

HOUSE BILL 2380

By Lynn

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 3, Part 4 and Title 13, Chapter 4, Part 3,
relative to prerequisites for building.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-411(a)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(2)

(A) The street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission and recorded in the register of deeds; and

(B) Whenever the street or other infrastructure improvements as denoted on the plat have not been completed, there shall be an adequate, valid, and enforceable bond, or an adequate, valid, and enforceable other guarantee for the completion of the improvements, which shall be held by the appropriate officials as provided in § 13-3-403;

SECTION 2. Tennessee Code Annotated, Section 13-3-411(a), is amended by adding the following language as a new subdivision (4):

(4) The street corresponds in its location and lines with a street shown on a street plat made and adopted by the commission.

SECTION 3. Tennessee Code Annotated, Section 13-4-308(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(a)

(1) From and after the time when the platting jurisdiction of any municipal planning commission has attached as provided in § 13-4-302, no building permit shall be issued and no building shall be erected on any lot within the municipality, unless one (1) of the following circumstances is met:

(A) The street giving access to the lot upon which the building is proposed to be placed has been accepted or opened as, or shall have otherwise received the legal status of, a public street prior to that time;

(B)

(i) The street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission and recorded in the register of deeds;

(ii) Whenever the street or other infrastructure improvements as denoted on the plat have not been completed, there shall be an adequate, valid, and enforceable bond, or an adequate, valid, and enforceable other guarantee for the completion of the improvements, which shall be held by the appropriate officials as provided in § 13-4-303;

(C) The lot fronts upon a permanent easement which conforms to all rules, regulations and specifications applicable to the permanent easement of the planning commission or other departments, divisions or agencies of the municipality and so long as the permanent easement has access to an existing highway, street, or thoroughfare, or with a street located or accepted by the chief legislative body of the municipality after submission to the planning commission and, in case of the commission's disapproval, by the favorable vote required in § 13-4-307; or

(D) The street corresponds in its location and lines with a street shown on a street plat made and adopted by the commission.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.