

ORDINANCE NO. 249-23

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF UNION CITY, TO AMEND TITLE 16 STREETS AND SIDEWALKS, ETC BY CREATING THE FOLLOWING AS CHAPTER 4. AWNINGS.

WHEREAS, certain revisions to the Union City Municipal Code are believed to be necessary and in the public interest; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council members of the City of Union City that the Union City Municipal Code be amended by adding Title 16 Chapter 4 as follows:

16-401. Purpose. In addition to the general purposes of this title, the purposes of this chapter establishing awning regulations are as follows:

- 1) To promote the attractive appearance of the City by regulating the design, type, quality of materials, scale, and maintenance of awnings;
- 2) To promote commerce and create a more attractive economic and business climate;
- 3) To serve the City's interests in maintaining and enhancing its visual appeal for residents, tourists, and other visitors by preventing the degradation of visual quality which can result from poorly maintained awnings; and
- 4) To establish awning regulations which are equitable to all businesses.

16-402. Definitions. The term "awning" shall mean a device attached to the exterior of a building which projects from the face of the building and is canvas or a similar pliable material stretched or placed upon a frame and whose purpose is to exclude the direct rays of the sun, protect pedestrians from the sun and rain, and serve as an aesthetic and/or design element to enhance the appearance of the building. Awnings may be fixed or retractable.

16-403. Permit Required. No person shall erect or attach any awning, except on a residential building, or erect any awning without first obtaining a permit from the Planning & Codes Department.

16-404. Awning Regulations. Awnings shall be regulated in accordance with the following provisions:

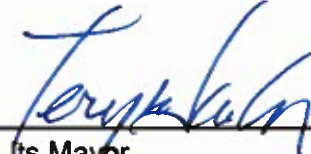
- 1) Permissible Length. There shall be no limitations on the permitted length of awnings, measured parallel to the face of the building to which they are attached, when constructed and installed in conformity with the provisions of this section.
- 2) Maximum Projection. First story awnings may project any distance provided they do not extend closer than twelve inches from the curb line. Awnings installed above the first floor shall not project more than four feet, nor shall they extend closer than twelve inches from the curb line.
- 3) Awning Maintenance. Awnings shall be maintained in a good state of repair, free from rips, tears, holes, separated seams, etc. Fabric which has faded significantly shall be refinished or replaced. Retractable awnings, if used, shall be maintained to be mechanically functional or be removed.
- 4) Minimum Clearance and Maximum Height. There shall be a minimum clearance of not less than nine feet from any point of an awning from the sidewalk, walk or ground surface directly below, except for the valance, which may clear the walk by a minimum of eight feet, six inches.
- 5) Construction.
 - a) Awning materials shall be non-combustible, or flame retardant treated (UL 214) materials. Glass or other fragile material shall not be used in any part of such awning.
 - b) Structural members of an awning shall be of noncorrosive material(s) or be suitably treated or protected to prevent deterioration.
 - c) Awnings shall be designed and constructed to meet all load requirements as set forth in the currently adopted International Building Code.

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- d) Awnings shall be rigidly attached to buildings and shall not rely on vertical supports to the ground that would obstruct the public right of way.
 - e) Awnings shall be designed to prevent excessive accumulations or discharge of water which would create a nuisance.
- 6) Non-Conforming Awnings. Awnings that pre-exist in non-conformity with these guidelines must be brought into conformity when canvas and/or framework is replaced or repaired.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon its adoption, the **PUBLIC WELFARE REQUIRING IT.**

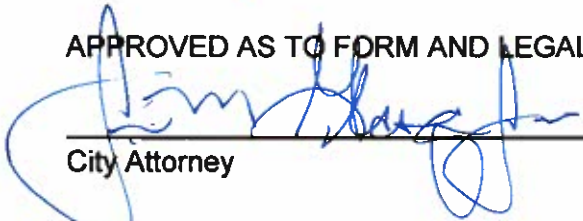
CITY OF UNION CITY, TENNESSEE

BY: 
Its Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Passed on first reading:	July 19, 2022
Publish caption:	July 26, 2022
Passed on second reading:	August 2, 2022
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