

TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

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CHAPTER 1

BUILDING CODE¹

SECTION

- 12-101. Building code adopted.
 12-102. Modifications.
 12-103. Violations and penalty.

12-101. Building code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Building Code*² (IBC), 2018 edition including the Appendix Chapters F and G and ICC A117.1-2009, as published without amendment, by the International Code Council, be and is hereby adopted as the building code of the Town of Erwin for regulating and governing the conditions and maintenance of all property, building and structures; by providing the standards for supplied utilities and facilities and other physical

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

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 of Erwin are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-102 of this chapter. (Ord. #689-17, May 2017, modified, as amended by Ord. #725-21, June 2021)

12-102. Modifications. The following sections of the *International Building Code*, 2018 edition, are hereby modified and revised:

- (1) Section 101.1. Insert: "Town of Erwin."
- (2) Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-103. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017)

CHAPTER 2

PLUMBING CODE¹

SECTION

- 12-201. Plumbing code adopted.
- 12-202. Modifications.
- 12-203. Violations and penalty.

12-201. Plumbing code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Plumbing Code (IPC)*,² 2018 edition including appendix chapters D, E and F, without amendment, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the Town of Erwin, 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 are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in § 12-202 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-202. Modifications. The following sections of the *International Plumbing Code*, 2018 edition, are hereby modified and revised:

Section 101.1. Insert: "Town of Erwin." (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-203. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each

¹Municipal code references

Cross-connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017)

CHAPTER 3

PROPERTY MAINTENANCE CODE

SECTION

- 12-301. Property maintenance code adopted.
- 12-302. Modifications.
- 12-303. Violations and penalty.

12-301. Property maintenance code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, §§ 6-54-501 to 6-54-506, that certain document one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Property Maintenance Code (IPMC)*,¹ 2018, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Town of Erwin, in the State of Tennessee regulating 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 existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in § 12-302 of this chapter.

12-302. Modifications. The following sections of the *International Property Maintenance Code*, 2018 edition, are hereby modified and revised:
Section 101.1. Insert: "Town of Erwin."

12-303. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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CHAPTER 4

FUEL GAS CODE

SECTION

- 12-401. Fuel gas code adopted.
- 12-402. Modifications.
- 12-403. Violations and penalty.

12-401. Fuel gas code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Fuel Gas Code*, (IFGC),¹ 2018 edition, including appendix chapters A, B, C and D, without amendment, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the Town of Erwin, in the State of Tennessee for regulating and governing fuel gas systems and gas-fired appliances 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 fuel gas code on file in the office of the Town of Erwin are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-402 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-402. Modifications. The following sections *International Fuel Gas Code*, 2018 edition, are hereby modified and revised:

Section 101.1. Insert: "Town of Erwin." (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-403. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017)

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CHAPTER 5

RESIDENTIAL CODE

SECTION

- 12-501. Residential code adopted.
- 12-502. Modifications.
- 12-503. Violations and penalty.

12-501. Residential code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Residential Code (IRC)*,¹ 2018 edition, including appendix chapters A, B, C, E, G, J, K, N, P, and Q, with the following amendments, as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Erwin, 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 (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees there for; and each and all of the regulations, provisions, penalties, conditions, and terms of said residential code on file in the office of the Town of Erwin, are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-106 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-502. Modifications. The following sections of the *International Residential Code*, 2018 edition, are hereby modified and revised:

- (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 State of Tennessee rule 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 the 2015 edition of the IRC.
- (4) Section R314.6. Power Source relating to Smoke Alarms is amended to create exception #3 that shall read:

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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 the 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 IRC are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U- Factor from the 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 "L": "Log walls complying with ICC 400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 4 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 (Colling) are used. This table replaces Table N1102.1.2 (R402.1.2) of the 2018 IRC. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-503. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

CHAPTER 6

SWIMMING POOL AND SPA CODE¹

SECTION

12-601. Swimming pool and spa code adopted.

12-602. Modifications.

12-603. Violations and penalty.

12-601. Swimming pool and spa code adopted. Pursuant to authority granted by *Tennessee Code Annotated*, §§ 6-54-501 to 6-54-506, and for the purpose of setting standards for the design, construction, or installation, alteration, repair or alterations of swimming pools, public or private and equipment related thereto. The *International Swimming Pool and Spa Code*, (ISPSC),² 2018 edition, without amendment, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the swimming pool code. In the event that any matters in said swimming pool code are contrary to any existing ordinances of the Town of Erwin, the swimming pool code shall prevail and any sections or subsections of any existing Town of Erwin ordinances that are inconsistent therewith, are hereby repealed in that respect only. (2005 Code, § 12-701, as amended by Ord. #725-21, June 2021)

12-602. Modifications. Within said swimming pool and spa code, when reference is made to the duties of a certain official named therein, the designated official of the Town of Erwin who has duties corresponding to those of the named official in said swimming pool code shall be deemed to be the responsible official insofar as enforcing the provisions of said swimming pool code are concerned. (2005 Code, § 12-702, modified)

12-603. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: title 18.

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day that a violation continues after due notice has been served shall be deemed a separate offense.

CHAPTER 7

EXISTING BUILDING CODE

SECTION

- 12-701. Existing building code adopted.
- 12-702. Modifications.
- 12-703. Violations and penalty.

12-701. Existing building code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designates as the *International Existing Building Code* (IEBC)¹, 2018 edition, without amendment, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the Town of Erwin, in the State of Tennessee for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, 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 existing building code on file in the office of the Town of Erwin are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-104 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-702. Modifications. The following sections of the *International Existing Building Code*, 2018 edition, are hereby modified and revised:
Section 101.1. Insert: "Town of Erwin." (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-703. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

¹Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

CHAPTER 8

MECHANICAL CODE¹

SECTION

- 12-801. Mechanical code adopted.
- 12-802. Modifications.
- 12-903. Violations and penalty.

12-801. Mechanical code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Mechanical Code (IMC)*,² 2012 edition, including appendix chapter A, without amendment, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the Town of Erwin, 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 of Erwin are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in § 12-802 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-802. Modifications. The following sections of the *International Mechanical Code*, 2018 edition, are hereby modified and revised:

Section 101.1. Insert: "Town of Erwin." (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-803. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each

¹Municipal code references

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017)

CHAPTER 9

ENERGY CONSERVATION CODE

SECTION

- 12-901. Energy conservation code adopted.
- 12-902. Modifications.
- 12-903. Violations and penalty.

12-901. Energy conservation code adopted. Pursuant to the authority granted by *Tennessee Code Annotated*, § 6-54-502, that certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Erwin, being marked and designated as the *International Energy Conservation Code* (IECC),¹ 2018 edition, with the following amendments, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the Town of Erwin 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 of Erwin are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 12-802 of this chapter. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

12-902. Modifications. The following sections of the *International Energy Conservation Code*, 2018 edition, are hereby modified and revised:

- (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 the 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. (Ord. #689-17, May 2017, as amended by Ord. #725-21, June 2021)

¹Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

12-903. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. #689-17, May 2017)

CHAPTER 10**ACCESSIBILITY CODE**¹**SECTION**

12-1001. Accessibility code adopted.

12-1002. Violations and penalty.

12-1001. Accessibility code adopted. The *State of North Carolina Accessibility Code*, 2002 edition, with 2004 amendments, is hereby adopted into this code. (Ord. #633-07, Jan. 2008)

12-1002. Violations and penalty. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or work in violation of the approved construction documents or directive of the code official, is punishable by a fine of not more than fifty dollars (\$50.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

¹The *State of North Carolina Accessibility Code*, 2002 edition, with 2004 amendments, is on file and available to view in the office of the town recorder.