

ORDINANCE NO. 2008-14

AN ORDINANCE ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, TO ANNEX CERTAIN PROPERTIES ADJACENT TO WINDTREE SUBDIVISION ON ANDERSON PIKE AND SHACKLEFORD RIDGE ROAD IN HAMILTON COUNTY, TENNESSEE, AS SHOWN BY THE ATTACHED MAP.

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WHEREAS, the Town Manager was authorized to give notice of a public hearing on July 14, 2008, with reference to the herein described annexation which was noticed on August 22, 2008, which was more than fifteen (15) days prior to the public hearing which was held on September 8, 2008, at 6:00 p.m., and this Ordinance was noticed by publication in the daily newspaper of Chattanooga, Tennessee on September 26, 2008, which was more than seven (7) days before October 6, 2008; and

WHEREAS, pursuant to T.C.A. § 6-51-102, as amended by Public Chapter 1101 of 1998, it is necessary to submit a plan of services to the Signal Mountain Planning Commission; and

WHEREAS, the Plan of Services which is attached to this Ordinance was submitted to the Signal Mountain Planning Commission on July 14, 2008, and a written report was prepared and approved unanimously by the Signal Mountain Planning Commission on September 4, 2008, as required by Tennessee law; and

WHEREAS, after a public hearing and investigation by the Town Council, it now appears that the prosperity of the Town and of the territory herein described and as described in said notice will be materially retarded, and the safety and welfare of the inhabitants and property of the Town and the herein described territory endangered if such territory is not annexed; and

WHEREAS, the plan of services is adopted and the annexation of the hereinafter described territory is deemed necessary for the health, welfare and safety of the residents and property owners thereof, as well as of the Town of Signal Mountain as a whole;

NOW, THEREFORE,

Section 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That under the authority conferred by Chapter 113, Public Acts of 1955, and the amendments thereto (T.C.A. § 6-51-101, et seq.), that there be and hereby is annexed to the Town of Signal Mountain, Tennessee, and included within the corporate boundaries of said Town certain properties adjacent to Windtree Subdivision on Anderson Pike and Shackelford Ridge Road, in Hamilton County, contiguous to the corporate boundaries of said Town which is more fully described as follows:

All roads and accepted right of ways in the Windtree Subdivision shown on the attached map including streets named Chestnut Ridge Lane, Covington Lane, Mountain Hollow Drive, Scenic Hollow Lane, Silver Springs Drive, Valleydale Lane, Walking Stick Road, Windtree Hollow Lane, and Windtree Drive and including all property with the following Hamilton County maps and parcels numbers:

Hamilton County Tax Map # 089 003.05	Hamilton County Tax Map # 089A B 016
Hamilton County Tax Map # 089A B 017	Hamilton County Tax Map # 089A B 018
Hamilton County Tax Map # 089A B 019	Hamilton County Tax Map # 089A B 020
Hamilton County Tax Map # 089A B 021	Hamilton County Tax Map # 089A B 021.02
Hamilton County Tax Map # 089A B 021.03	Hamilton County Tax Map # 089A B 021.04
Hamilton County Tax Map # 089A B 021.05	Hamilton County Tax Map # 089A B 021.06
Hamilton County Tax Map # 089A B 021.07	Hamilton County Tax Map # 089A B 021.08
Hamilton County Tax Map # 089H A 001	Hamilton County Tax Map # 089H A 002
Hamilton County Tax Map # 089H A 003	Hamilton County Tax Map # 089H A 004
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Hamilton County Tax Map # 089H A 024	Hamilton County Tax Map # 089H A 025
Hamilton County Tax Map # 089I A 001	Hamilton County Tax Map # 089I A 002

Hamilton County Tax Map # 089I A 003	Hamilton County Tax Map # 089I A 004
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Hamilton County Tax Map # 089I C 008	Hamilton County Tax Map # 089I C 008.01
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Section 2. BE IT FURTHER ORDAINED, That residents of and persons owning property in the above-described territory shall be entitled to all the rights and privileges of citizenship in accordance with the provisions of the Charter of the Town of Signal Mountain,

Tennessee, immediately upon annexation as though the above-described territory annexed has always been part of said Town of Signal Mountain, Tennessee.

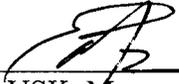
Section 3. BE IT FURTHER ORDAINED, That the Plan of Services attached hereto which was submitted to the Signal Mountain Planning Commission and the written report which was approved by the Signal Mountain Planning Commission is adopted as the Plan of Services for this annexation area and shall be implemented in accordance with the terms and methods of services contained therein.

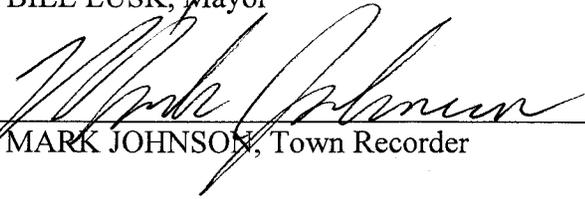
Section 4. BE IT FURTHER ORDAINED, That this Ordinance shall become operative thirty (30) days from and after its passage, or as otherwise provided by the provisions of T.C.A. § 6-51-102(a).

Section 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect, as distinguished from becoming operative, immediately from and after its passage, the public welfare requiring it.

Passed First Reading October 6, 2008

Passed Second Reading November 10, 2008

  
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BILL LUSK, Mayor

  
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MARK JOHNSON, Town Recorder

**PROPOSED PLAN OF SERVICES**  
**WINDTREE SUBDIVISION AND ADJACENT PROPERTIES**  
IN ACCORDANCE WITH  
TENNESSEE CODE ANNOTATED § 6-51-102  
JULY 2008

The Town Council of the Town of Signal Mountain, Tennessee hereby proposes the following Plan for Provision of Services for certain properties lying contiguous to the present corporate limits of the Town of Signal Mountain, Tennessee, known as Windtree Subdivision and certain properties adjacent to Windtree Subdivision on Anderson Pike and Shackleford Ridge Road which are shown on the attached map and described as follows:

All roads and accepted right of ways in the Windtree Subdivision shown on the attached map including streets named Chestnut Ridge Lane, Covington Lane, Mountain Hollow Drive, Scenic Hollow Lane, Silver Springs Drive, Valleydale Lane, Walking Stick Road, Windtree Hollow Lane, and Windtree Drive and including all property with the following Hamilton County maps and parcels numbers:

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A. POLICE

Patrolling, radio directed response to calls for assistance, crime prevention services, traffic control and accident prevention services and other police protection and support using present personnel and equipment will be provided on the effective date of annexation.

Within six (6) months of the effective date of annexation, one additional officer will be hired and a vehicle for the officer will be secured.

B. TRAFFIC ENGINEERING

Traffic Engineering and installation of signs and other traffic control devices to be installed as required throughout the annexation area, when the need is established by appropriate traffic studies which shall be conducted within six (6) months of the effective date of annexation.

C. FIRE

1. Fire protection by present personnel and the equipment of the fire fighting force within the limitations of available water and distance from fire stations will be provided on the effective date of annexation.

2. Within eighteen (18) months after annexation, placement of hydrants will be installed where there are existing water mains of adequate size on the basis of nationally-accepted standards defined by the National Fire Underwriters' Association. As additional water lines are extended into the annexation area by Walden's Ridge Utility Service, if not presently served, fire hydrants shall be installed as required by the above-mentioned standard when the population density or need for hydrant services is sufficient to cost effectively extend hydrant services to the annexed property in the discretion of the Town Manager and the Town Council.

3. Within twelve (12) months after annexation, a study will be completed to determine the need for construction of a fire substation near the annexed area on property owned by the Town to assure the continued compliance with standards established by the National Fire Underwriters appropriate to the existing fire insurance rating which is received by other residents within the Town.

D. REFUSE COLLECTION

The same regular refuse collection or comparable services provided by the Town to its other residents will be extended to the annexed area within ninety (90) days of the effective date of annexation.

E. ROAD AND STREET CONSTRUCTION AND REPAIR; SIGNS AND LIGHTING, AND STORMWATER AND DRAINAGE

1. Emergency maintenance of streets (repair of hazardous chuck holes, measures necessary to maintain normal traffic flow), removal of snow and/or sanding of streets during icing conditions will begin on the effective date of annexation.

2. Routine maintenance, on the same basis as in the present Town, will begin in the annexed area on the effective date of annexation.

3. Within eighteen (18) months of annexation, street name signs will be installed as needed in all substantially developed areas.

4. Street lights will be installed where needed within the annexed area under the same standards as now prevail in the Town.

5. Stormwater and drainage services for all streets within the annexed area will be studied within six months of the date of annexation to determine the extent of services needed within the annexed area. Emergency erosion and drainage services currently provided to all streets within the Town shall be provided to the annexed area immediately following the effective date of annexation.

F. PLANNING AND ZONING

The planning and zoning jurisdiction of the Town will be immediately extended to the annexed area on the effective date of annexation. Town planning will thereafter encompass the annexed area. Pending a review of the zoning by the Town of Signal Mountain Planning Commission and the Town Council, the property shall be reclassified to a temporary classification of LDR Low Density Residential District pursuant to Article 603 of the Town's Zoning Ordinance.

G. RECREATION AND OTHER TOWN PROGRAMS

1. All of the recreational areas and programs provided for the present Town residents will be made available immediately to the residents of the annexed area in the same manner as received by current residents of the Town.

2. Recreation programs such as swimming, summer camps, baseball, flag football, basketball, tennis will be made available to all residents of the annexed area in the same manner as received by current residents of the Town.

3. The Town Library and the Mountain Arts Community Center facilities shall be made available immediately to the residents of the annexed area in the same manner as are received by current residents of the Town.

H. WATER SYSTEM

Water for all annexed properties will continue to be provided in the same manner as it is currently provided by the Walden's Ridge Utility District.

I. ELECTRICAL SERVICE

Electricity will continue to be provided to residents of the newly annexed area by the Electric Power Board of Chattanooga.

J. SEWER SYSTEM

Sewer services for properties within the annexed area will be provided to the residents of the newly annexed area by the Hamilton County Water and Wastewater Authority to the extent that lines are available to properties within the annexed area. The construction of new sewer lines will occur when the density of development makes new sewer lines feasible and funds for the construction of necessary sewer lines are available as determined by the Hamilton County Water and Wastewater Authority.

K. INSPECTION/CODE ENFORCEMENT

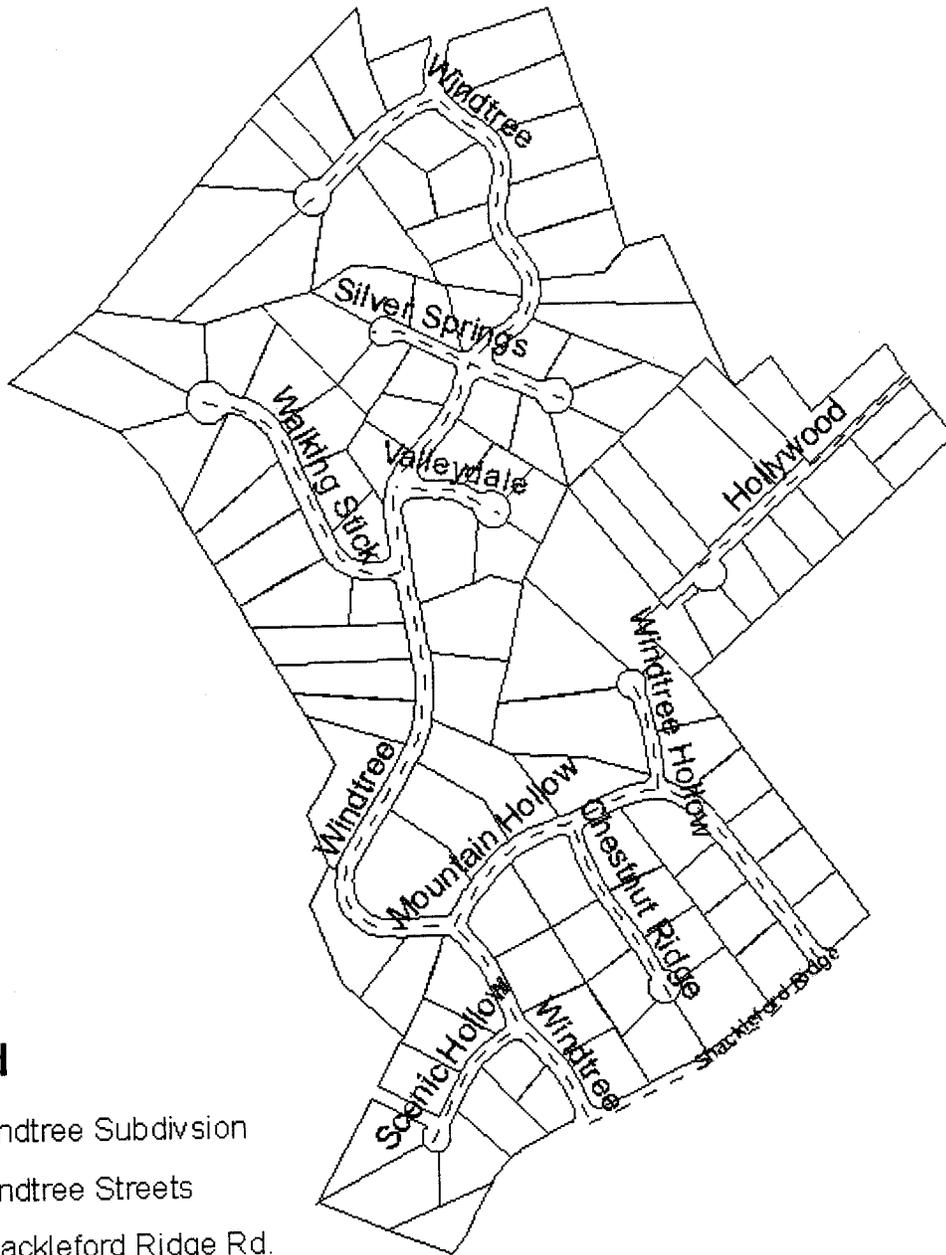
The Town of Signal Mountain now provides inspection and code enforcement services (building, electrical, plumbing, gas, and unsafe building services) to all areas of the Town. These same services will be provided to the newly annexed area when it becomes a part of the Town.

L. ANIMAL CONTROL

The Humane Educational Society currently provides the services of animal control and enforces the Town's leash laws and other animal control ordinances. This service or other comparable services available to citizens of the Town will be available in the new area when the annexation becomes effective.

# Streets

## Windtree Subdivision



### Legend

-  Windtree Subdivision
-  Windtree Streets
-  Shackleford Ridge Rd.