



Board of Mayor and Aldermen

Meeting Agenda

Town Hall
334 Atoka-Munford Avenue

Tuesday, July 13, 2021
7:00 p.m.

Invocation & Pledge of Allegiance

I. Call to Order & Roll Call

II. Minutes

- a. Beer Board Meeting – June 08, 2021 Exhibit A
- b. Regular Board Meeting – June 08, 2021 Exhibit B

III. Reports

- a. Financial Report ❖ Exhibit C

IV. Old Business

- a. Ordinance – Second and Final Consideration - Rules of the Road Exhibit D
- b. Trash Collection Update – Waste Pro

V. New Business

- a. Presentation and Appointments
 - 1. Swearing In and Oath of Office – Firefighter/EMT - Tony Cavallo
 - 2. Planning Commission Member Appointment
 - 3. Public Works Committee Appointment – Mayor Walker
- b. Special Event Approval
 - 1. Rock the Block – August 7, 2021 Exhibit E
- c. Ordinances & Resolutions
 - 1. Ordinance – First Consideration – International Mechanical Code 2018 Exhibit F
 - 2. Ordinance – First Consideration – International Plumbing Code 2018 Exhibit G
 - 3. Ordinance – First Consideration – International Residential Code 2018 Exhibit H
 - 4. Ordinance – First Consideration – International Energy Code 2018 Exhibit I
 - 5. Ordinance – First Consideration – International Building Code 2018 Exhibit J
 - 6. Resolution – Approving an Annual Municipal Software Agreement Exhibit K
 - 7. Resolution – PFMT Holdings request for Acceptance of Subdivisions
 - a. Mclaughlin Williamsburg Estates Exhibit L
 - b. Williamsburg Mclaughlin Estates Exhibit M
 - c. Sterling Ridge Phases IV, V, VI Exhibit N
- d. Miscellaneous Items
 - 1. Resolution - Data Share Agreement for GIS Data Exhibit O

VI. Departmental Reports

- a. Code Enforcement
- b. Fire Department
- c. Parks Department
- d. Police Department
- e. Public Works Department

Director Wallace
Chief Posey
Director Isbell
Chief Rudolph
Director Patrick

VII. Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator

VIII. Citizen Concerns

IX. Adjourn



Office of the Town Administrator

MEMORANDUM

To: Honorable Mayor Daryl Walker & Board of Aldermen
From: Marc Woerner, Town Administrator
Re: Agenda items for July 13, 2021

1. **Exhibit A – Beer Board Meeting Minutes** - The minutes from the Beer Board's meeting in June are included for review and approval.
2. **Exhibit B – Board Meeting Minutes** - The minutes from the Board's regular monthly meeting in June are included for review and approval.
3. **Exhibit C – Financial Reports** – The monthly report detailing fiscal year financial performance through the month of June is included in the packet for your review.
4. **Exhibit D – Ordinance – Rules of the Road** – This will be the final consideration of the Ordinance adopting by reference state traffic offenses and rules of the road and amending Title 15, Chapter 1. The Tennessee General Assembly amended the laws pertaining to adoption of state laws by municipalities by reference, by changing the statute under which such adoption is made and by further specifying that only Class C misdemeanors may be adopted by municipalities and enforced as municipal ordinance violations. Statutes are listed in the Ordinance and will be provided digitally to the Board for review in advance of the meeting. A reminder email with State Statutes was emailed out to Board members on Staff recommends adopting the Ordinance.
5. **Old Business - Trash Collection Update – Waste Pro** – The Board of Mayor and Aldermen received an update from Waste Pro representatives at the April 13, 2021 meeting. At that meeting Waste Pro representatives were requested to come back and provide a further update at the July meeting. I have sent an email to Ms. Lori Cate from Waste Pro, and she has confirmed her attendance at this meeting.
6. **New Business – Presentation and Appointments** –

1. Firefighter/EMT - Tony Cavallo will be sworn in and take the Oath of Office. Mr. Cavallo began with us on July 5th, and he is the newest addition to the Atoka Fire Department team.

2. Planning Commission Appointment - Alderman Giannini is on military deployment orders until about March 2022. Alderman Giannini currently is appointed to the Planning Commission. The board should consider a temporary appointment to fill Alderman Giannini's seat on the Planning Commission until his return from military orders in March 2022. I would recommend the following motion – *“A motion to appoint Alderman/woman (fill in the blank) to the Atoka Planning Commission to fill Alderman Giannini's seat until his return from military orders and once Alderman Giannini returns, he will automatically return to his seat on the Planning Commission”*.

3. Public Works Committee Appointment – Mayor Walker – As noted in item #2 above, Alderman Giannini is on military deployment until March 2022. Mayor Walker may consider appointing an Alderman to sit on the Public Works Committee until Alderman Giannini's return.

7. **Exhibit E – Special Event Approval** – Rock the Block – August 7, 2021 – This event has become one that is anticipated each year. Staff recommends approval of the event.
8. **Exhibits F through J – International Codes 2018** – The Town is currently operating under 2012 Building Codes and needs to update the codes to the 2018 standards. There are five (5) Codes that should be adopted. – Mechanical, Plumbing, Residential, Energy, and Building. The Ordinances that are in your packets are the proposed Ordinances along with the Ordinances that would be repealed. It is important to note that the entire code is not being proposed, only the sections that we feel are appropriate for Atoka. Staff recommends adoption of the Ordinances.
9. **Exhibit K - Resolution – Approving an Annual Software Agreement for Municipal Software** – This resolution approves an annual agreement for hardware maintenance between the Local Government Corporation (LGC) and the Town. This agreement is a continuation of our existing fee structure with LGC. Staff recommends approval of the resolution.
10. **Exhibits L through N – Resolutions for Acceptance of Subdivisions** – The developer has requested that the subdivisions listed below be accepted by the Town. The subdivisions have been reviewed by town staff. Staff has conducted a walk through with the developer to ensure that all necessary repairs have been made and punch lists have been completed. The Resolution to accept the subdivisions was presented to the Planning Commission at their June 24, 2021 meeting. At the Planning Commission meeting, the Commission considered the Resolutions to accept the subdivisions and recommends approval of the Resolutions to accept them.
 - a. McLaughlin Williamsburg Estates
 - b. Williamsburg McLaughlin Estates
 - c. Sterling Ridge – Phases IV, V, and VI

11. Exhibit O – Resolution - Data Share Agreement for GIS Data between the Town of Atoka and Poplar Grove Utility District - The Poplar Grove Utility District has offered to share GIS data with the Town. The GIS data should assist both the Atoka Public Works Department and the Atoka Fire Department. Poplar Grove has the same agreement with other municipalities.

12. Department Reports – Monthly reports from the Departments have been included in the Board packet for your review.

13. Miscellaneous Items – As part of the FY2022 budget process, the water fund was to be separated into two separate funds - Water Fund and Sewer Fund. The separation has been completed.

If you have questions on any of these items prior to the Board meeting, please contact me.



July 13, 2021

Exhibit A

TOWN OF ATOKA
334 Atoka-Munford Avenue
Atoka, Tennessee 38004
Phone: (901) 837-5300
www.TownofAtoka.com

**Town of Atoka Beer Board Meeting
Public Hearing
June 08, 2021, 6:30 p.m.**

The Town of Atoka Beer Board met with the following members:

Present: Mayor Daryl Walker, Aldermen Barry Akin, Danny Feldmayer, John Harber, Cody Pace and Alderwoman Christy Renfrow.

Also Present: Town Recorder Debbie Pickard, Town Administrator Marc Woerner, Police Chief Anthony Rudolph, Codes Director Rex Wallace, Park Director Dorothy Isbell and the attached list.

Mayor Walker called the Beer Board meeting to order at 6:30 p.m.

Old Business: None

New Business:

Application for Beer Permit – Exhibit A – Mayor Walker reviewed the application for Guadalupe J. Alvarez to obtain Class C (on-site) permit for the sale of beer located at 114 Atoka Munford Avenue, Atoka Tennessee. Alderman Feldmayer made a motion to approve the Beer Permit Application as presented. Alderman Akin seconded the motion. All approved. Motion carried.

Adjournment: Alderman Feldmayer made motion to adjourn the meeting. Alderman Akin seconded the motion. All approved motion carried. The meeting ended at 6:33 p.m.

W. Daryl Walker, Mayor

Deborah Pickard, Recorder



July 13, 2021

Exhibit B

TOWN OF ATOKA

334 Atoka-Munford Avenue

Atoka, Tennessee 38004

Phone: (901) 837-5300

www.TownofAtoka.com

**Town of Atoka Board of Mayor and Aldermen
Public Hearing
Adopting the Fiscal Year 2022 Town Budget
June 08, 2021 6:45 p.m.**

The Town of Atoka Board of Mayor and Aldermen held a public hearing to obtain citizens' input on an ordinance to adopt the Town of Atoka's Fiscal Year 2022 budget. The first consideration of the ordinance took place on May 11, 2021 and notice of this public hearing was published on May 20, 2021.

Present: Mayor Daryl Walker, Aldermen Barry Akin, Danny Feldmayer, John Harber, Cody Pace and Alderwoman Christy Renfrow.

Absent: Alderman Brett Giannini who is away on military service

Also present: Town Recorder Debbie Pickard, Town Administrator Marc Woerner, Town Attorney Kasey Culbreath, Police Chief Anthony Rudolph, Fire Chief Henry Posey, Park Director Dorothy Isbell, Public Works Director Dalton Patrick, Codes Director Rex Wallace and the attached list.

Mayor Walker called the public hearing to order at 6:45 p.m.

There were no comments from the public regarding the proposed budget.

Alderman Feldmayer made motion to adjourn. Alderman Harber seconded the motion. All approved. Motion carried.

The public hearing closed at 6:46 p.m.

**Town of Atoka Board of Mayor and Aldermen
Regular Monthly Meeting
June 08, 2021 7:00 p.m.**

The Invocation was led by Mayor Daryl Walker. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Walker at 7:00 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:

Present: Mayor Daryl Walker, Aldermen Barry Akin, Danny Feldmayer, John Harber, Cody Pace and Alderwoman Renfrow

Also present: Town Recorder Debbie Pickard, Town Administrator Marc Woerner, Town Attorney Kasey Culbreath, Police Chief Anthony Rudolph, Fire Chief Henry Posey, Park Director Dorothy Isbell, Public Works Director Dalton Patrick, Codes Director Rex Wallace and attached list.

Absent: Alderman Brett Giannini who is away on military service.

Minutes Approval: Regular Monthly Board Meeting May 11 2021 – Exhibit A - Alderman Feldmayer made a motion to accept the minutes as presented. Alderman Akin seconded the motion. All in favor. Motion carried.

Financial Report: Exhibit B – Administrator Woerner reviewed the financial report as presented. Alderman Feldmayer made a motion to accept the report as presented. Alderman Akin seconded the motion. All in favor. Motion carried.

Old Business:

Ordinances and Resolutions:

1. **Ordinance 19-06-01 – Final Consideration – Amending FY2021 Town Budget- Exhibit C –**
The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Feldmayer made a motion to approve on final consideration. Alderwoman Renfrow seconded the motion. Roll call. Pace-yes, Harber-yes, Akin-yes, Feldmayer-yes, Akin-yes, Renfrow-yes and Giannini-absent. Motion carried.
2. **Ordinance 19-06-02 – Final Consideration – Adopting FY2022 Town Budget –Exhibit D –**
The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Pace made a motion to approve the ordinance as presented. Alderman Akin seconded the motion. Roll call. Harber-yes, Feldmayer-no, Akin-yes, Renfrow-yes, Pace-yes and Giannini-absent. Motion carried.

New Business:

1. **Correspondence – Municipal Debt Letter – Exhibit E -** The letter and the report on debt obligation is a matter of information for the Board's review. No other action is required.

Ordinances and Resolutions:

1. **Ordinance – First Consideration – Adopting Rules of the Road –Exhibit F –** The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Feldmayer made a motion to approve the ordinance as presented. Alderman Pace seconded the motion. Roll Call. Feldmayer-yes, Akin-yes, Renfrow-yes, Pace-yes, Harber -yes and Giannini-absent. Motion carried.
2. **Resolution – 21-06-01 – Approving an Agreement for FY21 Audit Services – Exhibit G –** Alderman Feldmayer advised that in full disclosure he uses Whitehorn, Tankersley & Davis, LLC for his business. Alderman Feldmayer made a motion to approve the resolution as presented. Alderman Harber seconded the motion. All approved. Motion carried.
3. **Resolution – 21-06-02 – Consideration of the Adoption of Deer Ridge Phase II – Exhibit H –** Alderman Harber made a motion to approve the resolution amending to remove "pending roadway repairs" in Section 1 on the resolution. Alderman Feldmayer seconded the motion. Roll call. Akin-no, Renfrow-no, Pace-yes, Harber-yes, Feldmayer-yes and Giannini-absent. Motion carried. Alderman Akin went on record to say to Wayne Boulter of Munford Development that he appreciated the offer to pay for the road repairs.
4. **Resolution – 21-06-03 – Rules and Regulations Governing Splash Pad Facility – Exhibit I –** Alderman Akin made a motion to approve the resolution as presented. Alderman Feldmayer seconded the motion. All approved. Motion carried.

Miscellaneous Items:

1. **Evaluation and Selection Committee – Long-Range Comp Plan –** Administrator Woerner asked the Board for permission to begin negotiations with Orion Planning and Development to develop a scope of work and negotiate a price. Alderman Harber made a motion for the Town Engineer, the Planning Department and the Town Administrator to enter into negotiations with Orion Planning and Development to develop a scope of work and a proposal of potential fees for the long-range comp plan, with those fees brought back to the Board for review. Alderman Feldmayer seconded the motion. All approved. Motion carried.
2. **Consideration of Park and Recreation Department Purchases – Exhibit J –** Alderman Akin made a motion to approve the park and recreation itemized additional expenses listed in Exhibit J for \$74,000.00. Alderman Harber seconded the motion. All in favor. Motion carried.

Departmental Reports:

1. **Code Enforcement:** Director Wallace reviewed the report as presented.
2. **Fire Department:** Chief Posey reviewed the report as presented. Chief Posey advised the Board of the following: Chief Posey recognized the 2020 Star of Life Award that the Fire and Police Departments received on behalf of the Town during a recent ceremony in Nashville. Lt. Chance Hall has been named Firefighter of the Year by the Tipton County Exchange Club last week. The Fire Department has completed the annual hydrant flushing last week.

3. **Parks Department:** Director Isbell reviewed the report as presented. Director Isbell advised the Board of the following: Saturday June 12 will be the Cops and Bobbers Fishing Event from 7 am to 10 am at Nancy Lane Park and then the Food Truck Festival begins at 11 am, also at Nancy Lane Park.
4. **Police Department:** Chief Rudolph reviewed the report as presented. Chief Rudolph advised the Board of the following: The police department, along with TWRA, will participate in the Cops and Bobber Fishing Event and has placed 600 pounds of fish in the pond. Chief Rudolph recognized Officer Swain for a notable arrest last month. Chief Rudolph has hired one officer to fill one of the three vacancies in the department. Officers are continuing the training schedule.
5. **Public Works Department:** Director Patrick reviewed the report as presented. Director Patrick advised the Board of the following: Director Patrick has created a grass mowing schedule for town properties. Paving will start on Wednesday. The Tipton Road bridge opened last week. Roundabout paving is schedule to start Monday, weather permitting.

Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator:

1. Alderman Harber expressed concerns about decisions made regarding paving streets in subdivisions before they are accepted by the Town.
2. Alderman Pace asked staff to look into putting a right turn only sign from Kimbrough Rd on to Main Street.
3. Administrator Woerner advised that Director Patrick and Public Works Technician Brylee Younger passed the Water and Wastewater Operator Grade II Certification last week.
4. Administrator Woerner thanked the Town Staff and the Elected Officials for their help and support preparing the Town's budget.

Citizen Concerns:

1. Carl Cherry of 65 Jessie Cove requested that the Town advertise the new fireworks ordinance restrictions on the Town's website and social media. Mr. Cherry thanked the police department for their effort to get off-road vehicles off of the public streets in his neighborhood. Mr. Cherry thanked the person or persons responsible for the book exchange box at Walker Park.
2. Alvin Plexico of 794 Williamsburg asked the Board to consider sharing the Board meetings online again. Administrator Woerner advised he is working on a plan to provide online viewing of the meetings.
3. Curtis Beck of 180 Walker Parkway thanked the police department for their effort in slowing down traffic on Walker Parkway during the Roundabout construction. Mr. Beck asked if there is a plan to repair Walker Parkway once the Roundabout is done. Mayor Walker advised there are plans to pave the road in the fall.
4. Bridget McDonald of 67 Jerry expressed concerns of the road damage at JE Blaydes and Betty Boyd. Ms. McDonald would like to see a proposal for adding a bike path trail.

Alderman Feldmayer motioned to adjourn the meeting. Alderman Harber seconded the motion. The meeting ended at 8:23 pm.

W. Daryl Walker, Mayor

Deborah Pickard, Recorder

SUMMARY OF FINANCIAL CONDITION VS. BUDGET

For the Twelve Months Ending June 30, 2021

<u>General Fund</u>	12 month	% of Budget	
Revenues:	Actual	Budget	Total Budget
Property Tax	2,307,341	103.8%	2,222,500
Sales Tax	3,126,410	123.9%	2,523,000
Grants	1,259,968	50.5%	2,497,277
Other Revenues	3,390,603	362.8%	934,441
Total	10,084,322		8,177,218
Expenditures:			
Legislature & Judicial	59,168	97.0%	61,000
Finance & Administration	509,648	92.5%	550,763
Police	2,041,494	97.2%	2,100,592
Fire	1,679,599	105.4%	1,594,245
Planning & Inspection	266,053	126.1%	210,916
Streets	1,354,106	67.7%	1,998,877
Parks & Recreation	2,521,156	154.6%	1,630,590
Total	8,431,224		8,146,983
Excess Revenue Over Expenditures	1,653,098		30,235
Cash on Hand at End of Period (1)	3,743,255		

<u>State Street Aid Fund</u>			
Revenue	335,687	101.7%	330,000
Expenditures	295,327	89.5%	330,000
Excess Revenue Over Expenses	40,360	0	
Cash on Hand at Beginning of Year	162,818		
Cash on Hand at End of Period	203,178		

<u>Drug Fund</u>			
Revenue	20,265	50.7%	40,000
Expenditures	4,929	82.2%	6,000
Excess Revenue Over Expenses	15,336	0	34,000
Cash on Hand at Beginning of Year	29,118		
Cash on Hand at End of Period	44,454		

(1) Does not include Fire Dept, Celebrate, and Park AC of:

480,661

July 13, 2021

Exhibit C

<u>Solid Waste Collections</u>			
Revenue	637,905	108.1%	590,000
Expenditures	524,165	91.2%	575,000
Excess Revenue Over Expenses	113,740	0	15,000
Cash on Hand at Beginning of Year	123,460		
*Cash on Hand at End of Period	237,200		

SUMMARY OF FINANCIAL CONDITION WATER FUND

For the Twelve Months Ended June 30, 2021

Cash on Hand at Beginning of Year	\$ 2,554,547
Cash on Hand at End of Period	\$ 2,979,392
Total Bonds/Notes outstanding 06/30/21	\$ 2,186,738

Net Income(Regulatory Basis) vs. Prior Year		
	6/30/2021	06/30.20
Revenues	\$ 2,532,324	\$ 2,294,188
Expenses		
Water Purchases	\$ 502,849	\$ 486,931
Sewer Treatment Fees	\$ 123,820	\$ 153,758
Payroll and Benefits	\$ 528,252	\$ 523,941
System Maintenance	\$ 506,635	\$ 407,400
System Operation	\$ 107,388	\$ 100,310
Billing and Payments	\$ 69,230	\$ 88,058
Other Expenses	\$ 169,925	\$ 162,167
Depreciation	\$ 475,000	\$ 460,000
Total	\$ 2,483,099	\$ 2,382,565
Net Income (loss)	\$ 49,225	\$ (88,377)

Total - All Funds: \$ 8,137,068

Note: Prior year amts for System Operation, Billing and Payments, and Other Expenses combined under Other Expenses.

ORDINANCE FOR THE TOWN OF ATOKA TO ADOPT BY REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD AND AMEND TITLE 15, CHAPTER 1.

AN ORDINANCE OF THE TOWN OF ATOKA, TENNESSEE, ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD.

WHEREAS, the Board of Mayor and Aldermen desires to adopt by reference state traffic offenses, registration requirements and rules of the road; and

WHEREAS, the Tennessee General Assembly amended the laws pertaining to adoption of state laws by municipalities by reference, by changing the statute under which such adoption is made and by further specifying that only Class C misdemeanors may be adopted by municipalities and enforced as municipal ordinance violations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen, that

SECTION 1. The following provision is added as the new § Title 15, Chapter 1, Section 15-126 of the Municipal Code of Atoka:

15-126. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated § 16-18-302, the Town of Atoka adopts by reference as if fully set forth in this section, the “Rules of the Road,” as codified in Tennessee Code Annotated §§ 55-8-101 through 55-8-131 and §§ 55-8-133 through 55-8-180. Additionally, the Town of Atoka adopts Tennessee Code Annotated §§ 55-4-101 through 55-4-128, §§ 55-4-130 through 55-4-133, §§ 55-4-135 through 55-4-138, §§ 55-8-181 through 55-8-191, § 55-8-193, § 55-8-199, §§ 55-9-401 through 55-9-408, §§ 55-9-601 through 55-9-606, § 55-12-139, and § 55-50-351, by reference as if fully set forth in this section.

SECTION 2. This ordinance shall take effect from the date of its final passage, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of June 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of July 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

TOWN OF ATOKA

Event Proposal

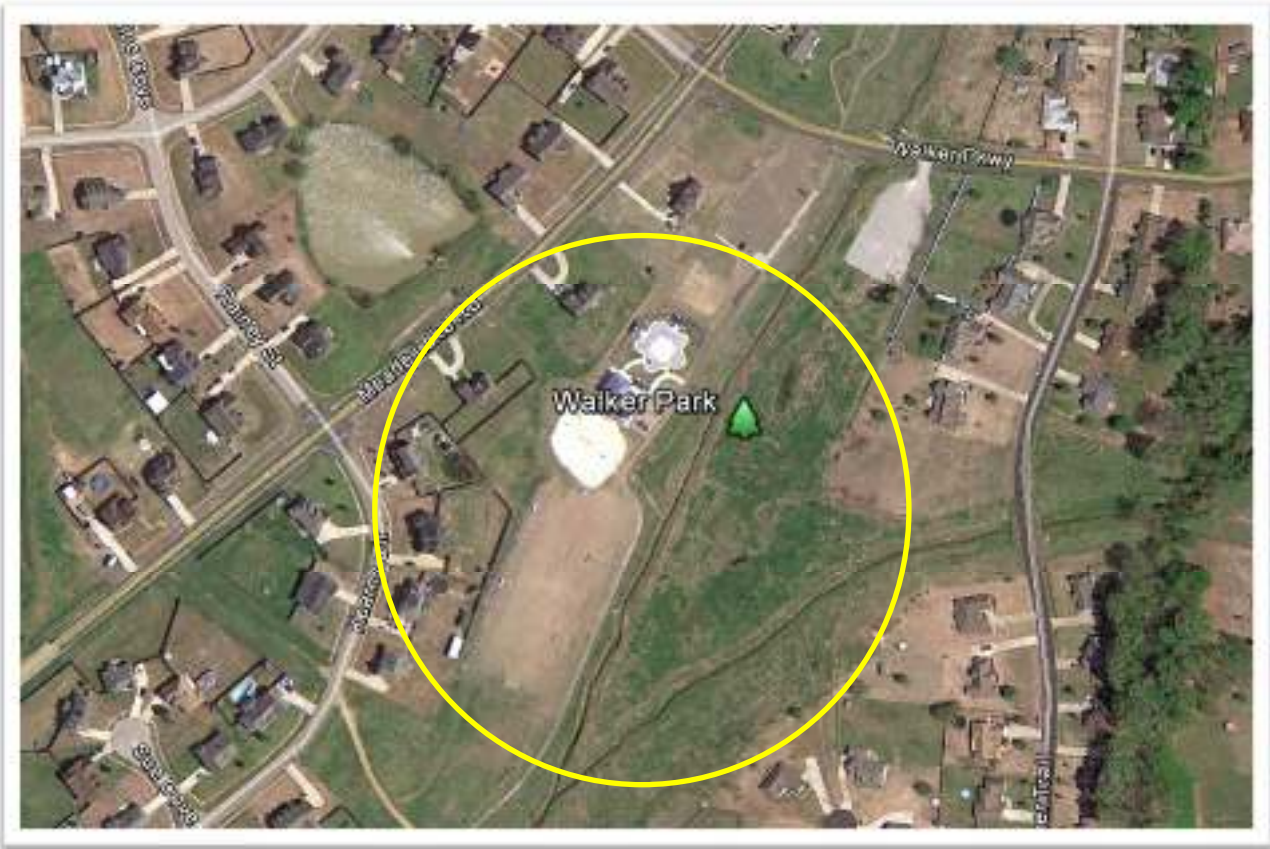
July 13, 2021

Exhibit E

Event: Rock the Block
Date: August 07, 2021

Sponsor: Atoka Parks & Recreation
Time: 7:00pm to 9:00pm

Description: The event is proposed as Atoka's annual summer celebration to be held at Atoka's Walker Park. The event will be an evening event with music, activities, food and fireworks. There will be no road closures as a part of the event – however, parking restrictions will be in place on Farmers Trail, Christmas Drive and Walker Parkway along with closure of the lots at Walker Park. On-street parking is allowed on Meade Lake and in the Templeton Farms subdivision – with additional parking and bus service from Atoka Elementary School. Shuttle will start at 5:30pm.



Recommendation : Staff recommends approval of the event.

July 13, 2021

ORDINANCE NUMBER _____

Exhibit F

AN ORDINANCE AMENDING TITLE 12 CHAPTER 3 OF THE TOWN OF ATOKA, TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE

WHEREAS, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use or maintenance of mechanical systems in the Town of Atoka, Tennessee and providing for the issuance of permits and collection of fees; therefore, and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

Section 1. That a certain document, one (1) copy of which are on file in the office of the Town Recorder of Town of Atoka, Tennessee, being marked and designated as the *International Mechanical Code*, 2018 edition, including Appendix Chapters (none), as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the Town of Atoka in the State of Tennessee regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Town of Atoka

Section 106.5.2. Insert: The fee schedule specified in Sections 106.5.2 shall be as periodically set by the Town of Atoka Board of Mayor and Alderman.

Section 106.5.3 Insert: Shall be deleted in its entirety.

Section 108.4. Insert: "Misdemeanor" a maximum of "fifty dollars" (\$50.00) shall be specified; all references to imprisonment are deleted.

Section 3. That Ordinance No. 2016-03-05 of Town of Atoka, Tennessee referencing the 2012 International Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Tennessee Mayor and Board of Alderman hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

Section 7. This ordinance shall take effect from and after its passage, the welfare of the town requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of June 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

AN ORDINANCE CREATING TITLE 12 CHAPTER 3 OF THE ATOKA MUNICIPAL CODE OF ORDINANCES RELATED TO THE MECHANICAL CODE.

WHEREAS, the Town of Atoka desires to adopt a standard set of regulations governing the installation of mechanicals systems in construction within the town; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2006 codes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. Title 12, Chapter 3 of the Atoka Municipal Code is hereby created and shall read as follows:

CHAPTER 3

MECHANICAL

SECTION

- 12-301. Mechanical code adopted.
- 12-302. Modifications.
- 12-303. Available in recorder's office.
- 12-304. Violations.

12-301. Mechanical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-516 and for purpose of regulating the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning, and refrigeration systems, incinerators, and other energy-related systems, the International Mechanical Code, 2012 edition, as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the mechanical code.

12-302. Modifications. The following sections of the International Plumbing Code, 2012 edition, are hereby revised as follows;

- (1) The Town of Atoka shall be inserted in the blanks referring to the name of the jurisdiction.
- (2) Add the following text to Section 106.5.3: "Any work which has not had an inspection within 180 days from issuance of the permit or has not had any subsequent required inspections within 180 days from previous inspections will be deemed that the work has been suspended or abandoned and the permit shall become invalid."

- (3) The fee schedule specified in Sections 106.6 and 106.6.2 shall be as periodically set by the Board of Mayor and Aldermen.
- (4) In Section 108.4, the blanks referring to violations shall be inserted with “misdemeanor” and “fifty dollars” (\$50.00) as appropriate; and all references to imprisonment shall be deleted.
- (5) In Section 108.5, “\$50.00” shall be inserted into the blanks specifying the maximum fine for violation of the code.

12-303. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-204. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified.

SECTION 2. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. That nothing in this ordinance or in the International Mechanical Code, 2012 edition, hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4. This ordinance shall take effect on July 1, 2016, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 9th day of February, 2016.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

PASSED on the Final Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

July 13, 2021

ORDINANCE NUMBER _____

Exhibit G

AN ORDINANCE AMENDING TITLE 12 CHAPTER 2 OF THE TOWN OF ATOKA, TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE

WHEREAS, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use or maintenance of plumbing systems in the Town of Atoka, Tennessee; and providing for the issuance of permits and collection of fees; therefore, and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

Section 1. That a certain document, One (1) copy of which are on file in the office of the Town Recorder of Town of Atoka, Tennessee, being marked and designated as the *International Plumbing Code*, 2018 edition, including Appendix Chapters (None) as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the Town of Atoka in the State of Tennessee regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Town of Atoka

Section 106.6.2. Insert: The fee schedule specified in Sections 106.6 and 106.6.2 shall be as periodically set by the Town of Atoka Board of Mayor and Alderman.

Section 106.6.3. Insert: Delete in its entirety.

Section 108.4. Insert: "Misdemeanor" a maximum of "fifty dollars" (\$50.00) shall be specified; all references to imprisonment are deleted.

Section 305.4.1. Insert: "18 inches" minimum depth of underground sanitary sewer installation.

Section 3. That Ordinance No. 2016-03-04 of the Town of Atoka, Tennessee referencing the 2012 International Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Board of Mayor and Alderman hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

Section 7. This ordinance shall take effect from and after its passage, the welfare of the town requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of June, 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August, 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

ORDINANCE NUMBER 2016-03-04

Exhibit G

AN ORDINANCE AMENDING TITLE 12 CHAPTER 2 OF THE ATOKA MUNICIPAL CODE OF ORDINANCES RELATED TO THE PLUMBING CODE.

WHEREAS, Title 12, Chapter 2 of the Atoka Municipal Code of Ordinances establishes and governs plumbing codes within the Town of Atoka; and

WHEREAS, the existing chapter has adopted the Standard Building Code, 1988 edition to govern plumbing codes within the Town; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2006 codes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. Title 12, Chapter 2, Section 201 of the Atoka Municipal Code is hereby deleted in its entirety and replaced as follows:

12-201. Plumbing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the town, when such plumbing is or is to be connected with the town water or sewerage system, the International Plumbing Code, 2012 edition with all amendments as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code.

SECTION 2. Title 12, Chapter 2, Section 202 of the Atoka Municipal Code is hereby deleted in its entirety and replaced as follows:

12-102. Modifications. The following sections of the International Plumbing Code, 2012 edition, are hereby revised as follows;

- (1) The Town of Atoka shall be inserted in the blanks referring to the name of the jurisdiction.
- (2) Add the following text to Section 106.5.3: "Any work which has not had an inspection within 180 days from issuance of the permit or has not had any subsequent required inspections within 180 days from previous inspections will be deemed that the work has been suspended or abandoned and the permit shall become invalid."
- (3) In Section 106.6.3, paragraphs #2 and #3 shall be deleted.
- (4) In Section 108.4, the blanks referring to violations shall be inserted with "misdemeanor" and "fifty dollars" (\$50.00) as appropriate; and all references to imprisonment shall be deleted.
- (5) In Section 305.6.1, "18 inches" shall be inserted into the blanks referring to minimum depths for underground sanitary sewer installations.
- (6) In Section 603.2, Exception #2 shall be deleted.

- (7) In Section 904.1 "12 inches" shall be inserted into the blanks referring to minimum heights for roof vents.
- (8) Permit fees required to be collected under the building code shall be established from time to time by resolution adopted by the Board of Mayor and Aldermen.

SECTION 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. That nothing in this ordinance or in the International Plumbing Code, 2012 edition, hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 5. This ordinance shall take effect on July 1, 2016, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 9th day of February, 2016.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

PASSED on the Final Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

July 13, 2021

ORDINANCE NUMBER _____

Exhibit H

AN ORDINANCE AMENDING TITLE 12 CHAPTER 4 OF THE TOWN OF ATOKA, TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE

WHEREAS, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the Town of Atoka, Tennessee, providing for the issuance of permits and collection of fees; therefore: and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

Section 1. That a certain document, one (1) copy of which are on file in the office of the Town Recorder of Town of Atoka, Tennessee, being marked and designated as the *International Residential Code*, 2018 edition, including Appendix Chapters A, B, C, J, P and Q (see *International Residential Code* Section R102.5, 2018 edition), as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Atoka, in the State of Tennessee for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section R101.1. Insert: Town of Atoka

Table R301.2 (1) Insert: Design Criteria

- a) Ground Snow Load – 10
- b) Wind Speed – 90 (mph)
- c) No Topographic Wind Effects
- d) Seismic Design Category – D,1
- e) Weathering Index for Concrete – Severe
- f) Frost Line Depth – 12 in.
- g) Termite Infestation Probability – Moderate to Heavy
- h) Ice Underlayment Requirement – None

- a. Flood Hazard – Original Map Effective 12/19/2006
- b. Air Freeze Index – 393 per 100-year value
- c. Mean Annual Temp – 59.5

All residential structures in the Town of Atoka and Region shall be built on sixteen (16”) inch centers or less including floor- framing members, roof- members and wall-framing members (however wall-framing members may be constructed on twenty-four (24”) inch centers if using 2”X 6” studs or larger).

Section R313 Automatic Fire Sprinkler Systems is not mandatory, pursuant to T.C.A. 68-120-101(a)(8).

Section R314.6 Power Source relating to Smoke Alarms is amended to create Exception 3 that shall read:

Exception 3. Interconnection and hardwiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior or walls or ceiling finishes exposing the structure.

Figure R301.2(2) Seismic Design Categories is deleted and replaced with Figure R301.2(2) Seismic Design Categories Site Class D from 2015 IRC

Section N1102.4.1.2 (R402.4.1.2) Testing is replaced with Section N1102.4.2.1 Testing Option and Section N1102.4.2.2 Visual Inspection from 2009 IRC.

Section N1103.3.3 (R403.3.3) Duct Testing (Mandatory) and Section N1103.3.4 (R403.3.4) Duct Leakage (Prescriptive) are optional.

Table N1102.1.2 (R402.1.2) Insulation and Fenestration Requirement by Component and Table N1102.1.4 (R402.1.4) Equivalent U-Factors from 2018 IRC are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U-Factor from 2009 IRC.

Section N1102.4.4 (R402.4.4) Rooms Containing Fuel-Burning Appliances is deleted in its entirety.

Table N 1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "I ": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 3 when a Fenestration U-Factor of .50 or lower is used, a Skylight U-Factor of .65 or lower is used, a Glazed Fenestration SHGC of .30 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used.

Section P2603.5.1 insert the words “18 inches” into appropriate spaces for establishing sewer depths.

Section P2603.5.1 insert the words “18 inches” into appropriate spaces for establishing sewer depths.

Chapters 34 through 43, relating to Electrical Installations are deleted and electrical standards adopted in 0780-02-01 Electrical Installations shall apply.

Section 3. That Ordinance No. 2016-03-06 of Town of Atoka, Tennessee referencing the 2012 International Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Tennessee Board of Mayor and Alderman hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

Section 7. This ordinance shall take effect from and after its passage, the welfare of the city requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of July, 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August, 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

ORDINANCE NUMBER 2016-03-06

Exhibit H

AN ORDINANCE CREATING TITLE 12 CHAPTER 4 OF THE ATOKA MUNICIPAL CODE OF ORDINANCES RELATED TO THE RESIDENTIAL CODE.

WHEREAS, the Town of Atoka desires to adopt a standard set of regulations governing the construction of residential structures within the town; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2006 codes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. Title 12, Chapter 4 of the Atoka Municipal Code is hereby created and shall read as follows:

CHAPTER 4

RESIDENTIAL

SECTION

- 12-401. Residential code adopted.
- 12-402. Modifications.
- 12-403. Available in recorder's office.
- 12-404. Violations.

12-401. Residential code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the International Residential Code, 2012 edition, as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the residential code

12-402. Modifications. The following sections of the International Residential Code, 2012 edition, are hereby revised as follows;

- (1) The Town of Atoka shall be inserted in the blanks referring to the name of the jurisdiction.
- (2) Add the following text to Section R105.5: "Any work which has not had an inspection within 180 days from issuance of the permit or has not had any subsequent required inspections within 180 days from previous inspections will be deemed that the work has been suspended or abandoned and the permit shall become invalid."
- (3) The following design criteria will be inserted in the blanks for design criteria

of Table R301.2 (1).

- a. Ground Snow Load – 10
- b. Wind Speed – 90
- c. Topographic effects – No
- d. Seismic Design Category – D₁
- e. Weathering Index for Concrete – Moderate
- f. Frost Line Depth – 15"
- g. Termite Infestation Probability – Moderate to Heavy
- h. Ice Barrier Underlayment Requirement – No
- i. Flood Hazard – FIRM Map 47167C0310F dated 12/19/2006 and FIRM Map 47167C0320G dated 05/04/2009
- j. Air Freeze Index – 393 per 100 year value
- k. Mean Annual Temp – 59 degrees

- (4) Delete the following text from Section R302.2 "Exception: A common 1-hour fire-resistant wall" and substitute the following: "Exception: A common 2-hour fire-resistant wall"
- (5) Section R313 "Automatic Sprinkler Systems" shall be deleted in its entirety.
- (6) Chapter 11, relating to energy conservation, shall be deleted in its entirety.
- (7) In Section P2603.6.1 insert the words "18 inches" into the appropriate spaces for establishing sewer depths.
- (8) Chapters 34 through 43, inclusively, shall be deleted in their entirety.
- (9) That any building constructed for the purposes of residential occupancy and use, regardless of the zoning classification, shall have all floor joists, wall studs, ceiling joists, rafters, and trusses be installed at sixteen inches (16") on center

12-403. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the residential code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-404. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified.

SECTION 2. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. That nothing in this ordinance or in the International Residential Code, 2012 edition, hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4. This ordinance shall take effect on July 1, 2016, the public welfare

requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 9th day of February, 2016.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

PASSED on the Final Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

July 13, 2021

Exhibit I

ORDINANCE NUMBER _____

**AN ORDINANCE CREATING TITLE 12 CHAPTER 6 OF THE TOWN OF ATOKA,
TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING
CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY
CONSERVATION CODE**

WHEREAS, regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems providing for the issuance of permits and collection of fees; therefore, and in the Town of Atoka, Tennessee; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

WHEREAS, The Town of Atoka at present does not have an energy conservation code adopted, and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

Section 1. Title 12, Chapter 6 of the Atoka Municipal Code is hereby created and shall read as follows:

That a certain document, One (1) copy of which are on file in the office of the Town Recorder of Town of Atoka, Tennessee, being marked and designated as the *International Energy Conservation Code*, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the Town of Atoka in the State of Tennessee for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby amended:

Section 101.1. Insert: Town of Atoka

Section R402.4.1.2 Testing is deleted and replaced with Section 402.4.2.1 Testing Option and Section 402.4.2.2 Visual Inspection Option from 2009 IECC.

Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.

Table 402.1 .2 Insulation and Fenestration Requirements by Component and Table R402.1.4 Equivalent U-Factors are deleted and replaced with Table 402.1.1 Insulation and Fenestration Requirements by Component and Table 402.1.3 Equivalent U-Factors 2009 IECC.

Section 3. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Board of Mayor and Alderman hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this legislation or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 5. That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

Section 6. This ordinance shall take effect from and after its passage, the welfare of the town requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of July, 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August, 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

July 13, 2021

ORDINANCE NUMBER _____

Exhibit J

AN ORDINANCE AMENDING TITLE 12 CHAPTER 1 OF THE TOWN OF ATOKA, TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE

WHEREAS, regulating and governing the conditions and maintenance of all property, buildings, and structures; providing for the issuance of permits and collection of fees; therefore, and

WHEREAS, the existing chapter has adopted the International Building Code 2012 edition to govern building codes within the Town granted by Tennessee Code Annotated 6-54-501 through 6-54-506; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

Section 1. That a certain document, one (1) copy of which are on file in the office of the Town Recorder of the Town of Atoka, Tennessee, being marked and designated as the *International Building Code*, 2018 edition, including Appendix Chapters (None)(see *International Building Code* Section 101.2.1, 2018 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the Town of Atoka, in the State of Tennessee for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: Town of Atoka

Section 105.5. Add the following text to Section 105.5 “Any work which has not had an inspection within 180 days from issuance of the permit or has not had any subsequent required inspections within 180 days from previous inspections will be deemed that the work has been suspended or abandoned and the permit become invalid.”

Section 1612.3. Insert: Town of Atoka

Section 1612.3. Insert: June 7, 2011

Chapter 11. Relating to accessibility, is deleted in its entirety

Section 3. That Ordinance No. 2016-03-03 of Town of Atoka, Tennessee referencing the 2012 International Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Tennessee Board of Mayor and Alderman hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the International Building Code 2018 edition hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

Section 7. This ordinance shall take effect from and after its passage, the welfare of the town requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of July, 2021.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August, 2021.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

ORDINANCE NUMBER 2016-03-03

Exhibit J

AN ORDINANCE AMENDING TITLE 12 CHAPTER 1 OF THE ATOKA MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE.

WHEREAS, Title 12, Chapter 1 of the Atoka Municipal Code of Ordinances establishes and governs building codes within the Town of Atoka; and

WHEREAS, the existing chapter has adopted the International Building Code, 2006 edition to govern building codes within the Town; and

WHEREAS, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2006 codes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. Title 12, Chapter 1, Section 101 of the Atoka Municipal Code is hereby deleted in its entirety and replaced as follows:

12-101. Building code adopted. Pursuant to authority granted by Tennessee Code Annotated §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Building Code, 2012 edition, as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code.

SECTION 2. Title 12, Chapter 1, Section 102 of the Atoka Municipal Code is hereby deleted in its entirety and replaced as follows:

12-102. Modifications. The following sections of the International Building Code, 2012 edition, are hereby revised as follows;

- (1) The Town of Atoka shall be inserted in all blanks referring to the name of the jurisdiction.
- (2) Add the following text to Section 105.5 “Any work which has not had an inspection within 180 days from issuance of the permit or has not had any subsequent required inspections within 180 days from previous inspections will be deemed that the work has been suspended or abandoned and the permit shall become invalid.”
- (3) In Section 1612.3 “June 7, 2011” is to be inserted in the date of issuance blank.
- (4) Chapter 11, relating to accessibility, is deleted in its entirety
- (5) In Section 34.12.2 “May, 2005” is to be inserted in the date blank.
- (6) All engineered drawings of multi-family, commercial or industrial structures to be built in the Town of Atoka are subject to code enforcement review.
- (7) Permit fees required to be collected under the building code shall be established from time to time by resolution adopted by the Board of Mayor

and Aldermen.

SECTION 3. Title 12, Chapter 1, Sections 105, 106, 107, 108 and 109 are deleted in their entirety.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Mayor and Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. That nothing in this ordinance or in the International Building Code, 2012 edition, hereby adopted shall be construed to affect any suit or proceeding impending in any court or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 6. This ordinance shall take effect on July 1, 2016, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 9th day of February, 2016.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

PASSED on the Final Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of March, 2016.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

RESOLUTION NO. _____

July 13, 2021

Exhibit K

A RESOLUTION APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE TOWN OF ATOKA, TENNESSEE, AND LOCAL GOVERNMENT CORPORATION FOR MUNICIPAL SOFTWARE.

WHEREAS, the Town of Atoka uses various software modules provided to the Town by Local Government Corporation for the purposes of operating the financial systems and billing functions of the Town; and

WHEREAS, the Board of Mayor and Aldermen approve contracts for services between the Town and vendors; and

WHEREAS, under the proposal, Local Government Corporation will provide the desired software services for the Town, as more fully described in the proposed agreement attached to this resolution and incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee hereby approves and accepts the agreement by and between the Town of Atoka, Tennessee, and Local Government Corporation in substantively the same form and content as the agreement has been proposed.

SECTION 2. The Mayor is authorized and directed to execute and the Town Recorder is hereby authorized and directed to attest and fix the seal of the Town of Atoka, Tennessee on the agreement in substantively the same form and content as the agreement has been proposed.

SECTION 3. The Town Recorder is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

SECTION 4. This Resolution takes effect immediately upon its passage and approval, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 13th day of July, 2021.

Mayor

ATTEST:

Town Recorder



LOCAL GOVERNMENT CORPORATION

Hardware Maintenance Agreement

RECEIVED

JUN 07 2021

TOWN OF ATOKA, TN

THIS AGREEMENT: made and entered into this 1st day of July 2021, by and between Local Government Corporation, a not-for-profit corporation duly organized and existing under the laws of the State of Tennessee, with its principle place of business located in Columbia, Tennessee, (hereinafter referred to as "LGC"), and the customer as stated in the acceptance section, a body politic and corporate existing under the laws of the State of TN.

TERM/CANCELLATION

- (A). This agreement is effective as of the above date and it shall remain in effect for an initial term through the fiscal year ending June 30. After the initial term, this agreement shall continue in effect until termination, discontinuance, or cancellation of all service pursuant to the provisions herein.
- (B). Upon thirty days prior written notice, either party may terminate this agreement in its entirety or for any part thereof.
- (C). LGC may elect to cancel this agreement if the Customer, upon thirty days prior written notice, has failed to make payments due hereunder.

PRODUCT/SERVICE

- (A). LGC shall provide preventive maintenance and remedial service to keep the product in, or restore the product to, good working order. This service shall be performed during the hours of 8:00 AM to 5:00 PM five days per week, Monday through Friday, excluding holidays. LGC shall determine the frequency and duration of preventative maintenance service based on the specific needs of the item.
- (B). The Customer is responsible for the proper use, care, and cleaning of the product in accordance with the vendor's instructions. When the need arises for remedial service, the Customer shall notify LGC and allow LGC full and free access to the equipment.
- (C). Service will include inspection, adjustment, and replacement of parts as deemed necessary by LGC. Parts, which will be either new or reconditioned to perform as new, will be furnished on an exchange basis and the exchanged part will be identical or equivalent in specification as viable to LGC. The replacement of parts, such as internal components of printers, is limited to failure of parts; but LGC shall not replace parts due to occurrence such as misuse, abuse, or mishandling of equipment.
- (D). LGC shall not be obligated to provide service at any location other than the original installation site. If the Customer wishes to relocate products, it shall give timely prior notice to LGC and relocation and resumption of service shall be subject to agreement between LGC and the Customer.
- (E). Loan equipment or other means of back-up will be available to make certain critical work is not delayed.

CHARGES/PAYMENTS

- (A). The Customer is liable for charges starting on the effective date. All initial agreement charges will be prorated to the end of the fiscal year (June 30).
- (B). The base annual service charges do not include: (1) accessories and consumable supplies, (2) repair or replacement parts due to any cause external to products, neglect, improper use or misuse, damage by other attachments, fire, water, theft, vandalism, acts of God, (3)

repainting or refinishing, (4) moving equipment or installing cables, (5) any service required by unauthorized alteration of product.

(C). Annual charges are subject to change annually with thirty days prior written notice. If LGC notifies the Customer of an increase in charges and the Customer does not discontinue service in writing, service shall continue at new rate.

(D). LGC will issue invoices stating charges and the Customer shall make payment within sixty days from the date of the invoice. Any charges that remain unpaid after sixty days will result in termination of support services until the outstanding balance is paid in full.

LIMITATIONS OF LIABILITY

(A). It is the responsibility of the Customer to ensure that all its files are adequately duplicated and documented. LGC will not be responsible for the Customer's failure to do so, nor for the cost of reconstructing data stored on disks, tapes, memories, etc. lost during the course of performing service.

(B). LGC is not responsible for removal of unwanted software from the customer equipment. This includes but is not limited to viruses, spyware, malware, scare ware, trojans, key loggers, and other malicious software.

(C). LGC is not responsible for failure to fulfill its obligations hereunder due to labor disputes, shortages of parts or materials, or any other causes beyond its reasonable control.

(D). LGC shall have the right to sub-contract its obligations under this agreement.

(E). This agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and shall supersede all previous proposals, both oral and written.

PRODUCT

All hardware to be covered under this agreement shall be listed on the attached form. It is the Customer's responsibility to notify LGC anytime hardware is removed from service resulting in the need to discontinue coverage. LGC will prorate the annual fee for any removed items and will issue a credit for the remainder of the fiscal year. No credit will be issued for the time prior to LGC's notification. LGC will be responsible for maintaining accurate records of the Customer's equipment based on information provided by the Customer.

ACCEPTED BY:

Local Government Corporation

Signed: _____

Bruce D. Collier, President

Date: June 1, 2021

Agency or Office: _____

Signed: _____

Title: _____

Date: _____

**Local Government Corporation**

714 Armstrong Lane
Columbia, Tennessee 38401
931-381-1155

RECEIVED**JUN 07 2021****TOWN OF ATOKA, TN**

Town of Atoka
334 Atoka Munford Ave
Atoka, TN 38004

Invoice	131349
Date	06/01/2021
Due Date	07/01/2021
Page	1

Purchase Order No.	Customer	Customer Number	Payment Term	Sales Order No.	Invoice Type
	Town of Atoka	2051	Net 30 days		Annual
Item No.	Description	Unit Price	Ext. Price		
1	Nextgen-Utility Billing 07/01/2021 - 06/30/2022	\$6,903.00	\$6,903.00		
2	Nextgen-Purchasing 07/01/2021 - 06/30/2022	\$2,574.00	\$2,574.00		
3	Nextgen-General Ledger 07/01/2021 - 06/30/2022	\$3,744.00	\$3,744.00		
4	Nextgen-City Property Tax 07/01/2021 - 06/30/2022	\$5,382.00	\$5,382.00		
5	Nextgen-Misc. Receipting 07/01/2021 - 06/30/2022	\$3,393.00	\$3,393.00		
6	Online Payments - Property Tax Standard 07/01/2021 - 06/30/2022	\$1,170.00	\$1,170.00		
7	Nextgen Document Management 07/01/2021 - 06/30/2022	\$2,574.00	\$2,574.00		
8	Online Payments - Utility Billing Standard 07/01/2021 - 06/30/2022	\$1,170.00	\$1,170.00		
9	Nextgen-Payroll 07/01/2021 - 06/30/2022	\$5,967.00	\$5,967.00		
10	Nextgen Document Management Forms Manager 07/01/2021 - 06/30/2022	\$1,170.00	\$1,170.00		
			Software Support Total		\$34,047.00
11	Epson Epson Validating Receipt Printer U675 (USB) S/N EZWF011157 07/01/2021 - 06/30/2022	\$195.00	\$195.00		
12	Epson Epson Validating Receipt Printer U675 (USB) S/N EZWF011215 07/01/2021 - 06/30/2022	\$195.00	\$195.00		
13	Epson Epson Validating Receipt Printer U675 (USB) S/N EZWF011217 07/01/2021 - 06/30/2022	\$195.00	\$195.00		
			Hardware Support Total		\$585.00
			Subtotal		\$34,632.00
			Tax		\$0.00
			Total		\$34,632.00

105.07
(credit applied)

THANK YOU FOR YOUR BUSINESS!

34,526.93



Local Government Corporation

714 Armstrong Lane
Columbia, Tennessee 38401
931-381-1155

RECEIVED
JUN 07 2021
TOWN OF ATOKA, TN

Invoice Total \$34,632.00
Account Total \$34,632.00

Amount Applied: \$ 105.07
Amount Due: \$ 34,526.93

Copy

THANK YOU FOR YOUR BUSINESS!

July 13, 2021

Exhibit L

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING THE STREETS IN THE MCLAUGHLIN WILLIAMSBURG SUBDIVISION IN THE TOWN OF ATOKA AS ROADS FOR PUBLIC MAINTENANCE.

WHEREAS, PFMT Holdings. has constructed various streets in rights-of-way dedicated and recorded to the Town of Atoka; and

WHEREAS, Article 6 of the Atoka Municipal Subdivision Regulations require that the Board of Mayor and Aldermen act in the form of a resolution to accept infrastructure constructed by a developer and dedicated to the Town for public use; and

WHEREAS, the Town of Atoka Municipal/Regional Planning Commission recommended acceptance of Mclaughlin Williamsburg infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee approves and accepts the currently constructed portions of Ellen Drive, Cove in the Mclaughlin Williamsburg Subdivision for public maintenance and releases PFMT Holdings for all future responsibility related to said roadways.

SECTION 2. This Resolution takes effect immediately upon conditions being met and approved as outlined in Section 1, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this ____ day of ____ 2021.

ATTEST:

Mayor

Town Recorder

July 13, 2021

Exhibit M

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING THE STREETS IN THE WILLIAMSBURG MCLAUGHLIN SUBDIVISION IN THE TOWN OF ATOKA AS ROADS FOR PUBLIC MAINTENANCE.

WHEREAS, PFMT Holdings. has constructed various streets in rights-of-way dedicated and recorded to the Town of Atoka; and

WHEREAS, Article 6 of the Atoka Municipal Subdivision Regulations require that the Board of Mayor and Aldermen act in the form of a resolution to accept infrastructure constructed by a developer and dedicated to the Town for public use; and

WHEREAS, the Town of Atoka Municipal/Regional Planning Commission recommended acceptance of Williamsburg Mclaughlin infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee approves and accepts the currently constructed portions of Beverly Drive in the Williamsburg Mclaughlin Subdivision for public maintenance and releases PFMT Holdings for all future responsibility related to said roadways.

SECTION 2. This Resolution takes effect immediately upon conditions being met and approved as outlined in Section 1, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this ____ day of __ 2021.

ATTEST:

Mayor

Town Recorder

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING THE STREETS IN THE STERLING RIDGE IV,V, AND VI(4,5,6) SUBDIVISION IN THE TOWN OF ATOKA AS ROADS FOR PUBLIC MAINTENANCE.

WHEREAS, PFMT Holdings. has constructed various streets in rights-of-way dedicated and recorded to the Town of Atoka; and

WHEREAS, Article 6 of the Atoka Municipal Subdivision Regulations require that the Board of Mayor and Aldermen act in the form of a resolution to accept infrastructure constructed by a developer and dedicated to the Town for public use; and

WHEREAS, the Town of Atoka Municipal/Regional Planning Commission recommended acceptance of Sterling Ridge IV,V,VI (4,5,6) infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee approves and accepts the currently constructed portions of Ridge Top Lane, Eureka Trail and Switchback Lane in the Sterling Ridge IV (4) Subdivision for public maintenance and releases PFMT Holdings for all future responsibility related to said roadways.

SECTION 2. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee approves and accepts the currently constructed portions of Switchback Lane and Miners Cove in the Sterling Ridge V (5) Subdivision for public maintenance and releases PFMT Holdings for all future responsibility related to said roadways.

SECTION 3. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee approves and accepts the currently constructed portions of Nugget Lane in the Sterling Ridge VI (6) Subdivision for public maintenance and releases PFMT Holdings for all future responsibility related to said roadways.

SECTION 4. This Resolution takes effect immediately upon conditions being met and approved as outlined in Section 1, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this ____ day of __ 2021.

ATTEST:

Mayor

Town Recorder

H-1071 Sterling Ridge Subd Phase IV Site for Record Nov 10, 2016
1 of 2

Claudia M. Peeler, Registrar
Tipton County Tennessee
Rec #: 143801
Rec D: 30.00
11/10/2016 at 2:01 PM
Instruments Recorded
Clerk: 0.00
In Plat: Cabinet
Other: 2.00
Total: 32.00
Pg 1071-1071

JOHN M. STERLING
PB. 522 PG. 420

SUBDIVISION MONUMENT
N 416195.7142
E 849202.4508

DAVID M. WILLIAMS
PB. 741 PG. 556

MUNFORD DEVELOPMENT CO.
P.B. 1201 PG. 961

LANCE BERRYHILL
P.B. 1011 PG. 53

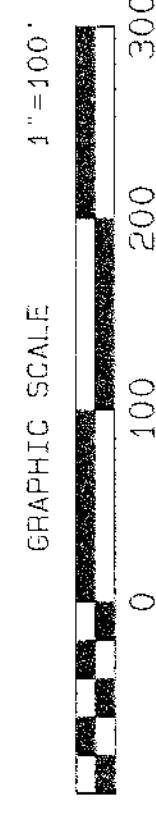
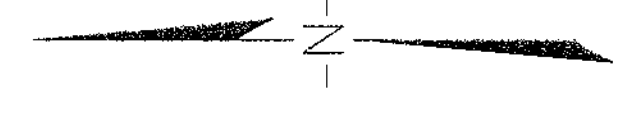
LANCE BERRYHILL
P.B. 1011 PG. 59

LANCE BERRYHILL
P.B. 644 PG. 643

DRAINAGE EASEMENT "A"
SCALE 1"=100'

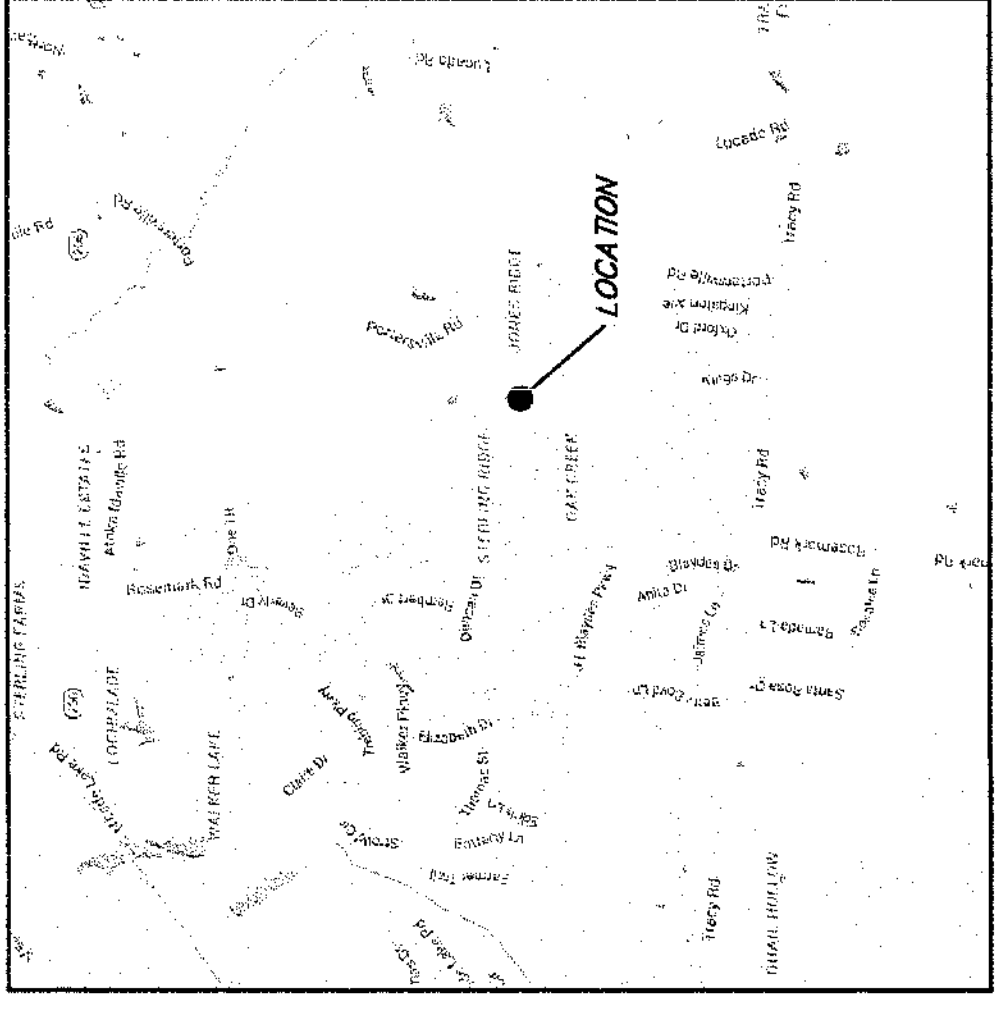
PASSIVE PATH NOTE:

A 20 FOOT WIDE STRIP BETWEEN LOTS 113 & 114 AS SHOWN ON THE FINAL PLAT AND THE GRADING & DRAINAGE PLAN SHALL BE ESTABLISHED AND LABELED AS A PASSIVE PATH FOR THE PURPOSE OF CONVEYING THE 100 YEAR STORM RUNOFF WITHOUT CAUSING DAMAGE TO ANY STRUCTURES. THE GRADING IN THIS AREA SHALL NOT BE ALTERED WITHOUT APPROVAL FROM CITY AND/OR COUNTY ENGINEERS. PRIVACY FENCE MUST NOT BLOCK THE FLOW OF WATER.



SCOPE OF CERTIFICATION

THE CERTIFICATION OF THE FINAL PLAT BY W. H. PORTER CONSULTANTS, PLLC REFERS ONLY TO THE PLAT ITSELF, NOT THE FINAL CONSTRUCTION PROJECT AS A WHOLE.
W. H. PORTER CONSULTANTS, PLLC PERFORMS NO CONTRACT ADMINISTRATION FOR THIS DEVELOPMENT, AND MAKES NO GUARANTEE, WARRANTY OR CERTIFICATION CONCERNING THE SUITABILITY OF ANY EARTHWORK FILL OR FOUNDATION CONDITION, OR THE SUITABILITY OF ANY LOT IN THIS SUBDIVISION FOR ANY CONSTRUCTION.



VICINITY MAP
NOT TO SCALE

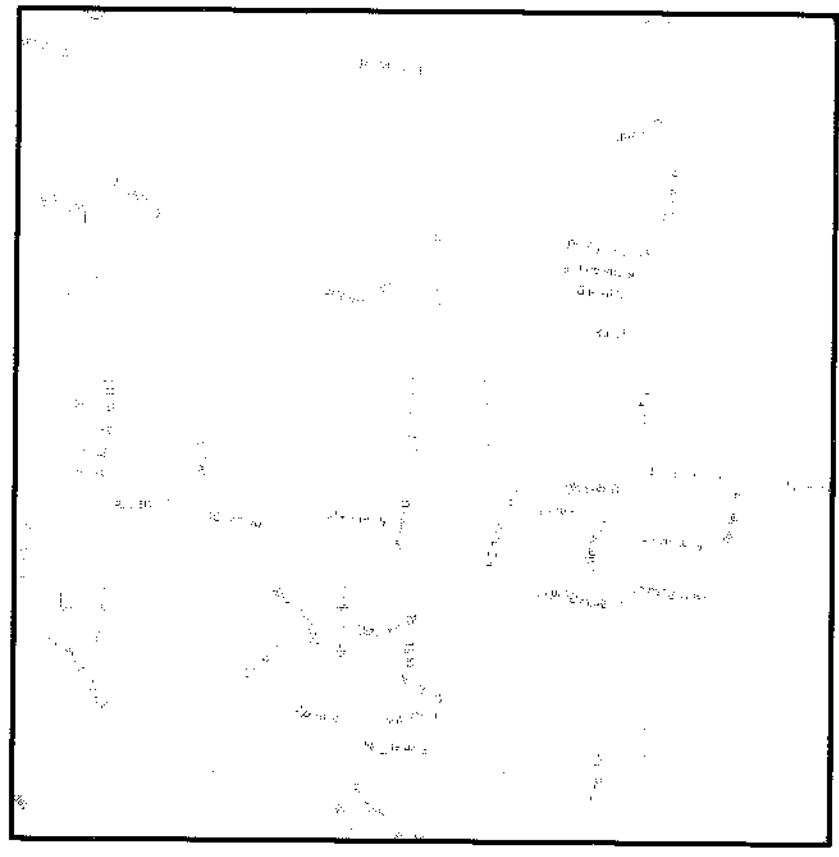
GENERAL NOTES

1. ALL COMMON AREAS INCLUDING MEDIAN TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATIONS.
2. ALL STORMWATER RETENTION AREA (RETENTION PONDS) WITHIN COMMON AREAS IS PRIVATE AND IS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. ANY ALTERATIONS TO THE RETENTION PONDS SHALL BE APPROVED BY THE TOWN OF ATOKA.
3. A MINIMUM OF 24-HOURS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE TOWN OF ATOKA CODE ENFORCEMENT OFFICE AT 901.837.5308.
4. ALL NEWLY CUT OR FILLED AREAS LACKING ADEQUATE VEGETATION, SHALL BE SEEDED, MULCHED, FERTILIZED AND/OR SODED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
5. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND NOT NECESSARILY ALL OF THE SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE UTILITY COMPANIES WHICH MAINTAIN A UTILITY LINE WITHIN THE BOUNDARIES OF THE PROJECT. THE CONTRACTOR SHALL ALSO ASSUME FULL RESPONSIBILITY FOR DAMAGE TO ANY UTILITIES ENCOUNTERED WITHIN CONSTRUCTION PERIMETERS, WHETHER SHOWN ON THE CONSTRUCTION PLANS OR NOT DURING THE WORK ON THE PROJECT. FOR SITE LOCATION OF EXISTING UTILITIES INVOLVING M&GW, SOUTH CENTRAL BELL, AND/OR TEXAS GAS COMPANY, CALL 1800.351.1111. FOR SLEWER LOCATIONS CALL 901.529.8025.
6. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES.
7. ALL FILL SOILS SHALL BE COMPACTED TO A MINIMUM OF 95% OF STANDARD PROCTOR DENSITY (ASTM D-698) WITHIN 5% OF OPTIMUM MOISTURE CONTENT IN LIFT IS NOT TO EXCEED SIX (6) INCHES OF COMPACTED THICKNESS.
8. ALL CONSTRUCTION MATERIAL AND PROCEDURES SHALL MEET OR EXCEED THE REQUIREMENTS OF THE TOWN OF ATOKA STANDARD CONSTRUCTION SPECIFICATION.
9. PROPERTY LINES SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. GRADING, CLEARING AND THE ERECTION OR REMOVAL OF FENCES ALONG PROPERTY LINES SHALL BE FULLY COORDINATED WITH ADJACENT PROPERTY OWNERS.
10. VERIFY SITE CONDITIONS PRIOR TO CONSTRUCTION. NOTIFY THE TOWN OF ATOKA INSPECTION OFFICE ENGINEER OF ANY VARIATIONS PRIOR TO COMMENCEMENT OF WORK.
11. ALL GRADING WORK SHALL BE PERFORMED IN SUCH A MANNER THAT ADJACENT PROPERTIES ARE NOT DAMAGED OR ADVERSELY AFFECTED.
12. LOT DRAINAGE: FINISH GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATIONS FOR DRAINAGE. THE FINISH GRADE MUST BE AT LEAST 12 INCHES BELOW THE TOP OF THE FOUNDATION WALL OR THE GRADE OF THE CONCRETE SLAB AT THE INTERIOR IN THE CASE OF AN INTEGRAL SLAB AND FOUNDATION. THE MINIMUM GRADE AWAY FROM THE FOUNDATION SHALL BE TWO PERCENT (2%) IN ALL DIRECTIONS. THE DRIVEWAY SHALL BE SLOPED DOWN AT TWO PERCENT (2%) FOR AT LEAST EIGHT FEET FROM THE STRUCTURE.
13. FINISH FLOOR ELEVATION SHOULD BE A MINIMUM OF 24 INCHES ABOVE THE TOP OF CURB ELEVATION.
14. W. H. PORTER CONSULTANTS, PLLC IS NOT RESPONSIBLE FOR THE CONSTRUCTION PRACTICES OF THE CONTRACTOR. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS AND METHODS AND SHALL COMPLY WITH ALL APPLICABLE HEALTH AND SAFETY RULES OF LOCAL, STATE, OR FEDERAL EACH AREA OF CONSTRUCTION.
15. TRENCHES 5 FEET DEEP OR GREATER REQUIRE A PROTECTIVE SYSTEM. TRENCHES 20 FEET DEEP OR GREATER REQUIRE THAT THE PROTECTIVE SYSTEM BE DESIGNED BY A REGISTERED PROFESSIONAL STRUCTURAL ENGINEER.
16. ALL STRUCTURES ARE TO BE PROOF BOLTED AND TO ENSURE ANY YIELDING SOILS ARE MINIMIZED. YIELDING SOILS SHALL BE CUT AND BACKFILLED PRIOR TO PAVING.
17. THE UTILITY EASEMENT(S) SHOWN ON THIS PLAT IS (ARE) FOR THE INSTALLATION OF POPLAR GROVE UTILITY DISTRICT, RITTER COMMUNICATION, SOUTHWEST ELECTRIC COOPERATIVE AND THE TOWN OF ATOKA. NO PERSON MAY EXERCISE ANY STRUCTURE WITHIN THE EASEMENT(S), ENCROACH UPON THE EASEMENT(S) OR OBSTRUCT ACCESS TO THE EASEMENT(S) IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF EACH OF THESE UTILITIES.
18. PROPERTY OWNERS WILL NOT CHANGE OR PERMIT A CHANGE BY EXCAVATION OR FILLING TO THE GRADE OR GROUND LEVEL OF ANY UTILITY EASEMENT SHOWN ON THE FINAL PLAT AS SUCH GRADE OR GROUND LEVEL EXISTS ON THE DATE THE FINAL PLAT IS APPROVED. IF ANY CHANGE IS MADE TO THE EXISTING GRADE OF A UTILITY EASEMENT ON ANY LOT, THE PROPERTY OWNER IS RESPONSIBLE FOR RESTORING THE GRADE TO ITS ORIGINAL CONDITION. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY UTILITY LOCATED IN THE EASEMENT OF THE GRADE WITHIN THE EASEMENT. IF ANY UTILITY WITH FACILITIES LOCATED IN THE UTILITY EASEMENT HAS THE RIGHT TO RESTORE THE GRADE TO ITS ORIGINAL CONDITION AS IT DEEMS NECESSARY INCLUDING THE RELOCATION OF ITS UTILITY FACILITIES. THE PROPERTY OWNER MUST REIMBURSE THE UTILITY FOR THE COSTS IT INCURS TO RESTORE THE GRADE TO ITS ORIGINAL CONDITION, AND THE UTILITY MAY TERMINATE UTILITY SERVICE TO THE PROPERTY OWNER'S LOT UNTIL THESE COSTS ARE REIMBURSED.

MIN. LOT SIZE	10,000 S.F.
MIN. LOT WIDTH	100 FT.
MIN. FRONT YARD SETBACK	30 FT.
MIN. SIDE YARD SETBACK	15 FT.
MIN. REAR YARD SETBACK	20 FT.

PFMT HOLDINGS LLC
PARCEL ID 128 026.00
INS: 18006.5
BK. 1669, PG. 536-539

H-1120 - Sterling Ridge Subd. Phase 5, Supd. to Record September 28, 2017



VICINITY MAP
NOT TO SCALE

MIN LOT SIZE	10,000 SQ. FT.
MIN LOT WIDTH	100 FT.
MIN SIDE YARD	15 FT.
MIN FRONT YARD	30 FT.
MIN REAR YARD	20 FT.

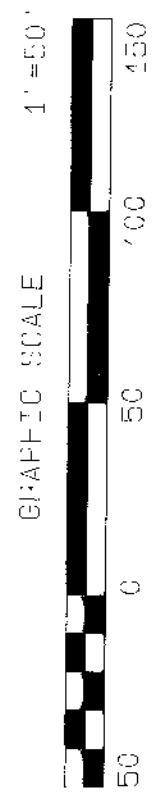
*EXCEPT NOTES: 133 - 60' SETBACK
134 - 60' SETBACK
135 - 80' SETBACK
136 - 70' SETBACK

OWNER AND DEVELOPER

DCMT HOLDING, LLC
DEED BOOK 1669 PAGE 536
TAX MAP '29 PARCELS - 26

Claudia M. Reeder, Registrar
Fulton County Tennessee
Rec #: 149613
Instrument #: 207786
Recorded
9/28/2017 at 11:10 AM
In Public Office
State: TN
Other: 2.00
Total: 47.00
Pgs 1120-1120

LINE	DELTA	RADIUS	ARC	ANGENT	CHORD	CHORD BEARING
C1	32°27'40"	250.00'	113.3'	58.22'	111.80'	N75°37'55"E
C2	37°39'46"	350.00'	230.07'	1°9'56"	275.95'	N78°3'58"E
C3	2°30'32"	350.00'	15.28'	7.64'	15.28'	S8°4°07"E
C4	35°52'54"	200.00'	25.25'	64.76'	173.21'	N19°38'21"E
C5	8°32'11"	175.00'	56.62'	23.56'	56.37'	N82°55'39"E
C6	3°55'28"	175.00'	42.53'	21.37'	42.43'	S66°2'49"W
C7	3°42'52"	375.00'	24.31'	12.16'	24.31'	N61°13'31"E
C8	36°26'58"	375.00'	235.56'	173.47'	234.56'	N81°20'26"E
C9	51°12'24"	225.00'	51.86'	26.05'	51.75'	N85°5'32"E
C10	19°15'5"	225.00'	75.61'	38.17'	75.26'	N69°0'43"E
C11	7°36'07"	325.00'	43.72'	21.58'	43.09'	N63°12'08"E
C12	20°2'57"	375.00'	115.52'	58.38'	114.9'	N77°11'0"E
C13	94°19'46"	30.00'	49.39'	32.36'	44.00'	S45°27'59"E
C14	32°6'02"	175.00'	98.55'	50.62'	97.26'	S17°49'55"W
C15	5°36'52"	175.00'	11.04'	5.52'	11.04'	S35°46'22"W
C16	46°54'03"	30.00'	24.38'	12.91'	23.72'	S60°51'49"W
C17	29°30'55"	50.00'	25.76'	13.17'	25.47'	S69°23'24"W
C18	49°18'57"	50.00'	43.04'	22.95'	41.72'	S29°58'27"W
C19	45°04'29"	50.00'	39.32'	20.75'	38.33'	S17°13'6"E
C20	57°48'40"	50.00'	50.46'	27.62'	48.35'	S68°40'2"E
C21	53°46'56"	50.00'	46.93'	25.15'	45.23'	N55°31'31"E
C22	37°37'27"	50.00'	32.83'	17.03'	32.25'	N09°29'29"E
C23	46°34'03"	50.00'	24.38'	12.91'	23.72'	N14°17'47"E
C24	21°44'2"	225.00'	85.36'	43.20'	84.85'	N26°42'42"E
C25	4°08'42"	225.00'	55.55'	27.92'	55.41'	N08°46'5"E
C26	9°52'0"	30.00'	51.72'	34.23'	45.22'	N50°37'54"E



GRAPHIC SCALE
1"=50'

FINAL PLAT

STERLING RIDGE
PHASE 5

ATOKA, TPTON, TN

THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN
F.L.R.M. COMMAJN TY No. 470/19 0320C, MAY 4, 2009

DEVELOPER: PFMT, LLC

ENGINEER: W. H. PORTER CONSULTANTS, PLLC
4825 AMERICAN WAY, SUITE 100
MEMPHIS, TENNESSEE 38118
(901) 363-9453

SCALE: 1" = 50' DATE: JUNE 1, 2016
18 LOTS 1 COS 11.30 ACRES (492275 S.F.)
ZONED: R 1

LIN#	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	2°07'20"	350.00'	74.05'	37.16'	73.91'	N04°11'56"W
C2	22°18'17"	250.00'	97.32'	49.29'	96.71'	N13°00'53"E
C3	22°18'19"	225.00'	87.59'	44.36'	87.04'	S13°00'52"W
C4	90°00'00"	30.00'	47.2'	30.00'	42.43'	S43°08'16"E
C5	90°00'00"	30.00'	47.2'	30.00'	42.43'	S48°51'42"W
C6	48°33'	325.00'	10.26'	5.13'	10.26'	S00°57'28"W
C7	10°18'47"	325.00'	58.50'	29.33'	58.42'	S05°06'12"E
C8	26°34'03"	30.00'	24.38'	12.9'	23.72'	S33°32'36"E
C9	74°5'06"	50.00'	64.80'	37.85'	60.36'	S19°42'05"E
C10	52°21'15"	50.00'	45.69'	24.58'	44.1'	S43°36'06"W
C11	59°08'35"	50.00'	51.61'	28.37'	49.35'	N00°38'59"W
C12	78°12'03"	50.00'	68.25'	40.84'	63.07'	N11°58'29"E
C13	46°34'25"	30.00'	24.38'	2.9'	23.72'	N13°01'26"E
C14	2°36'53"	375.00'	17.11'	8.56'	7.11'	N08°57'09"W
C15	9°30'27"	375.00'	62.23'	31.8'	62.15'	N02°53'29"W
C16	15°35'27"	275.00'	74.83'	37.65'	74.60'	N09°39'27"E
C17	6°42'52"	275.00'	32.23'	6.13'	32.21'	N20°48'36"E

```
*_EXCEPT LOTS:
147 -- 60, SETBACK
148 -- 50, SETBACK
149 -- 40, SETBACK
```

STERLING RIDGE
PHASE II

VICINITY MAP
NOT TO SCALE

481.46'

CONCRETE
MONUMENT
N 416432.0195
E 848073.2070

FINISH GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION FOR DRAINAGE. THE FINISH GRADE MUST BE AT LEAST 30 INCHES BELOW THE TOP OF THE FOUNDATION WALL OR THE GRADE OF THE CONCRETE SLAB AT THE INTERIOR IN THE CASE OF AN INTEGRAL SLAB AND FOUNDATION. THE MINIMUM GRADE AWAY FROM THE FOUNDATION SHALL BE AT LEAST TWO PERCENT IN ALL DIRECTIONS AWAY FROM THE FOUNDATION WALL. THE DRIVEWAY SHALL BE SLOPE DOWN AT TWO PERCENT FOR AT LEAST EIGHT FEET FROM THE STRUCTURE.

SCOPE OF CERTIFICATION

THE CERTIFICATION OF THE FINAL PLAN BY W. H. PORTER CONSULTANTS, PLLC REFERS ONLY TO THE PLAN ITSELF, NOT THE FINAL CONSTRUCTION PROJECT AS A WHOLE.

W. J. PORTER CONSULTANTS, PLLC PERFORMED NO CONTRACT ADMINISTRATION FOR THIS DEVELOPMENT AND MAKES NO GUARANTEE, WARRANTY OR CERTIFICATION CONCERNING THE SUITABILITY OF ANY EARTHWORK FILL OR FOUNDATION CONDITION, OR THE SUITABILITY OF ANY LOT IN THIS SUBDIVISION, FOR ANY CONSTRUCTION.

THERE IS A 5' UTILITY EASEMENT ALONG THE REAR AND SIDE LOT LINES OF ALL LOTS, EXCEPT WHERE THERE IS A DRAINAGE OR SANITARY SEWER EASEMENT.

THIS PLAT SHOWS EASEMENTS AS RECORDED P/R DATE SHOWN. ADDITIONAL EASEMENTS MAY BE RECORDED AT A LATER DATE AND NOT BE SHOWN ON THIS PLAT. NO TREES, STUBS, PERMANENT STRUCTURES OR OTHER UTILITIES (EXCEPT FOR CROSSLINGS) WILL BE ALLOWED WITHIN PUBLIC SANITARY SEWER EASEMENT OR PUBLIC DRAINAGE EASEMENT.

W. H. PORTER & CO., INC. MAKES NO GUARANTEE, WARRANTY OR CERTIFICATION CONCERNING THE SUITABILITY OF ANY EARTHWORK FILL OR FOUNDATION CONDITION OR SUITABILITY OF ANY LOT IN THIS SUBDIVISION FOR FOUNDATION CONSTRUCTION FOR ANY STRUCTURE PROPOSED HEREIN.

OWNER AND DEVELOPER

DEM HOLDING, LLC
DFF2 HOCX 1669 PAGE 536
TAX MAP '29 PARCE 26

FINAL PLAT

STERLING RIDGE

ATOKA, TP⁻CN, ⁻N

THIS PROPERTY IS NOT LOCATED IN THE 100-YEAR FLOOD PLAN
F.I.R.M. COMMUNITY No. 470419 0320G, MAY 4, 2009

DEVELOPER: PFMT, LLC

ENGINEER: **W. H. PORTER CONSULTANTS, PLLC**
4821 AVERCAN WAY, SUITE 100
MEMPHIS, TENNESSEE 38118
(901) 363-9453

SCALE: 1" = 50' DATE: JUNE 1, 2016
'9 LOTS 8.94 ACRES (389461 S.F.)

ZONED: R-1

SHIFT 1 OF 3

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE TOWN OF ATOKA, TENNESSEE, AND POPLAR GROVE UTILITY DISTRICT FOR NON-EXCLUSIVE LICENSING AGREEMENT FOR GIS DATA.

WHEREAS, the Town of Atoka, Tennessee (“the Town”) currently has an agreement to purchase water from Poplar Grove Utility District (“the District”), and

WHEREAS, the District owns and operates a water distribution system with the geographical area in which the Town provides water service, and

WHEREAS, the Town, through its various departments has the duty to ensure the public safety, and

WHEREAS, the District is willing to share certain GIS data with the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. The Board of Mayor and Aldermen of the Town of Atoka, Tennessee hereby approves and accepts the agreement by and between the Town of Atoka, Tennessee, and Poplar Grove Utility District in substantively the same form and content as the agreement has been proposed.

SECTION 2. The Mayor is authorized and directed to execute, and the Town Recorder is hereby authorized and directed to attest and fix the seal of the Town of Atoka, Tennessee on the agreement in substantively the same form and content as the agreement has been proposed.

SECTION 3. The Town Recorder is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

SECTION 4. This Resolution takes effect immediately upon its passage and approval, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 13th day of July 2021.

Mayor

ATTEST:

Town Recorder

**NON-EXCLUSIVE LICENSING AGREEMENT FOR GIS DATA
BETWEEN POPLAR GROVE UTILITY DISTRICT & TOWN OF ATOKA**

This Non-Exclusive Licensing Agreement for GIS Data (“Agreement”) is entered into by and between Poplar Grove Utility District of Tipton County, Tennessee (“Poplar Grove”), a utility district formed under the Utility District Law of 1937, Tenn. Code Ann. § 7-82-101, *et seq.*, and the Town of Atoka (“Recipient”).

1. Non-Exclusive License. Poplar Grove grants Recipient a non-exclusive license to use, reproduce, and maintain geographic information system data and any other related data (“GIS Data”) provided for pursuant to this Agreement and subject to the restrictions contained herein. Recipient agrees not to use the GIS Data or reproduce the GIS Data it receives through this Agreement for resale, unless otherwise agreed upon in writing by the parties.

2. Provision of GIS Data. Upon the request of Recipient, Poplar Grove shall provide GIS Data concerning Poplar Grove’s water distribution system in digital format at no cost (or at actual cost if economic circumstances warrant) to Recipient. Poplar Grove may only charge the actual cost of GIS Data if it gives written notice of the cost to Recipient in advance and if Recipient still requests the GIS Data. Poplar Grove may refuse or delay a specific request for GIS Data on the basis of availability of information technology or staff resources. Such refusals shall be made in writing.

3. Termination. This Agreement will continue in effect until terminated. Either party may terminate this Agreement without cause upon written notice delivered to the other party.

4. Modification of Agreement. This Agreement may be modified only by written amendment executed by both parties hereto.

5. Partnership/Joint Venture. Nothing herein shall in any way be construed to create a separate entity, partnership, or joint venture between the parties or to create the relationship of principal and agent between or among the parties. Neither of the parties hereto shall hold itself out in a manner contrary to the terms of this section. No party shall become liable for any representation, act, or omission of the other party that is contrary to the terms of this section.

6. Waiver. No waiver of any provision of this Agreement shall affect the right of any party thereafter to enforce such provision or to exercise any right or remedy available to it in the event of any other default.

7. Rights of Others. No third party obtains any benefits or rights under this Agreement. No third party may enforce any provision of this Agreement.

8. Assignment. Recipient may not assign, sublicense, or otherwise transfer its rights, duties, or obligations under this Agreement, in whole or in part, without the prior written consent of Poplar Grove.

9. Severability. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of the remaining provisions.

10. Execution. This Agreement will become binding when it has been signed by the authorized representatives of both parties below.

11. Disposal of Licensed Material. Upon the termination of this Agreement, Recipient will promptly delete and/or destroy all GIS Data obtained from Poplar Grove under this Agreement.

12. No Warranty. Poplar Grove does not make any warranty regarding the GIS Data provided under this Agreement, including any warranty of merchantability or warranty of fitness for a particular purpose. Specifically, Poplar Grove does not warrant that the GIS Data provided under this Agreement will be accurate. Recipient will not rely on the accuracy of the GIS Data and is responsible for verifying the GIS Data.

13. Release and Covenant. Recipient hereby releases Poplar Grove and Poplar Grove's commissioners, employees, agents, assigns, and insurers from any and all claims, causes of action, demands, or controversies of any kind or character, whether known or unknown at this time, including those that may accrue in the future, relating to the GIS Data obtained from Poplar Grove under this Agreement, the accuracy of such GIS Data, or injury allegedly caused by such GIS Data ("Released Claims"). Recipient covenants that it will not bring or maintain a lawsuit or other legal proceeding of any kind based on any of the Released Claims. The release and covenant in this section will survive the termination of this Agreement.

14. Fire flow and Pressure. Poplar Grove does not promise or guarantee that it will provide adequate fire flow or pressure to any particular fire hydrant, site, or area.

15. Reservation of Rights. Nothing herein will prevent Poplar Grove from modifying its water distribution system, including water lines and fire hydrants, in Poplar Grove's sole discretion as it deems appropriate. Poplar Grove is not required to notify Recipient of such modifications.

16. Release of GIS Data. Recipient will not release the GIS Data to any third party, except as required by a lawful subpoena or by the Tennessee Public Records Act, Tenn. Code Ann. § 10-7-501, *et seq.*, if applicable. If Recipient receives a subpoena or public records request for the GIS Data, then Recipient will confer immediately with Poplar Grove and will withhold or redact the GIS Data to the fullest extent permitted by law.

17. This Agreement contains the entire agreement of the parties related to the subject matter herein, and it supersedes any and all prior written or oral agreements between the parties related to the same subject matter.

18. The individuals signing below represent that they have full authority to execute this Agreement on behalf of their respective parties; that this Agreement has received any

approval required by law from their respective parties; and that this Agreement is a legal, valid, and binding contract.

POPLAR GROVE UTILITY DISTRICT
OF TIPTON COUNTY, TENNESSEE

By: _____
David McDaniel, President

Date: _____

TOWN OF ATOKA, TENNESSEE

By: _____
Daryl Walker, Mayor

Date: _____

Code Enforcement Monthly Report

Fiscal Year 2021

PERMIT INFORMATION	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Building Permit - Commercial					1		1						2
Building Permit - Industrial													0
Building Permit - Residential - Addition	1			2			2				2	2	9
Building Permit - Residential - New Build	14	11	13	6	6	10	12	3	12	32	5	6	130
Building Permit - Residential - Upstairs Finish			1		3	2	1	2		2		1	12
Misc Permit - Detached Garage		1											1
Misc Permit - Fence					1				1	2		6	4
Misc Permit - Fireworks Stand				1	1	1						3	6
Misc Permit - Pool Permit	5	1	12	1		1		1	1		1	4	27
Misc Permit - Sign Permit	1		1	1	1						1		5
Misc Permit - Storage Shed	3	4	2	4	7	2			1	3		2	28
TOTAL PERMIT INFORMATION	24	17	29	15	20	16	16	6	14	40	9	24	224
CERTIFICATE OF OCCUPANCY	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Certificate of Occupancy - Commercial								1				3	4
Certificate of Occupancy - Industrial													0
Certificate of Occupancy - Residential	7	4	17	7	2	7	4	5	15	7	13	16	104
TOTAL CERTIFICATE OF OCCUPANCIES	7	4	17	7	2	7	4	6	15	7	13	19	108
BUILDING INSPECTIONS	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Form Board / Set Back Inspection	11	3	15	9	3	4		4	3	6	4	4	66
Footing Inspection													0
Plumbing Inspection		3	11	16	7	12	9	1	5	27	23	8	122
Sheeting Inspection	7	5	12	10	9	9	11	3	4	6	27	19	122
Brick Ties Inspection	7	6	12	7	6	10	10	5	5	5	10	8	91
Framing Inspection	8	5	10	8	6	21	16	8	13	11	5	9	120
Insulation Inspection	7	2	10	4	6	10	12	12	11	10	3	3	90
TOTAL BUILDING INSPECTIONS	40	24	70	54	37	66	58	33	41	65	72	51	611
CODE ENFORCEMENT ACTIONS	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Municipal Court Citations													0
Property Maintenance Complaints - Closed	37	39	17	21	24	12	16	13	21	34	15	3	252
Property Maintenance Complaints - Received	56	91	47	36	20	13	21	15	33	46	35	10	423
TOTAL CODE ENFORCEMENT ACTIONS	93	130	64	57	44	25	37	28	54	80	50	13	675
PERMIT FEES	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Collected Fees	\$8,355	\$6,758	\$9,035	\$4,520	\$4,334	\$5,680	\$6,698	\$1,790	\$6,169	\$15,058	\$2,525	\$5,118	\$76,040
TOTAL PERMIT FEES	\$8,355	\$6,758	\$9,035	\$4,520	\$4,334	\$5,680	\$6,698	\$1,790	\$6,169	\$15,058	\$2,525	\$5,118	\$76,040

COMMENTS

3 FIRE WORKS PERMITS



ATOKA FIRE DEPARTMENT
MONTHLY REPORT



June-21						
Incidents	Current Month	Previous Month	Current Month Last Year	Year to Date	Dollar Loss	Dollar Saved
Structure Fires-Atoka	2	0	0	10		
Structure Fires-County Area	1	5	0	18		
Total	3	5	0	28	\$0	\$0
Fires Other-Atoka	10	8	5	42		
Fires Other-County Area	1	0	0	8		
Total	11	8	5	50		
HazMat Calls-Atoka	2	1	0	8		
HazMat Calls-County Area	0	0	0	0		
Total	2	1	0	8		
MVA-Atoka	11	14	9	70		
MVA-County Area	2	1	2	14		
Total	13	15	11	84		
EMS Calls-Atoka	59	52	64	336		
EMS Calls-County Area	14	10	9	60		
Total	73	62	73	396		
Other Calls (Service, Good Intent)-Atoka	5	8	4	58		
Other Calls (Service, Good Intent)-County Area	0	1	3	2		
Smoke Alarm Checks	74	33	32	238		
Smoke Alarm Installs	3	3	2	14		
Total	5	9	7	60		
Mutual Aid Given	7	5	3	32		
Mutual Aid Received	5	3	7	24		
Total Calls-Atoka	89	83	82	524	\$0	\$0
Total Calls-County Area	18	17	14	102	\$0	\$0
Totals for the Month	107	100	96	626	\$0	\$0
Vehicle Fleet Status	DAYS OUT OF SERVICE		COMMENTS			
ENGINE 11 Smeal						
ENGINE 12 Wilson	30		Permantly OOS- Transmission, Pump			
ENGINE 13 Pierce						
BRUSH TRUCK 13 Ford						
Reserve Firefighter Hours	Training	Work	Total Hours	YTD Hours		
	12	292	304	1273		
Comments						

Atoka Parks and Recreation

July Monthly Report - Calendar Year 2021-2022

Program / League Information				
Description	Participants		Program Cost	Fees Collected
	This Year	Last Year		
Camp- Fall Break	7	9	\$ 365.00	\$ 550.00
Camp-Spring Break	9	N/A (COVID)	\$ 344.30	\$ 750.00
Camp - Summer - Lego Camp		13		
Camp - Summer - Adventure Camp	16	25	\$ 705.00	\$ 1,240.00
Class - Art - Fall	19	10	\$ 904.40	\$ 1,425.00
Class- Art - Spring	26	25	\$ 782.14	\$ 1,950.00
Class - Art - Summer	16	N/A	TBA	TBA
Sport - A - Kickball - Fall (teams)	5	5	\$ 1,187.98	\$ 1,466.00
Sport- A - Kickball - Spring (teams)	N/A	N/A (COVID)	\$ -	\$ -
Sport - A - Softball (teams)	9	9	TBA	TBA
Sport - Y - Little Sports - Winter	25	20	\$ 953.55	\$ 1,500.00
Sport - Y - Little Sports - Blast Ball	109	34 (2020)	TBA	\$ 6,540.00
Sport - Y - Little Sports - Tball	52	26 (2020)	TBA	\$ 3,120.00
Sport - Y - Soccer - AYSO - Fall	150	172	\$ 8,385.94	\$ 10,500.00
Sport - Y - Soccer - AYSO - Spring	255	N/A (COVID)	TBA	\$ 17,890.00
Sport - Y - Softball - DYSB - Fall	280	260	\$ -	\$ -
Sport - Y - Softball - DYSB - Spring	355	N/A (COVID)	TBA	\$ 25,630.00

Special Event Information				
Description	Participants		Event Cost	Fees/Donations Collected
	This Year	Last Year		
Event - Atoka BBQ Fest (teams)	63	CANCELLED DUE TO COVID	TBA	\$ 50,011.25
Event- Food Truck Festival-March	21 Vendors	N/A	\$ 570.00	\$ 960.00
Event- Food Truck Festival- June	62 Vendors	N/A	\$ 600.00	\$ 3,920.00
Tournament- FASA District & State	18+ teams	N/A	TBA	TBA
Event - Christmas Decorating	14	14	\$ 189.34	\$ -
Event - Easter Bunny Brunch	30	CANCELLED DUE TO COVID	\$ 197.87	\$ 460.00
Event - Rock the Block	300+ cars	1,000-2,000	\$ 11,070.55	\$ -
Event-Autumn in Atoka	50	N/A	-	\$ 200.00
Event - Safe Night Out	1,100	1,000	\$ 3,259.00	\$ 3,775.00
Event - Santa's Ride - Meet/Greet	MEET/GREET CANCELLED	100+	w/ Tree Lighting	
Event - Tree Lighting	200+	300+	\$ 2,418.38	
Movies in the Park: Frozen 2	48 cars	100	-	\$ -
Tournament (1-day) - Sweet Southern Heat Showdown	17 teams	N/A		\$ 350.00

Fiscal Performance				
Description	Current Month		Current Fiscal YTD	Last Fiscal Year
	This Year	Last Year		
Rentals - Facility Rentals	\$ 500.00	\$ -	\$ 1,165.00	\$ 360.00
Sales - Concession Stand - NLP	\$ 11,376.89	\$ 944.53	\$ 47,724.66	\$ 20,797.66
Sales - Concession Stand - WP	\$ 9,900.80	\$ -	\$ 11,769.49	\$ 1,807.66

Citizen Service / Park Maintenance				
Description	Current Month		Current Year to Date	Last Year
	This Year	Last Year		
Q-Alert Service Requests Closed	2	0	16	49

Comments



Atoka Police Department

68 Atoka - McLaughlin Drive



TN Incident Based Reporting System - Part 1 Crimes				
Town of Atoka	366 Days			
7/1/2021	2020	2021	+/-/=	
Assault-All	6	6	0	
Assault-Adm	3	3	0	
Assault-Adm DV	3	2	-1	
Child Abuse Adm	0	1	1	
Auto Theft	4	5	1	
Bur-Non-rec	0	1	1	
Bur-Residential	7	2	-5	
Bur-Buc	5	0	-5	
Homicide	0	0	0	
Murder	0	0	0	
Negligent Manslaughter	0	0	0	
Justifiable Homicide	0	0	0	
Laroeny(All)	32	25	-7	
Sho plft Fel	1	0	-1	
Sho plft Misd	9	0	-9	
Th Build	4	1	-3	
Th Fr M/V	8	3	-5	
Th Veh Parts	0	3	3	
Th Other Trailer	2	5	3	
Other Th/Non-Specific	8	13	6	
Rape	2	0	-2	
Robbery-Buc	0	0	0	
Robbery-Per	0	0	0	
Robbery-In	0	0	0	
Carjacking	0	0	0	
Part 1 Totals	55	39	-16	



Atoka Police Department

68 Atoka - McLaughlin Drive



	Additional Crimes & Statistics		
	Year to Year Comparison	2020	2021
Town of Atoka			
7/4/2021			
Fraud	7	8	1
ID Theft	2	5	3
Credit Card	0	1	1
Swindle / Scheme	5	2	-3
Counterfeit / Forgery	1	0	-1
Weapons	0	1	1
MV Crash	80	71	-9
Injury	7	11	4
Hit and Run	3	3	0
Property damage	77	57	-20
Drugs / Narcotics	8	10	2
Felony	3	5	2
Misdemeanor	4	3	-1
Driving under Influence	1	2	1
Additional Totals	96	90	-6
Misc Reports	110	178	68
Buc and Rec Alarms	109	133	24
Calls for Service	1,587	3,975	2,388
Enforcement	2,020	2,021	+/-=
Arrests	100	75	-25
Felony	21	22	1
Misdemeanor	79	53	-26
Citations	1,011	756	-255
General Sessions	62	51	-11
City Court	232	187	-46
Warnings	717	513	-199

Atoka Public Works

Monthly Report - Calendar Year 2021

CUSTOMER ACCOUNTS	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
NEW ACCOUNTS OPENED	19	13	34	22	30	33							151
EXISTING ACCOUNTS CLOSED	15	7	16	12	7	14							71
NET CHANGE - CUSTOMER ACCOUNTS	4	6	18	10	23	19	0	0	0	0	0	0	80

SEWER SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
TANK PUMPING - VENDOR	36	10	35	32	26	21							160
TOTAL SEWER SERVICE ISSUES	36	10	35	32	26	21	0	0	0	0	0	0	160

SOLID WASTE SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
NEW CUSTOMERS (delivered can)	17	10	56	25	29	59							196
MISSSED COLLECTIONS	28	19	66	154	31	67							365
DAMAGED / REPLACED CANS	3	4	8	10	6	6							37
OTHER / TRASH	2	2	4	24	1	2							35
TOTAL SOLID WASTE SERVICE ISSUES	50	35	134	213	67	134	0	0	0	0	0	0	633

WATER SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
METER SET - PRIMARY SERVICE	2	0	1	3	2	1							9
METER SET - AUXILIARY SERVICE	0	0	1	1	0	2							4
METER MAINTENANCE	0	0	1	4	0	1							6
METERS REPLACED/ Antenna Added	2	0	0	2	0	0							4
ADJUSTMENTS	0	4	6	8	1	3							22
LATE PAYMENTS	424	423	533	465	588	573							3006
NON-PAYMENT DISCONNECTION	58	N/A	50	45	41	77							271
TOTAL WATER SERVICE ISSUES	486	427	592	528	632	657	0	0	0	0	0	0	3322

WORK ORDERS	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
WATER	17	28	46	67	95	27							280
SEWER	65	53	88	70	97	87							460
DITCHES, OTHER ISSUES	36	39	106	87	66	59							393
UTILITY LOCATES	151	232	454	397	209	259							1702
TOTAL WORK ORDERS	269	352	694	621	467	432	0	0	0	0	0	0	2835

WASTE PRO QUARTERLY COLLECTION	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
WASTE COLLECTED													0

BILLING INFORMATION	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
ACH ACCOUNTS	380	382	388	388	387	390							2315
E-BILL ACCOUNTS	912	917	920	935	942	952							5578
SOLID WASTE CUSTOMERS	2780	2786	2809	2817	2826	2854							16872
RECYCLING CUSTOMERS	2133	2137	2160	2166	2181	2211							12988

COMMENTS