

TITLE 12**BUILDING, UTILITY, ETC. CODES****CHAPTER**

1. BUILDING CODE.
2. PLUMBING CODE.
3. PROPERTY MAINTENANCE CODE.
4. RESIDENTIAL CODE.
5. MECHANICAL CODE.
6. ENERGY CONSERVATION CODE.

CHAPTER 1**BUILDING CODE**¹**SECTION**

- 12-101. Building code adopted.
12-102. Modifications.
12-103. Available in recorder's office.
12-104. Violations and penalty.

12-101. Building code adopted. Pursuant to authority granted by the Tennessee Code Annotated, §§ 6-54-501 through 6-54-510 and for the purpose of regulating the construction, alteration, repair, use and 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,² 2018 edition, with the modifications set forth below, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code except as otherwise specifically stated in this chapter, and is hereinafter referred to as the "building code." (Ord. #302-19-1C, June 2019)

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: titles 18 and 19.

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

12-102. Modifications. The following sections and appendices of the International Building Code, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided:

- (1) Chapter 1, Scope and Administration: Section 101.1 Title. is hereby amended locally in the City of Townsend by inserting "City of Townsend" as the name of the jurisdiction.
- (2) Chapter 1, Scope and Administration: Section 101.2.1 Appendices. is hereby amended locally in the City of Townsend by inserting at the end of the section the following:
"The following Appendices are specifically included in the adoption. All others are excluded."
 - Appendix A Employee Qualifications
 - Appendix B Board of Appeals
 - Appendix C Agricultural Buildings
 - Appendix E Supplementary Accessibility Requirements
 - Appendix G Flood-Resistant Construction
 - Appendix I Patio Covers
- (3) Chapter 1, Scope and Administration: Section 101.4.3 Plumbing. is hereby amended locally in the City of Townsend by deleting the last sentence and inserting the following:
"Private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department"
- (4) Chapter 1, Scope and Administration: Section 103.1 Creation of enforcement agency. is hereby amended locally in the City of Townsend by deleting Section 103.1 in its entirety and replacing with the following:
Section 103.1 Building Official. The provisions of this code shall be enforced by the Building Official."
- (5) Chapter 1, Scope and Administration: Section 105.4 Validity of permit. is hereby amended locally in the City of Townsend by inserting the following at the beginning:
"A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans of buildings in construction, or of violation of this code. The Building Official is authorized to suspend or revoke a permit issued under the

provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code"

- (6) Chapter 1, Scope and Administration: Section 105.5. Expiration. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:
 "105.5. Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 60 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 60 days after the time the work is commenced. Work authorized by that permit shall be completed within the time frame set forth in the following:
For Building Permits with Construction Valuation in the amount of:
 \$0.1 - \$250,000 - twelve (12) months;
 \$250,000.01 - \$500,000.00 - eighteen (18) months;
 \$500,000.01 - \$1,000,000.00 - twenty four (24) months;
 \$1,000,000.01 and up - thirty-six (36) months
 Extensions of time may be granted by the Building Official; however, the extension must be requested in writing and justifiable cause demonstrated. The building official is authorized to grant, in writing, one or more extensions of time. Each extension shall be for a period of time not to exceed 180 days. A fee of fifty percent (50%) of the permit fee of the original permit shall be charged to cover administrative expenses for each extension granted."
- (7) Chapter 1, Scope and Administration: Section 105.6 Suspension or revocation. is hereby amended locally in the City of Townsend by inserting at the end the following:
 "After a permit has become void, if the owner wishes to commence construction to complete the structure for which the original permit was issued, the Owner shall reapply for a new building permit for the completion of the construction. When a new building permit is issued, the permit fee for the completion of the construction shall be equal to the permit fee that was paid when the original permit was issued."
- (8) Chapter 1, Scope and Administration: Section 107.3.4 Design Professional in responsible charge. is hereby amended locally in

the City of Townsend by inserting the following at the end of the first paragraph:

"The registered design architect shall be the responsible design professional in responsible charge unless otherwise designated by the owner or the owner's authorized agent."

- (9) Chapter 1, Scope and Administration: Section 110.5 Inspection request. is hereby amended locally in the City of Townsend by inserting the following at the end:
 "No inspections shall be performed on any site or portion thereof where there is an unsafe condition or a violation of the occupational safety and health standards for the construction industry promulgated by the Occupational Safety and Health Administration (OSHA)."
- (10) Chapter 1, Scope and Administration: Section 111.1 Change of occupancy. is hereby amended locally in the City of Townsend by inserting the following at the end of the paragraph and before the exception:
 "Said certificate shall not be issued until the following have been tested and approved by the appropriate agency or department:
- Fire protection systems
 - Utility systems
 - Site work beyond the confines of the building
 - General building construction requirements"
- (11) Chapter 1, Scope and Administration: Section 113 Board of Appeals. is hereby amended locally in the City of Townsend by changing the title from "Board of Appeals" to "Board of Zoning Appeals". Every occurrence of "Board of Appeals" in Section 113 and its subsections shall be changed to "Board of Zoning Appeals".
- (12) Chapter 1, Scope and Administration: Section 114.4, Violation and Penalties is hereby locally amended in the City of Townsend by deleting the section in its entirety and insert in its place:
 "Any person, firm, corporation, tenant, owner or agent who shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or has erected, constructed, altered, repaired, moved, or demolished a building or structure in violation of a detailed statement or drawing submitted and permitted thereunder, or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall

be subject to penalties as prescribed by law and the enforcement and penalty clause of this Ordinance."

- (13) Chapter 10, Means of Egress: Section 1008.2 Means of egress illumination. is hereby amended locally in the City of Townsend by inserting the following under "Exceptions":
"5. Unenclosed pavilions and similar structures that are not provided with electrical utility service and not intended for occupancy after daylight hours."
- (14) Chapter 10, Means of Egress: Section 1015.2 Where required. is hereby amended locally in the City of Townsend by deleting the first sentence and replacing it with the following sentence:
"Guards shall be provided along open-sided walking surfaces or ground surfaces, mezzanines, industrial equipment platforms, retaining walls, stairways, ramps, landings and any other locations that are located more than 30 inches above the floor or grade below."
- (15) Chapter 16, Structural Design: Section 1612.3 Establishment of flood hazard areas. is hereby amended locally in the City of Townsend by inserting "Blount County, Tennessee, and Incorporated Areas, City of Townsend Community Number _?_" for name of jurisdiction and inserting "September 19, 2007" as the date of issuance.
- (16) Chapter 29, Plumbing Systems: Section 2901.1 Scope. is hereby amended locally in the City of Townsend by deleting the last sentence and insert the following:
"Private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department."
- (17) Chapter 28: Mechanical Systems. is hereby amended locally in the City of Townsend by deleting every reference to "International Fuel Gas Code". The International Fuel Gas Code is specifically not adopted in the City of Townsend.
- (18) Chapter 29, Plumbing Systems: Section 2901.1 Scope. is hereby amended locally in the City of Townsend by deleting the sentence "Private sewage disposal systems shall conform to the International Private Sewage Disposal Code." and replacing with the following:

"Private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department."

- (19) Chapter 29, Plumbing Systems: Section 2902.3 Employee and public toilet facilities. is hereby amended locally in the City of Townsend by inserting the following at the end:
 "Exception 3: Unenclosed pavilions and similar structures with a floor area of one thousand square feet or less and not served with water and sewer services shall not be required to provide public toilet facilities or other plumbing fixtures. For the purpose of this section guards as described in Section 1015, whether said guards are required or not by this code, shall not be considered to enclose the structure."
- (20) Appendix B: Board of Appeals. is hereby amended locally in the City of Townsend by changing the title from "Board of Appeals" to "Board of Zoning Appeals". Every occurrence of "Board of Appeals" in Appendix B and its subsections shall be changed to "Board of Zoning Appeals".
- (21) Appendix B: Section B101.2 Membership of board. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:
 "Reference Townsend Municipal Code"
- (22) Appendix B: Section B101.2.2 Qualifications. is hereby amended locally in the City of Townsend by deleting in its entirety and substituting the following: "Qualifications. Reference Townsend Municipal Code." (Ord. #302-19-1C, June 2019, modified)

12-103. Available in recorder's office. The board of commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this ordinance and that all public hearing and notice requirements in Tennessee Code Annotated, § 6-54-501, et seq. have been or will be met by the time of the final passage of this chapter, (Ord. #276-14-1C, May 2014)

12-104. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and

every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of the chapter.

Additionally, violators may, in the discretion of the city, be subject to fines and penalties to be imposed by the administrative hearing officers pursuant to Tennessee Code Annotated, § 6-54-1001, et seq., as adopted locally in the city code. (Ord. #276-14-1C, May 2014)

CHAPTER 2

PLUMBING CODE¹

SECTION

- 12-201. Plumbing code adopted.
- 12-202. Modifications.
- 12-203. Available in recorder's office.
- 12-204. Violations and penalty.

12-201. Plumbing code adopted. Pursuant to authority granted by §§ 6-54-501 through 6-54-510 of the Tennessee Code Annotated, and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the municipality, the International Plumbing Code,² 2018 edition, and subsequent modifications thereto, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code except as particularly stated otherwise in this chapter, and is hereinafter referred to as the "plumbing code."

The city does not incorporate by reference any changes or amendments adopted by the agency or association that promulgates the plumbing code unless such changes or amendments are subsequently expressly adopted by ordinance of the city. (Ord. #305-19-1C, June 2019)

12-202. Modifications. The following sections and appendices of the International Plumbing Code, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided:

- (1) Chapter 1, Scope and Administration: Section 101.1 Title. is hereby amended locally in the City of Townsend by inserting "City of Townsend" as the name of the jurisdiction.

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) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

- (2) Chapter 1, Scope and Administration: 101.2 Scope. is hereby locally amended in the City of Townsend by deleting the third and fourth sentences, and at the end of the first paragraph inserting: "The provisions of the International Plumbing Code 2012 Edition shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department."

Provisions in the appendices shall not apply unless specifically adopted. The following Appendices are specifically included in the adoption. All others are excluded.

- Appendix B Rates of Rainfall for Various Cities
- Appendix C Vacuum Drainage System
- Appendix D Degree Day and Design Temperatures
- Appendix E Sizing of Water Piping System
- Appendix F Structural Safety

Exception: Detached one- and two- family dwellings and multiple single-family dwellings (townhouse) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code."

- (3) Chapter 1, Scope and Administration: Section 103.1 Creation of enforcement agency. is hereby amended locally in the City of Townsend by deleting Section 103 .1 in its entirety and replacing with the following:

"103.1 Building Official. The provisions of this code shall be enforced by the Building Official." All other references to "code official" in the 2012 IPC shall mean "Building Official."

- (4) Chapter 1, Scope and Administration: Section 106.6.2 Fee Schedule. is hereby amended locally in the City of Townsend by deleting the first sentence and inserting:

"The fees for all plumbing work shall be as itemized on the City of Townsend Plumbing Permit Application."

- (5) Chapter 1, Scope and Administration: Section 107 Inspection and Testing. is hereby amended to add the following section:

"107.8 Building Occupancy. A new building shall not be occupied or a change made in occupancy or the nature or the use of a building or part of a building until after the Building Official has issued a Certificate of Occupancy. Said certificate shall not be

issued until the following have been tested and or approved by the appropriate agency or department."

- Fire protection systems
- Utility systems
- Site work beyond the confines of the building
- General building construction requirements"

- (6) Chapter 1, Scope and Administration: Section 108, Violations is hereby locally amended to add the following section:

"108.8 Cesspool, septic tanks, etc. It is mandatory that every cesspool, septic tank, and seepage pit, which has been abandoned or has been discontinued otherwise from further use or to which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed therefrom and be completely filled with earth, sand, gravel, concrete, or other approved material.

The top cover or arch over the cesspool, septic tank, or seepage pit shall be removed before filling and the filling shall not extend above the top of the vertical portions of the sidewalls or above the level of any outlet pipe until inspected and approved by the Blount County Environmental Health Department inspector, following which the cesspool septic tank or seepage pit shall be filled to the level of the top of the ground."

- (7) Chapter 1, Scope and Administration: Section 108.4, Violation and Penalties. is hereby locally amended in the City of Townsend by deleting the section in its entirety and insert in its place:

"108.4, Violation and Penalties. Any person, firm, corporation, tenant, owner or agent who shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or has erected, constructed, altered, repaired, moved, or demolished a building or structure in violation of a detailed statement or drawing submitted and permitted thereunder, or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law."

- (8) Chapter 1, Scope and Administration: Section 109 Means of Appeal. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:

"Section 109 Board of Zoning Appeals

109.1 Appeals relative to the application of this code shall be as established and regulated by the International Building Code as

locally adopted and amended in the City of Townsend and set forth in Townsend Municipal Code Section 8-901 et seq."

- (9) (11) Chapter 3, General Regulations: Section 303.3 Plastic Pipe, Fittings, and Components. is hereby amended locally in the City of Townsend by adding the following at the end of the existing paragraph:
"The use of coextruded PVC pipe in outside building sanitary sewers is prohibited. Its use in storm drains and storm sewers shall be at the discretion of the local authority."
- (10) Chapter 4, Fixtures, Faucets and Fixture Fittings. Section 403.3, Required public toilet facilities, is hereby amended locally in the City of Townsend by inserting the following at the end of the exception:
"Unenclosed pavilions and similar structures with a floor area of one thousand square feet or less and not served with water and sewer services shall not be required to provide public toilet facilities or other plumbing fixtures. For the purpose of this section guards, whether required or not, shall not be considered to enclose the structure."
- (11) Chapter 6, Water Supply and Distribution: Section 603.2 Separation of Water Service and Building Sewer; Exception 1. is hereby amended locally in the City of Townsend by replacing "minimum of 12 inches" with "minimum of 18 inches"
- (12) Chapter 7, Sanitary drainage, Section 701.2, Connection to Sewer required. is hereby amended locally in the City of Townsend by deleting the first paragraph and replacing with the following:
"Sanitary drainage piping from plumbing fixtures in buildings shall be connected to an approved private disposal system that is in accordance with the regulations of the Blount County Environmental Health Department."
- (13) Chapter 7, Sanitary Drainage: Section 702 Materials is hereby amended locally in the City of Townsend by adding the following section:
"702.7 Co-Mingling. Co-mingling of materials in the building sewer shall be accomplished only through the use of neoprene adapters with stainless steel bands.

- (14) Chapter 7, Sanitary Drainage: Section 705.3 Asbestos cement, is hereby amended locally in the City of Townsend by deleting the section in its entirety and inserting the following in its place:
"705.3 Asbestos cement. Asbestos - cement pipe and fittings are prohibited."
- (15) Chapter 7, Sanitary Drainage: Section 705.6 Concrete joints, is hereby amended locally in the City of Townsend by deleting the section in its entirety and inserting the following in its place:
"705.6 Concrete joints. Concrete pipe and fittings are prohibited."
- (16) Chapter 7, Sanitary Drainage: Section 706.1 Connections and changes in directions, is hereby amended locally in the City of Townsend by inserting at the end:
"Bends greater than 45 degrees shall be prohibited in the building sewer."
- (17) Chapter 7, Sanitary Drainage: Section 708.1.3 is hereby amended locally in the City of Townsend by deleting the section in its entirety and inserting the following in its place:
"708.1.3 Building drain and building sewer junction. The first exterior cleanout shall be located a minimum of three (3) feet but no more than five (5) feet from the exterior wall of the building without prior approval of the plumbing official. The use of two-way cleanouts is prohibited." (Ord. #305-19-19, June 2019, modified)

12-203. Available in recorder's office. The Board of Commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this chapter and that all notice and public hearing requirements in Tennessee Code Annotated, § 6-54-501 et seq. have been or will be met by the time of the final passage of this chapter. (Ord. #306-19-1C, June 2019)

12-204. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person

adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this chapter.

Additionally, violators may in the discretion of the city be subject to fines and penalties to be imposed by the administrative hearing officer pursuant to Tennessee Code Annotated, § 6-54-1001 *et seq.* as adopted locally in the city code. (Ord. #306-19-1C, June 2019)

CHAPTER 3

PROPERTY MAINTENANCE CODE

SECTION

- 12-301. Property maintenance code adopted.
- 12-302. Modifications.
- 12-303. Available in recorder's office.
- 12-304. Violations and penalty.

12-301. Property maintenance code adopted. Pursuant to the authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-510 and for the purpose of 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 existing structures, the International Property Maintenance Code,¹ 2018 edition as prepared and adopted by the International Code Council is hereby adopted and incorporated herein by reference as a part of the ordinances of the City of Townsend. This code shall hereinafter be known as property maintenance code. It is adopted subject to the changes and additions set forth herein. (Ord. #30-6-19-1C, June 2019)

12-302. Modifications. The following sections and appendices of the International Property Maintenance Code, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided;

- (1) Chapter 1, Scope and Administration: Section 101.1 Title. is hereby amended locally in the City of Townsend by inserting "City of Townsend" as the name of the jurisdiction.
- (2) Chapter 1, Scope and Administration: Section 103.5 Fees. is hereby amended locally in the City of Townsend by deleting the section in its entirety with no replacement.
- (3) Chapter 1, Scope and Administration: Section 108.2 Closing of vacant structures. is hereby amended locally in the City of Townsend by inserting after Section 108.2.1 a new section as follows:

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

"108.2.2 Boarding of abandoned structures. All windows and doors of abandoned structures shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure. Boarding sheet material shall be minimum 1/2-inch (12.7 mm) nominal thick wood structural panels complying with the International Building Code."

- (4) Chapter 1, Scope and Administration: Section 109.6 Hearing. Is hereby amended locally in the City of Townsend by deleting the last sentence in its entirety with no replacement.
- (5) Scope and Administration: Section 111 Means of Appeal is hereby amended locally in the City of Townsend by deleting all of the subsections in their entirety and inserting the following:
 111.1 Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Zoning Appeals, provided that a written application for appeal is filed within 20 days after the day the notice or order was served. The membership, procedures, powers, and actions of the Board shall be as defined in Chapter 9, Board of Zoning Appeals, of the Townsend Zoning Ordinance.
- (6) Chapter 3, General Requirements: Section 302.4 Weeds. is hereby amended locally in the City of Townsend by inserting "12 inches" as the height of plant growth not to be exceeded.
- (7) Chapter 3, General Requirements: Section 302.9 Defacement of property. Is hereby amended locally in the City of Townsend by inserting at the end:
 "All graffiti shall be removed or the surface repainted to match the existing surfaces."
- (8) Chapter 3, General Requirements: Section 304.14 Insect screens. is hereby amended locally in the City of Townsend by inserting "January 1 to December 31" as the dates to be inserted.
- (9) Chapter 6, Mechanical and Electrical Requirements: Section 602.3 Heat supply. is hereby amended locally in the City of Townsend by inserting "January 1 to December 31" as the dates to be inserted.
- (10) Chapter 6, Mechanical and Electrical Requirements: Section 602.4 Occupiable work spaces is hereby amended locally in the City of

Townsend by inserting "January 1 to December 31" as the dates to be inserted. (Ord. #30-6-19-1C, June 2019)

12-303. Available in recorder's office. The Board of Commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this chapter and that all notice and public hearing requirements in Tennessee Code Annotated, § 6-54-501 et seq. have been or will be met by the time of the final passage of this chapter. (Ord. #30-6-19-1C, June 2019)

12-304. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this chapter. (Ord. #30-6-19-1C, June 2019)

CHAPTER 4

RESIDENTIAL CODE

SECTION

- 12-401. Residential code for one- and two-family dwellings adopted.
 12-402. Modifications.
 12-403. Available in recorder's office.
 12-404. Violations and penalty.

12-401. Residential code for one- and two-family dwellings adopted. Pursuant to authority granted by the Tennessee Code Annotated, §§ 6-54-501 through 6-54-510 and for the purpose of regulating the construction, alteration, repair, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Residential Code for One- and Two- Family Dwellings,¹ 2018 edition, chapters 1-23, 25-33, 44 and Appendices E, F, H, J, K, L, and Q thereto, with the modifications outlined below, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code except as otherwise specifically stated in this chapter, and is hereinafter referred to as the "residential code." (Ord. #307-19-1C, June 2019)

12-402. Modifications. The following sections and appendices of the International Residential Code for One- and Two- Family Dwellings, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided:

- (1) Chapter 1, Scope and Administration: Section R101.1 Title. is hereby amended locally in the City of Townsend by inserting "City of Townsend" as the name of the jurisdiction.
- (2) Chapter 1, Scope and Administration: Section R102.5 Appendices. is hereby amended locally in the City of Townsend by inserting at the end of the section the following:
 "The following Appendices are specifically included in the adoption. All others are excluded.
 - Appendix E Manufactured Housing Used As Dwellings
 - Appendix F Radon Control Measures
 - Appendix H Patio Covers
 - Appendix J Existing Buildings and Structures

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

- Appendix K Sound Transmission
- Appendix L Permit Fees
- Appendix Q Tiny Houses

- (3) Chapter 1, Scope and Administration: Section R103.1 Creation of enforcement agency. is hereby amended locally in the City of Townsend by deleting Section R103.1 in its entirety and replaced with the following:
 "Section R103.1 Building Official. The provisions of this code shall be enforced by the Building Official."
- (4) Chapter 1, Scope and Administration: Section R105.4 Validity of permit. is hereby amended locally in the City of Townsend by inserting the following at the beginning:
 "A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans of in construction, or of violation of this code. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code"
- (5) Chapter 1, Scope and Administration: Section R105.5. Expiration. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:
 "R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 60 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 60 days after the time the work is commenced. Work authorized by that permit shall be completed within the time frame set forth in the following:
For Building Permits with Construction Valuation in the amount of:
 \$0.01 - \$250,000 - twelve (12) months;
 \$250,000.01 - \$500,000.00 - eighteen (18) months;
 \$500,000.01 - \$1,000,000.00 - twenty four (24) months;
 \$1,000,000.01 and up - thirty-six (36) months
 Extensions of time may be granted by the Building Official; however, the extension must be requested in writing and justifiable cause demonstrated. The building official is authorized

to grant, in writing, one or more extensions of time. Each extension shall be for a period of time not to exceed 180 days. A fee of fifty percent (50%) of the permit fee of the original permit shall be charged to cover administrative expenses for each extension granted."

- (6) Chapter 1, Scope and Administration: Section R105.6 Suspension or revocation. is hereby amended locally in the City of Townsend by inserting at the end the following:
 "After a permit has become void, if the owner wishes to commence construction to complete the structure for which the original permit was issued, the Owner shall reapply for a new building permit for the completion of the construction. When a new building permit is issued, the permit fee for the completion of the construction shall be equal to the permit fee that was paid when the original permit was issued."
- (7) Chapter 1, Scope and Administration: Section R109.3 Inspection request. is hereby amended locally in the City of Townsend by inserting the following at the end:
 "No inspections shall be performed on any site or portion thereof where there is an unsafe condition or a violation of the occupational safety and health standards for the construction industry promulgated by the Occupational Safety and Health Administration (OSHA). "
- (8) Chapter 1, Scope and Administration: Section R110.1 Use and occupancy. is hereby amended locally in the City of Townsend by inserting the following at the end of the paragraph and before the exception:
 "Said certificate shall not be issued until the following have been tested and approved by the appropriate agency or department:
- Fire protection systems
 - Mechanical systems
 - Utility systems
 - Site work beyond the confines of the building
 - General building construction requirements"
- (9) Chapter 1, Scope and Administration: Section R112 Board of Appeals. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:
 "Section R112 Board of Zoning Appeals

R112.1 Appeals relative to the application of this code shall be as established and regulated by the International Building Code as locally adopted and amended in the City of Townsend pursuant to Townsend Municipal Code Section 8-901 et seq."

- (10) Chapter 1, Scope and Administration: Section 113.4, Violation and Penalties is hereby locally amended in the City of Townsend by deleting the section in its entirety and the following substituted in lieu thereof:

"Any person, firm, corporation, tenant, owner or agent who shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or has erected, constructed, altered, repaired, moved, or demolished a building or structure in violation of a detailed statement or drawing submitted and permitted thereunder, or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law."

- (11) Chapter 3, Building Planning: Section R301.2 Climatic and geographic design criteria, is hereby amended locally in the City of Townsend by inserting the following information in Table R301.2(1):

"Table R301.2(1) Climatic And Geographic Design Criteria.

Insert "10 PSF" in the table for Ground Snow Load.

Insert "115" in the table for Wind Speed.

Insert "No" in the table for topographic effects

Insert "C" in the table for Seismic Design Category.

Insert "Severe" in the table for Weathering.

Insert "12 inches" in the table for Frost Line Depth.

Insert "Moderate to heavy" in the table for Termite.

Insert "19 degrees Fahrenheit" in the table for Winter Design Temp.

Insert "No" in the table for Ice Barrier Underlayment Required.

Insert in the table for Flood Hazards:

"(a) "October 21, 2003, is the date for City of Townsend's entry into the National Flood Insurance Program; (b) September 19, 2007 is the date of the Flood Insurance Study, and, (c) the effective FIRM panels are 25, 50, 75, 94, 100, 105, 110, 115, 117,119,120, 128,129, 130,133,135,136, 137,138, 139,141,142, 143, 144, 165, 175, 200, 225, 232, 235, 250, 251, 252, 253, 254, 275, 280, 285, 292, 295, 311, 312, 325, 350, 375, 400, 425,and 475 dated September 19, 2007"

Insert "210" in the table for Air Freezing Index.

Insert "59.4" in the table for Mean Annual Temp.
 Insert "980 feet" in the table for Elevation.
 Insert "35° North" in the table for the Latitude.
 Insert "19° F" in the table for Winter Heating.
 Insert "90°" in the table for Summer Cooling.
 Insert "0.97" in the table for Altitude Correction Factor.
 Insert "70° F (Heat)" in the table for Indoor Design Temperature.
 Insert "75° F - 70° F" in the table for Design Temperature Cooling.
 Insert "51 ° F" in the table for Heating Temperature Difference.
 Insert "15° -20° F" in the table for Cooling Temperature Difference.
 Insert "15 mph" in the table for Wind Velocity Heating.
 Insert "7.5 mph" in the table for Wind Velocity Cooling.
 Insert "74° F" in the table for Coincident Wet Bulb.
 Insert "Medium" in the table for Daily Range.
 Insert "70° db no visible condensation" in the table for Winter Humidity.
 Insert "50% @ 75° db" in the table for Summer Humidity.

- (12) Chapter 3, Building Planning: Section R302.5.1 Opening protection. is hereby amended locally in the City of Townsend by deleting the words ", equipped with a self closing device" and insert a period after the word "doors".
- (13) Chapter 3, Building Planning: Section R303.4 Mechanical ventilation. is hereby amended locally in the City of Townsend by adding the word "(Optional)." in the section title after the word ventilation and by deleting the words "the dwelling unit shall be provided with whole-house mechanical ventilation" and replacing with the words "dwelling units provided with whole-house mechanical ventilation shall be"
- (14) Chapter 3, Building Planning: Section R31 2.1.1 Where required. is hereby amended locally in the City of Townsend by deleting the first sentence and replacing it with the following sentence:
 "Guards shall be provided along open-sided walking surfaces or ground surfaces, retaining walls, stairways, ramps, landings and any other locations that are located more than 30 inches above the floor or grade below at any point within 36 inches horizontally to the edge of the open side."
- (15) Chapter 3, Building Planning: Section R312.2 Window fall protection. is hereby amended locally in the City of Townsend by deleting section R312.2 and its subsections in their entirety.

- (16) Chapter 3, Building Planning: Section R313.1 Townhouse automatic fire sprinkler systems, is hereby amended locally in the City of Townsend by deleting the entire section and the exception and replacing with "Automatic residential fire sprinkler systems shall not be required to be install in townhouses in the City of Townsend. Installation of automatic fire extinguishing systems in townhouses shall be optional. Nothing in this code shall be construed as requiring automatic fire extinguishing systems in townhouses. See Tennessee Code Annotated, Section 68-1-20-101(a)(8)."
- (17) Chapter 3, Building Planning: Section R313.1.1 Design and installation, is hereby amended locally in the City of Townsend by inserting "Where installed" at the beginning before the word "automatic".
- (18) Chapter 3, Building Planning: Section R313.2 One- and two-family dwellings automatic fire sprinkler systems, is hereby amended locally in the City of Townsend by deleting the entire section and the exception and replacing with "Automatic residential fire sprinkler systems shall not be required to be install in one- and two-family dwellings in the City of Townsend. Installation of automatic fire extinguishing systems in townhouses shall be optional. Nothing in this code shall be construed as requiring automatic fire extinguishing systems in one- and two-family dwellings. See Tennessee Code Annotated, Section 68-1 20-1 0l(a) (8)."
- (19) Chapter 3, Building Planning: Section R322.1.7 Protection of water supply and sanitary sewage, is hereby amended locally in the City of Townsend by deleting "and Chapter 3 of the International Private Sewage Disposal Code" and inserting ", the requirements of the water and sewer service utility providers and the Blount County Health Department" in its place.
- (20) Chapter 4, Foundations: Figure R403.1(1) Concrete and Masonry Foundation Details, is hereby amended locally in the City of Townsend by inserting a note in the figure as follows:
"The bottom of all foundations shall extend a minimum of 12 inches below finished grade."
- (21) Chapter 5, Floors: Section R502.11.4 Truss Design Drawings, is hereby amended locally in the City of Townsend by deleting "to the

Building Official and approved prior to installation" and replacing it with "for review when required by the Building Official".

- (22) Chapter 8, Roof-ceiling Construction: Section R802.10.1 Truss design drawings. is hereby amended locally in the City of Townsend by deleting "to the Building Official and approved prior to installation" and replace it with "for review when required by the Building Official".
- (23) Chapter 11 [RE]: Energy Efficiency: Table N1102.1.1 (R402.1.1) Insulation And Fenestration Requirements By Component is hereby amended locally in the City of Townsend by:
In the row for climate zone "4 except Marine", change Ceiling R-Value from "R49" to "R-38", and change the Wood Frame Wall R-Value from "20 or 13 + 5" to "13", and change the Mass Wall R-Value from "8/1 3" to "5/10".
- (24) Chapter 11 [RE]: Energy Efficiency: Table N1102.1.3 (R402.1.3) Equivalent U-Factors is hereby amended locally in the City of Townsend by:
In the row for climate zone "4 except Marine", change Ceiling U-Factor from "0.026" to "0.030", and change the Frame Wall U-Factor from "0.060" to "0.082", and change the Mass Wall U-Factor from "0.098" to "0.141".
- (25) Chapter 11 [RE]: Energy Efficiency: Section N1102.2.6 (R402.2.6) Steel-frame ceilings, walls, and floors. is hereby amended locally in the City of Townsend by inserting "Table N1102.1.1 or" after the first occurrence of the word "of".
- (26) Chapter 11 [RE]: Energy Efficiency: Section N1102.4.1.1 (R402.4.1.1) Installation. is hereby amended locally in the City of Townsend by adding the words "and visual inspection option." after the word "Installation" in the section title, and adding the words ", and be field verified." after the word "construction".
- (27) Chapter 11 [RE]: Energy Efficiency: Section N1102.4.1.2 (R402.4.1.2) Testing. is hereby amended locally in the City of Townsend by adding the word "(optional)" after the word "Testing" in the section title, and inserting "Where required by the Building Official," before the first sentence.
- (28) Chapter 11 [RE]: Energy Efficiency: Section N1103.1.1 (R403.1.1) Programmable thermostat. is hereby amended locally in the City

of Townsend by adding the word "(optional)." after the word "thermostat" in the section title, and inserting "Where required by the Building Official and," before the first sentence.

- (29) Chapter 11 [RE]: Energy Efficiency: Section N1103.3.3 (R403.3.3) Duct testing (Mandatory). is hereby amended locally in the City of Townsend by deleting the word "(Mandatory)" in the section title and "inserting "Where required by the building official," at the beginning.
- (30) Chapter 11 [RE]: Energy Efficiency: Section N1103.5.3 (R403.5.3) Hot water pipe insulation (Prescriptive). is hereby amended locally in the City of Townsend by deleting the word "Prescriptive" and replacing it with the word "Optional" in the section title, by inserting before the first sentence "Where required by the Building Official,", and by inserting "Where required by the Building Official," before the words "All remaining piping".
- (31) Chapter 11 [RE]: Energy Efficiency: Section N1103.6 (R403.6) Mechanical ventilation (Mandatory). is hereby amended locally in the City of Townsend by deleting the word "Mandatory" and replacing it with the word "Optional" in the section title, and deleting "The building shall be provided with ventilation that meets" and replacing with "Buildings provided with ventilation shall meet".
- (32) Chapter 11 [RE]: Energy Efficiency: Section N1103.10 (R403.1 0) Pools and inground permanently installed spas (Mandatory). is hereby amended locally in the City of Townsend by deleting the word "Mandatory" and replacing it with the word "Optional" in the section title, and inserting "Where required by the Building Official," before the first sentence.
- (33) Chapter 26, General Plumbing Requirements: Section P2603.5.1 Sewer depth. is hereby amended locally in the City of Townsend by inserting in two places "twelve inches" as the number to be inserted.
- (34) Chapter 30, Sanitary Drainage: Section P3002.2 Building Sewer. is hereby amended locally in the City of Townsend by deleting the section in its entirety and the following substituted in lieu thereof:
P3002.2 Approved Material: Building Sewer Pipe and Pipe Fittings. Only the following materials will be accepted in the installation of building sewer pipes and fittings:

1. Cast iron soil pipe and fittings,
2. Brass fittings,
3. Bronze fittings,
4. Type 1 PVC pipe and fittings, minimum schedule 40 (ASTM 0-2665),
5. ASTM D - 3034 PVC pipe encapsulated with six (6) inches of bedding material (Size no. 7 or 67 crushed stone) on the top, both sides, and the bottom of the pipe,
6. Ductile iron pipe and fittings.

The following pipe and fitting materials are specifically prohibited:

1. Asbestos - cement pipe and fittings,
2. Concrete pipe and fittings,
3. Coextruded PVC pipe in outside building sanitary sewers."

- (35) Chapter 30, Sanitary Drainage: Section P3003.13 Joints between different materials. is hereby amended locally in the City of Townsend by inserting the following at the end:
"Co-mingling of materials in the building sewer shall be accomplished only through the use of neoprene adapters with stainless steel bands."
- (36) Chapter 30, Sanitary Drainage: Section P3005.1 Drainage fittings and connections. is hereby amended locally in the City of Townsend by inserting the following at the end:
"Bends greater than 45 degrees shall be prohibited in the building sewer. "
- (37) Chapter 30, Sanitary Drainage: Section P3005.2.6 Cleanout plugs. is hereby amended locally in the City of Townsend by deleting the entire section and replacing with:
"Cleanout plugs shall be copper alloy, plastic or other approved materials. Cleanout plugs for borosilicate glass piping systems shall be of borosilicate glass. Copper alloy cleanout plugs shall conform to ASTM A74 and shall be limited for use only on metallic piping systems. Cleanout plugs in building sewers shall have countersunk heads or be of the recessed slot type only."
- (38) Chapter 30, Sanitary Drainage: Section P3005.2.2 Spacing. is hereby amended locally in the City of Townsend by inserting the following at the end:

"Cleanouts in building sewers shall be installed not more than 80 feet apart measured from the upstream entrance of the cleanout."

- (39) Chapter 30, Sanitary Drainage: Section P3005.2.4 Change of direction. is hereby amended locally in the City of Townsend by deleting the words "building sewer," in the first sentence with nothing to be inserted in its place and inserting the following at the end of the section:
"In the building sewer cleanouts shall be installed at each change of direction which is greater than 90 degrees. (Please note that this change may be accomplished with two or more fittings. Example - Two 45 degree bends and a 22 1 /2 degree bend installed in succession shall require a cleanout be installed between them regardless length of separation.)"
- (40) Chapter 30, Sanitary Drainage: Section P3005.2.9 Accessibility. is hereby amended locally in the City of Townsend by inserting the following at the end:
"All building sewer cleanouts shall be provided with clearance of not less than 36 inches (914 mm) for rodding."
- (41) Chapter 30, Sanitary Drainage: Section P3005.2.3 Building drain and building sewer junction. is hereby amended locally in the City of Townsend by deleting the section in its entirety and the following substituted in lieu thereof:
"Building drain and building sewer junction. The first exterior cleanout shall be located a minimum of three (3) feet but no more than five (5) feet from the exterior wall of the building without prior approval of the plumbing official. The use of two-way cleanouts is prohibited."
- (42) Chapter 30, Sanitary Drainage: Section P3005.2.5 Cleanout size. is hereby amended locally in the City of Townsend by deleting the second sentence.
- (43) Chapter 30, Sanitary Drainage: Section P3005.4 Drain pipe sizing. is hereby amended locally in the City of Townsend by inserting the following at the end:
"A common building sewer line must be a minimum of six (6) inches diameter."
- (44) Chapter 30, Sanitary Drainage: Section P3005.4.2. Building drain and sewer size and slope. is hereby amended locally in the City of Townsend by inserting the following at the end:

"Notwithstanding the above, four (4) inch nominal diameter building sewer drainage piping shall have a minimum fall of 1/4 inch per foot, and six (6) inch nominal diameter building sewer drainage piping shall have a minimum fall of 1/8 inch per foot."

- (45) Appendix E: Manufactured Housing Used As Dwellings: Section AE304.3.2.1 Investigation. is hereby amended locally in the City of Townsend by inserting "Where required by the Building Official," before the first sentence.
- (46) Appendix E: Manufactured Housing Used As Dwellings: Section AE304.3.2.2 Fee. is hereby amended locally in the City of Townsend by inserting "Where required by the Building Official," before the first sentence.
- (47) Appendix E: Manufactured Housing Used As Dwellings: Section AE305.5.1 Structural inspections for the manufactured home installation. is hereby amended locally in the City of Townsend by inserting at the end of the section:
 "Exception: The inspections required by this section shall not apply to manufactured homes as exempted by the State of Tennessee but shall apply to any construction or installation of decks, porches, steps or other structures or equipment. All manufactured homes shall pass a final inspection and have a certificate of occupancy issued." (Ord. #307-19-1C, June 2019)

12-403. Available in recorder's office. The board of commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this ordinance and that all notice and public hearing requirements in Tennessee Code Annotated, § 6-54-501, et seq. Have been or will be met by the time of the final passage of this ordinance, (Ord. #277-14-1C, May 2014)

12-404. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the

event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this chapter. In the city's discretion, violations of tis part may further be adjudicated by an administrative hearing officer pursuant to *Tennessee Code Annotated*, § 6-54-101, *et seq.* As locally adopted. (Ord. #307-19-1C, June 2019)

CHAPTER 5

MECHANICAL CODE

SECTION

- 12-501. Mechanical code adopted.
- 12-502. Modifications.
- 12-503. Available in recorder's office.
- 12-504. Violations and penalty.

12-501. Mechanical code adopted. Pursuant to authority granted by §§ 6-54-501 through 6-54-510 of the Tennessee Code Annotated, and for the purpose of regulating mechanical installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the municipality, the International Mechanical Code,¹ 2018 edition, and subsequent modifications thereto, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code except as particularly stated otherwise in this chapter, and is hereinafter referred to as the "mechanical code."

The city does not incorporate by reference any changes or amendments adopted by the agency or association that promulgates the mechanical code unless such changes or amendments are subsequently expressly adopted by ordinance of the city. (Ord. #304-19-1C, June 2019)

12-502. Modifications. The following sections and appendices of the International Mechanical Code, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided:

- (1) Chapter 1, Scope and Administration: Section 101.1 Title. is hereby amended locally in the City of Townsend by inserting "City of Townsend" as the name of the jurisdiction.
- (2) Chapter 1, Scope and Administration: 101.2 Scope. is hereby locally amended in the City of Townsend by deleting the last sentence before the exception in its entirety without replacement.
- (3) Chapter 1, Scope and Administration: Section 103.1 General is hereby amended locally in the City of Townsend by deleting Section 103.1 in its entirety and replacing with the following:

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

"103.1 Building Official. The provisions of this code shall be enforced by the Building Official." All other references to "code official" in the 2018 IMC shall mean "building official."

- (4) Chapter 1, Scope and Administration: Section 106.4.5 Suspension or revocation of permit: is hereby amended locally in the City of Townsend by inserting at the end, the following:
"After a permit has become void, if the owner wishes to commence construction to complete the structure, equipment or system for which the original permit was issued, the owner shall reapply for a new permit for the completion of the construction."
- (5) Chapter 1, Scope and Administration: Section 106.5.2 Fee Schedule is hereby amended locally by the City of Townsend by deleting the first sentence and inserting the following:
"The fees for mechanical work shall be as indicated in Appendix L of the International Residential Code, 2018 Edition."
- (6) Chapter 1, Scope and Administration: Section 106.5.3 Fee Refunds. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:
"106.5.3 Fee refunds. The Building Official is authorized to establish a refund policy."
- (7) Chapter 1, Scope and Administration: Section 108.4, Violation and Penalties. is hereby locally amended in the City of Townsend by deleting the section in its entirety and insert in its place:
"108.4, Violation and Penalties. Any person, firm, corporation, tenant, owner or agent who shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof, or who shall erect, install, alter, or repair mechanical work, or has erected, installed, altered, or repaired mechanical work in violation of a detailed statement or drawing submitted and permitted thereunder, or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law."
- (8) Chapter 1, Scope and Administration: Section 108. 5 Stop work orders is hereby amended locally in the City of Townsend by inserting "twenty five dollars (\$25.00)" as the amount of the fine and deleting "or more than [AMOUNT] dollars."

- (9) Chapter 1, Scope and Administration: Section 109 Means of Appeal. is hereby amended locally in the City of Townsend by deleting in its entirety and the following substituted in lieu thereof:

"Section 109 Board of Zoning Appeals

109.1 Appeals relative to the application of this code by the Building Official shall be made to the Board of Zoning Appeals as outlined in Townsend Code Section 8-901 et seq. (Ord. #304-19-1C, June 2019, modified)

12-503. Available in recorder's office. The board of commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this ordinance and that all notice and public hearing requirements in Tennessee Code Annotated, § 6-54-501, et seq. have been or will be met by the time of the final passage of this chapter, (Ord. #279-14-1C, May 2014)

12-504. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of the chapter.

Additionally, violators may, in the discretion of the city, be subject to fines and penalties to be imposed by the administrative hearing officers pursuant to Tennessee Code Annotated, § 6-54-1001, et seq., as adopted locally in the city code. (Ord. #279-14-1C, May 2014)

CHAPTER 6

ENERGY CONSERVATION CODE

SECTION

- 12-601. Energy conservation code adopted.
- 12-602. Modifications.
- 12-603. Available in recorder's office.
- 12-604. Violations and penalty.

12-601. Energy conservation code adopted. Pursuant to authority granted by §§ 6-54-501 through 6-54-510 of the Tennessee Code Annotated, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in building construction, the International Energy Conservation Code, 2018 edition,¹ as prepared and maintained by the International Code Council, is hereby adopted and incorporated by reference as a part of this code except as otherwise specifically stated in this chapter, and is hereinafter referred to as the "energy code."

The city does not incorporate by reference any changes or amendments adopted by the agency or association that promulgates the energy code unless such changes or amendments are subsequently expressly adopted by ordinance of the city. (Ord. #303-19-1C, June 2019)

12-602. Modifications. The following sections and appendices of the International Energy Conservation Code, 2018 edition, are hereby amended in the City of Townsend, as hereinafter provided:

- (1) Chapter 1 [CE], Scope and Administration: Section C101.1 Title is hereby locally amended in the City of Townsend by inserting "City of Townsend" in the brackets for the name of jurisdiction.
- (2) Chapter 1 [CE], Scope and Administration: Section C101.5 Compliance. is hereby locally amended in the City of Townsend by deleting the first sentence in its entirety and replacing it with "Residential buildings shall meet the provisions of JECC-Residential Provisions, or Chapter 11, Energy Efficiency, of the International Residential Code for One- and Two Family Dwellings 2018 Edition.

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

- (3) Chapter 1 [CE], Scope and Administration: Section C108.4 Failure to comply. is hereby locally amended in the City of Townsend by deleting "shall be liable to a fine as set by the applicable governing authority." and insert "subject to penalties as prescribed by law." in its place.
- (4) Chapter 1 [CE], Scope and Administration: Section C109 Board of Appeals is hereby locally amended in the City of Townsend by deleting in its entirety, including its subsections, and the following substituted in lieu thereof:
"Section C 109 Board of Zoning Appeals
C109.1 Appeals relative to the application of this code shall be as established and regulated by the International Building Code as locally adopted and amended in the City of Townsend."
- (5) Chapter 1 [RE], Scope and Administration: Section R101.1 Title is hereby locally amended in the City of Townsend by inserting "City of Townsend" in the brackets for the name of jurisdiction.
- (6) Chapter 1 [RE], Scope and Administration: Section R10J.5 Compliance. is hereby locally amended in the City of Townsend by deleting the first sentence in its entirety and replacing it with "Residential buildings shall meet the provisions of IECC-Residential Provisions, or Chapter 11, Energy Efficiency, of the International Residential Code for One- and Two Family Dwellings, 2018 Edition.
- (7) Chapter 1 [RE], Scope and Administration: Section R108.4 Failure to comply. is hereby locally amended in the City of Townsend by deleting "shall be liable to a fine as set by the applicable governing authority." and insert "subject to penalties as prescribed by law." in its place.
- (8) Chapter 1 [RE], Scope and Administration: Section R109 Board of Appeals is hereby locally amended in the City of Townsend by deleting in its entirety, including its subsections, and the following substituted in lieu thereof:
"Section R 109 Board of Zoning Appeals
C109.1 Appeals relative to the application of this code shall be as established and regulated by the International Building Code as locally adopted and amended in the City of Townsend."

- (9) Chapter 4 [RE], Residential Energy Efficiency: Section R402.2.10, Slab-on-grade. is hereby amended by deleting the last sentence and replacing with:

"Due to local termite infestation vulnerability conditions, the slab-on-grade floor perimeter insulation required by this section shall be optional in the City of Townsend. Should said insulation be provided, the installation shall comply with this section." (Ord. #303-19-1C, June 2019)

12-603. Available in recorder's office. The Board of Commissioners of the City of Townsend hereby declares that one (1) copy of the aforesaid code and revisions, as modified, has been filed with the recorder of the city for a period of fifteen (15) days prior to the passage of this chapter and that all notice and public hearing requirements in Tennessee Code Annotated, § 6-54-501 et seq. have been or will be met by the time of the final passage of this chapter. (Ord. #303-19-1C, June 2019)

12-604. Violations and penalty. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the City of Townsend or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this chapter.

Additionally, violators may in the discretion of the city be subject to fines and penalties to be imposed by the administrative hearing officer pursuant to Tennessee Code Annotated, § 6-54-1001 et seq. as adopted locally in the city code." (Ord. #303-19-1C, June 2019)