



July 22, 2024

Private Acts of 1975, Chapter 3

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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SECTION 1. Except for land within incorporated municipalities where a building permit system already exists, any owner or owners of real property in Lauderdale County who plans to build, erect, construct or remodel, or who plans to cause or allow to be built, erected, constructed or remodeled, any building or improvements upon their real property, where such construction or remodeling may have a value of or cost of one thousand dollars (\$1,000.00) or more, shall obtain a permit for such construction or remodeling.

SECTION 2. (a) The Lauderdale County Quarterly Court is hereby authorized to designate by resolution a person or group of persons, either salaried or not, to carry out the necessary inspection of proposed construction sites.

(b) The person or persons so designated shall:

(1) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement, including prefabricated and mobile homes, must (i) be designated or modified and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage;

(2) Review subdivision proposals and other proposed new developments, not within the jurisdiction of the County Planning Commission, to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and (3) Make such other determinations as are necessary to obtain compliance with the criteria set forth in Section 1910 of the National Flood Insurance Program regulations.

SECTION 3. The County Planning Commission, as provided in Tennessee Code Annotated, Section 13-204, shall adopt regulations governing the subdivision of land which will assure that: (1) flood damage will be minimized; (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards.

SECTION 4. The Lauderdale County Quarterly Court is further authorized to pass and promulgate by resolution rules and regulations regarding the office from which a permit may be obtained, the cost of the permit, the amount of time within which the permit will be issued or refused, and such other matters as the Court may desire.

SECTION 5. Any person, firm or corporation violating any such regulations or provisions as established by this Act shall be guilty of a misdemeanor as provided in Section 13- 411, Tennessee Code Annotated, and subject to penalty as provided for by law.

SECTION 6. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Lauderdale County by September 1, 1975. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

Passed: March 3, 1975.

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