to approval of the plat. The regulations or practice of the commission may provide for tentative approval of the plat prior to such improvements and installation, but any such tentative approval shall not be entered on the plat. Such regulations may provide that, in lieu of the completion of such work prior to the final approval of a plat, the commission can accept a bond, in an amount and with surety and conditions satisfactory to it, providing for and securing to the municipality the actual construction and installation of such improvements and utilities within a period specified by the commission and expressed in the bonds, and the municipality is hereby granted the power to enforce such bonds by all appropriate legal and equitable remedies. Such regulations may provide, in lieu of the completion of such work previous to the final approval of a plat, for an assessment or other method whereby the municipality is put in assured position to do the work and make the installations at the cost of the owners of the property within the subdivision.

SECTION 4. Tennessee Code Annotated, Section 13-4-303(c), is amended by adding the following language immediately after the existing language in the subsection:

The planning commission shall publish notice of the hearing on the planning commission's web site, if the commission maintains a web site.

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