

ORDINANCE 2026 –

AN ORDINANCE OF THE CITY OF MT. JULIET, TENNESSEE, ESTABLISHING INFRASTRUCTURE CAPACITY-BASED MORATORIUM FOR IMPACTED AREAS

WHEREAS, the City of Mt. Juliet (“City”) is authorized under Tennessee law to plan for and manage public infrastructure, including sanitary sewer systems, in order to protect the public health, safety, and welfare; and

WHEREAS, the City currently owns and operates a sanitary sewer collection and conveyance system that must maintain adequate capacity to serve existing users and approved development; and

WHEREAS, the area generally served by the proposed Benders Ferry Regional Pump Station and associated force main (“Benders Ferry Service Area”) is presently at or near its available sewer capacity; and

WHEREAS, the construction of the Benders Ferry Regional Pump Station and force main is intended to provide additional sewer capacity to support future development within the Benders Ferry Service Area; and

WHEREAS, the Benders Ferry Regional Pump Station and force main are City capital projects that would require significant public investment and long-term operational obligations; and

WHEREAS, the City has determined that the timing of these sewer infrastructure investments should be coordinated with the planned widening of State Route 70 (U.S. Highway 70) to a minimum of four (4) travel lanes extending westward to West Elementary School, a project under the jurisdiction of the Tennessee Department of Transportation (“TDOT”); and

WHEREAS, the City finds that premature construction of major sewer infrastructure in advance of the commencement of the Highway 70 widening project could induce development that the existing and planned roadway network is not yet equipped to safely or efficiently support; and

WHEREAS, the City desires to align the availability of new sewer capacity with the provision of adequate transportation infrastructure in order to promote orderly growth, fiscal responsibility, and public safety; and

WHEREAS, the City further finds that limiting the extension of new sewer capacity in the Benders Ferry Service Area until the Highway 70 widening project has commenced is a reasonable and necessary infrastructure management measure, and not a blanket prohibition on development approvals; and

WHEREAS, the City wishes to adopt this ordinance as a temporary, objective, and infrastructure-based policy that conditions public capital expenditures and utility capacity on the commencement of a related state transportation project;

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NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City Of Mt. Juliet, Tennessee as follows:

Section 1. PURPOSE AND INTENT

The purpose of this ordinance is to manage the timing and allocation of public sewer infrastructure capacity within the Benders Ferry Service Area by deferring the construction and funding of the Benders Ferry Regional Pump Station and force main until such time as the Tennessee Department of Transportation has commenced construction on the widening of State Route 70 to a minimum of four (4) lanes extending to West Elementary School. This ordinance is intended to ensure that sewer capacity expansion occurs in coordination with necessary roadway improvements and does not outpace the City's transportation infrastructure.

Section 2. FINDINGS

The Board of Commissioners hereby finds and declares that:

Existing sewer infrastructure within the Benders Ferry Service Area lacks sufficient available capacity to serve additional new development beyond that already approved.

The Benders Ferry Regional Pump Station and force main are City-funded capital improvements that would materially increase sewer capacity in the area.

The availability of new sewer capacity would enable additional development that would rely upon Highway 70 for access.

Highway 70 has not yet commenced construction to widen the roadway to a minimum of four (4) lanes to West Elementary School.

Coordinating sewer capacity expansion with the commencement of the Highway 70 widening project is necessary to protect the public health, safety, welfare, and fiscal interests of the City.

Section 3. TEMPORARY LIMITATION ON SEWER CAPACITY EXPANSION

- A. The City shall not fund, authorize, or commence construction of the Benders Ferry Regional Pump Station or its associated force main until such time as the Tennessee Department of Transportation has formally commenced construction activities for the widening of State Route 70 to a minimum of four (4) travel lanes extending to West Elementary School.
- B. For purposes of this section, "commenced construction" shall mean the issuance of a notice to proceed and the initiation of on-site construction activities by or on behalf of TDOT for the Highway 70 widening project.

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Section 4. EFFECT ON DEVELOPMENT APPROVALS

- A. This ordinance does not prohibit the submission, review, or approval of zoning applications, subdivision plats, site plans, or other development applications, nor does it revoke any previously granted vested rights.
- B. However, no new development within the Benders Ferry Service Area shall be entitled to new sewer capacity beyond that which is currently available, and no extension or allocation of additional sewer capacity shall be granted unless sufficient capacity exists without reliance on the Benders Ferry Regional Pump Station or force main.
- C. Where adequate sewer capacity is not available, development may not receive final utility approval or be permitted to connect to the City's sanitary sewer system.

Section 5. EXCEPTIONS

Nothing herein shall prohibit the planning, engineering, design, environmental review, right-of-way acquisition, or other preparatory actions related to the Benders Ferry Regional Pump Station and force main.

Section 6. DURATION AND REVIEW

This ordinance shall remain in effect until the conditions set forth in Section 3 have been satisfied. Upon confirmation that construction of the Highway 70 widening project has commenced, the City Commission may, by ordinance, authorize the funding and construction of the Benders Ferry Regional Pump Station and force main and take such additional actions as may be necessary to restore the allocation of new sewer capacity.

BE IT FURTHER ORDAINED

In case of conflict between this ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

If any section, clause, or provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this ordinance.

This ordinance shall take effect on the earliest date allowed by law.

PASSED:

FIRST READING:

SECOND READING:

James Maness, Mayor

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Kenny Martin, City Manager

ATTEST:

Jennifer Hamblen, CMC, City Recorder

APPROVED AS TO FORM:

Samantha A. Burnett, City Attorney