

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE PROVIDING FOR THE REVIEW, INSPECTION  
AND REGULATION OF SECURITY GATES IN GATED COMMUNITIES  
WITHIN THE CITY OF OAK HILL, TENNESSEE.**

WHEREAS, Tennessee Code Annotated 13-8-101 et seq. authorizes municipalities to issue permits, inspect security gates and regulate said gates in gated communities within municipalities; and

WHEREAS, the Board of Commissioners for the City of Oak Hill wishes to provide for the issuance of permits, inspection of security gates and regulation of said gates in gated communities within the City of Oak Hill;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Oak Hill that:

Section 1. Definitions. As used in this ordinance, unless the context otherwise requires:

1. “Access street” means a vehicular access roadway greater than or equal to twenty four feet (24') in width.
2. “Authority” means a governing body identified in Section 4 hereinbelow.
3. “Driveway” means a vehicular ingress/egress roadway less than twenty four feet (24) in width and serving one single family dwelling.
4. “Gated community” means a neighborhood of single family residential properties that have a security gate or barrier to block the entrance to the community from a public street to a private street, or driveway of the community.
5. “Radio operated controller” means a device used to operate a security gate or barrier that is equipped with a radio receiver capable of receiving signals from a police department, sheriff’s department, fire department, utility company, and emergency medical services’ radio transceivers that allow emergency

responders and other necessary on-duty employees to open the security gate or barrier or blocking device by use of the equipment.

6. "Security gate or barrier" means a gate, or barrier, electrically operated that controls the passage of authorized vehicles and persons from a public street to a private street of the gated community.

Section 2: Issuance of permit - inspections. Prior to the installation or replacement of a security gate or barrier at a gated community, the developer or owner shall obtain a security gate or barrier permit from the City of Oak Hill. A permit shall only be issued for a security gate or barrier meeting the requirements of this ordinance. Prior to any changes, alteration or blocking of private streets, plans detailing the change accompanied by drawings, shall be submitted to the City of Oak Hill for approval. The City Building Official shall inspect all such installations. The inspections of security gates or barriers shall be conducted at the same time as other inspections of the gated community are performed by the City Building Official. A permit fee, as established by the City of Oak Hill, shall be charged to the developer or owner of the proposed gate.

Section 3: Equipment required as security gates or barriers - Policies.

1. All security gates or barriers shall be equipped with a radio operated receiver/controller capable of receiving signals from a police department, fire department, utility company, and emergency medical services' radio transceivers serving the gated community that allow emergency responders and other necessary on-duty employees to open the security gate or barrier by use of the equipment.
2. All security gates or barriers must meet policies deemed necessary by the City of Oak Hill over the gated community for rapid, reliable, and mutual aid access.
3. The equipment shall be furnished, installed and maintained by the developer, owner, or any duly incorporated and active association having jurisdiction of the gated community that is served by the security gate or barrier.

Section 4: Maintenance and upkeep of Security Gates or Barriers.

1. The Maintenance and upkeep of any security gate or barrier shall be the sole responsibility of the developer, owner or, any duly incorporated and active association having jurisdiction of the gated community.
2. Inoperative security gates or barriers shall be repaired immediately. Inoperative gates shall be locked in the open position until repairs are made. Abandoned gates shall be removed. Gates or barriers shall be considered abandoned if they are inoperative for a period of six months.

Section 5: Liability. The Party or parties controlling the operation and maintenance of the security gate or barrier shall be liable for any damages caused by the improper operation of the security gate or barrier.

BE IT FINALLY ORDAINED by the City of Oak Hill, Davidson County, Tennessee that this ordinance shall be effective immediately upon its final passage, the public welfare requiring it.

MAYOR

\_\_\_\_\_  
THOMAS ALSUP

Attest: \_\_\_\_\_  
City Recorder

Approved by: \_\_\_\_\_  
City Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_