



## ORDINANCE 21-501

### TOWN OF MOUNT CARMEL, TENNESSEE

AN ORDINANCE TO UPDATE VARIOUS CODES RELATING TO INSPECTION ACTIVITIES BY REFERENCE AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; TO FIX A PENALTY FOR VIOLATION THEREOF; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

**WHEREAS**, it is desired to update, in all respects, the various Codes relating to building, gas, housing, mechanical, plumbing, energy efficiency, and swimming pools; and,

**WHEREAS**, the adoption of these codes are to facilitate proper inspection activities relating to construction and maintenance of buildings and relating to public safety, health, and general welfare.

**NOW, THEREFORE**, be it ordained by the Board of Mayor and Aldermen, as follows:

**TITLE 12 of the Municipal Code is replaced by the following:**

#### **BUILDING, UTILITY, ETC. CODES**

#### **CHAPTER.**

#### **1. CODES ADOPTED BY REFERENCE.**

#### **CHAPTER 1**

#### **CODES ADOPTED BY REFERENCE**

#### **SECTION**

- 12-101. Codes adopted.
- 12-102. Designated official.
- 12-103. Available in recorder's office
- 12-104. Violations and penalty.
- 12-105. Effective date.

**SECTION 12-101: Codes adopted.** (1) Pursuant to authority granted by Tennessee Code Annotated §§ 6-54-501 through 6-54-506, and for the purpose of establishing the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress, facilities stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and hazard attributed to the built environment, the following codes are adopted and incorporated by reference as part of the Municipal Code:

- A. The International Building Code, 2018 edition, including Appendix I.
- B. International Residential Code (IRC), 2018 edition, including Appendix Q except that:
  - 1. Section R313 Automatic Fire Sprinkler Systems is not mandatory, pursuant to T.C.A. § 68-120-101(a)(8).
  - 2. Chapters 34-43 relating to Electrical Installations are deleted and electrical standards adopted in Tennessee State Fire Marshall 0780-02-01 Electrical Installations shall apply.

3. 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.
4. 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 walls or ceiling finishes exposing the structure.

5. 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.
6. Section N1103.3.3 (R403.3.3) Duct Testing (Mandatory) and Section N1103.3.4 (R403.3.4) Duct Leakage (Prescriptive) are optional.
7. 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 (Rule 0780-02-23-.02, continued) IRC are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2. Equivalent U-Factor from 2009 IRC.
8. Section N1102.4.4 (R402.4.4) Rooms Containing Fuel-Burning Appliances is deleted in its entirety.
9. Table N1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "m": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted when a Fenestration U-Factor of .35 or lower is used, a Skylight U-Factor of .60 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."

C. The International Plumbing Code, 2018 edition. Section P2610 is added as follows:

**SECTION P2610** Toilet Facilities for Workers.

P2610.1 General. Toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to ANSI Z4.3

- D. The International Fuel Gas Code, 2018 edition.
- E. The International Mechanical Code, 2018 edition.
- F. The International Existing Building Code, 2018, edition.
- G. The International Swimming Pool and Spa Code, 2018, edition.
- H. The International Energy Conservation Code, 2018 edition with the following modifications:
  1. 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.
  2. Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.

3. 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.

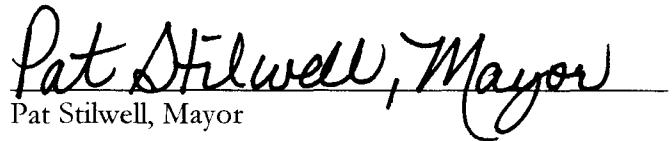
**SECTION 12-102.** Where in the above adopted codes reference is made to a certain official named therein, that designee is the Building Inspector.

**SECTION 12-103.** Available in the recorder's office. Pursuant to the requirements of TCA § 6-54-502 one copy of the above codes has been placed in the recorder's office and shall be kept there for the use and inspection of the public.

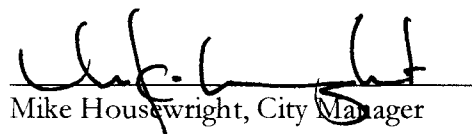
**SECTION 12-104.** Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the above codes as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00). Each day a violation is allowed to continue shall constitute a separate offense.

**SECTION 12-105.** Effective date. This ordinance shall take effect from and after its final passage, the public welfare requiring it.

Approved by the Planning Commission: April 6, 2021

  
Pat Stilwell, Mayor

Attest:

  
Mike Housewright, City Manager

Approved as to form:

  
John Pevy, City Attorney

| MOTION: Gibson           |          |      |       |
|--------------------------|----------|------|-------|
| SECOND: Fleishour        |          |      |       |
| 1 <sup>st</sup> READING  | AYES     | NAYS | OTHER |
| Alderman Mindy Fleishour | ✓        |      |       |
| Alderman John Gibson     | ✓        |      |       |
| Alderman Jim Gilliam     | ✓        |      |       |
| Alderman Steven McLain   | ✓        |      |       |
| Alderman Darby Patrick   | ✓        |      |       |
| Vice-Mayor Tresa Mawk    | ✓        |      |       |
| Mayor Pat Stilwell       | ✓        |      |       |
| <b>TOTALS</b>            | <b>7</b> |      |       |

| MOTION: Gibson           |          |          |       |
|--------------------------|----------|----------|-------|
| SECOND: Fleishour        |          |          |       |
| 2 <sup>nd</sup> READING  | AYES     | NAYS     | OTHER |
| Alderman Mindy Fleishour | ✓        |          |       |
| Alderman John Gibson     | ✓        |          |       |
| Alderman Jim Gilliam     |          | ✓        |       |
| Alderman Steven McLain   | ✓        |          |       |
| Alderman Darby Patrick   | ✓        |          |       |
| Vice-Mayor Tresa Mawk    | ✓        |          |       |
| Mayor Pat Stilwell       | ✓        |          |       |
| <b>TOTALS</b>            | <b>6</b> | <b>1</b> |       |