

**TITLE 12**

**BUILDING, UTILITY, ETC. CODES**

**CHAPTER**

1. INTERNATIONAL BUILDING CODE, INTERNATIONAL EXISTING BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE.
2. INTERNATIONAL PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. EXCAVATION AND GRADING CODE.
6. INTERNATIONAL MECHANICAL CODE.
7. MODEL ENERGY CODE.
8. [DELETED.]
9. [DELETED.]
10. BOARD OF CONSTRUCTION AND MECHANICS CODE APPEALS.

**CHAPTER 1**

**INTERNATIONAL BUILDING CODE, EXISTING  
BUILDING CODE AND INTERNATIONAL  
RESIDENTIAL CODE<sup>1</sup>**

**SECTION**

- 12-101. International Building Code, International Existing Building Code and International Residential Code adoption.
- 12-102. Definitions.
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- 12-106. Amendments to the International Building Code, the International Existing Building Code, and the International Residential Code, 2018 editions.

**12-101. International Building Code, International Existing Building Code, and International Residential Code adoption.** Pursuant

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<sup>1</sup>Municipal code references

Fire protection: title 7, chapter 2 and 3.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

to the authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, as amended, and for the purpose of establishing the minimum requirements to safeguard the public health, safety and general welfare through regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal and demolition of every building or structure or appurtenance connected or attached to any building or structure, the International Building Code, the International Existing Building Code, and the International Residential Code, 2018 editions, as prepared, published and adopted by the International Code Council,<sup>1</sup> except as amended in § 12-106, are hereby adopted and incorporated by reference as a part of the municipal code, as if set forth verbatim herein, along with all regulations, provisions, conditions and terms adopted, and are hereafter referred to as "the building code." In the event any section of title 12, chapter 1, is in conflict with the regulations, provisions, penalties, conditions and terms of the international codes hereby adopted, as amended, the municipal code shall dictate and be liberally construed. (Ord. #2002-01, Feb. 2002, as replaced by Ord. #2004-18, Jan. 2005, Ord. #2008-63, Jan. 2009, Ord. #2016-110, Feb. 2016, and Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-102. Definitions.** (1) Whenever in the building code reference is made to the duties of a certain official named therein, that designated official of the Town of Pegram who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the building code are concerned.

(2) The definition of "built space," as to be calculated on a per square foot basis for issuance of a permit in this chapter, shall mean all space under roof, enclosed or not, including but not limited to basement and garage areas, but shall not include attic area not intended for the use as a living area unless capable of being converted to a future use living area by plan or design submitted by an applicant for permit issuance. (1990 Code, § 4-102, as amended by Ord. #1995-4, July 1995, modified, as replaced by Ord. #2004-18, Jan. 2005, and amended by Ord. #2008-63, Jan. 2009)

**12-103. Permit fees and penalties.** For all new structures erected, either built on site or off site, or to be constructed or placed, as well as structures or buildings to be altered, repaired, remodeled, used and occupied or any appurtenance connected or attached to any building or structure, or construction requiring improvements for which an inspection is required in this chapter, or for construction or placement of accessory structures, demolition of structures, connection of driveways to a structure connecting to a public street,

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<sup>1</sup>Copies of these codes are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

installation of swimming pools, retaining walls, certain fences, temporary use structures, moving of structures, site preparation requiring grading, excavation or blasting, a permit as required will be issued by the town's building inspector upon, and not until, payment in full of a permit fee, in the sums set forth according to a permit fee schedule as established by resolution #2004-14. Said permit fee schedule shall set any and all exemption payments of fees. Said permit fee schedule shall be revised from time to time, as is necessary, by further resolution passed by the board of mayor and aldermen.

(2) Whenever a permit is required by this chapter, as well as ordinances of the municipality for building, utility and housing codes, and work has started or proceeded prior to obtaining the required permit, the fees herein shall double, but the payment of such double fees shall not relieve any persons from fully complying with the requirements of the building, utility and housing codes in the execution of the work, nor from any other penalties prescribed herein.

(3) A stop work order shall issue for all work which has started or proceeded prior to obtaining the required permits and/or paying the required permit fee in full, or for neglecting to fully comply with the requirements of the building, utility and housing codes or other related construction ordinances of the town in the execution of the work. Failure to comply with a stop work order shall result in a finding of guilt rendered by the town court with a punishment to include but not be limited to a fine of not more than fifty dollars (\$50.00) per offense. Each day that a violation continues shall be considered a separate offense and an additional violation. Such fine is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of Pegram. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine

(4) The building inspector shall be the person authorized to issue all permits and is hereby authorized to issue any necessary stop work orders for the failure to secure a proper permit and/or for failure to comply with any and all building codes or other related construction ordinances of the town.

(5) A reinspection fee is authorized for failure of an applicant who has obtained a permit to perform work in accordance with the building code for any scheduled inspection required and said reinspection fee must be paid prior to requesting reinspection.

(6) All permit fees are payable to the Town of Pegram, Tennessee at the town hall. (Ord. #2002-01, Feb. 2002, as replaced by Ord. #2004-18, Jan. 2005)

**12-104. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Building Code, the International Existing Building Code, and the International Residential Code, 2018 editions, has been and is now filed in the office of the town recorder and shall be kept there for the use and inspection of the public.

(1990 Code, § 4-104, as replaced by Ord. #2004-18, Jan. 2005, Ord. #2016-110, Feb. 2016, and Ord. #2022-148, Dec. 2022 ***Ch3\_12-05-22***)

**12-105. Violations and penalty.** It shall be unlawful for any person to violate or fail to comply with any provision of the publications as adopted and referenced by this chapter and referred to collectively as "the building code" herein, as modified. Each violation of any section of this chapter shall be punishable by a penalty of fifty dollars (\$50.00), and each day that a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #2004-18, Jan. 2005, and replaced by Ord. #2008-63, Jan. 2009)

**12-106. Amendments to the International Building Code, the International Existing Building Code, and the International Residential Code, 2018 editions.** The following amendments, deletions or additions to the 2018 edition of the International Building Code, the International Existing Building Code, and the International Residential Code are adopted by reference as fully as though copied into said building code:

A. International Residential Code Amendments:

1. Section R101.1 - Title: Amended by inserting "Incorporated Areas of Pegram, TN" for the jurisdiction name.
2. Section R103.1 is hereby amended by replacing the word "building official" with the word "Building Inspector." The following sentence shall be added to the end of the section: "All references herein to "building official" shall be deemed to refer to the "Building Inspector."
3. Section R105.2, subsection "Building" is hereby amended by deleting item #2 and replacing it with the following language: "2. Fences."
4. Section R105.2, subsection "Building" is further amended by adding an item #11 to read as follows: "11. Roof covering replacement that does not involve the significant replacement of roof decking or structural framing."
5. Section R112 shall be deleted in its entirety and replaced with the following: "Any appeal of a decision by the Building Inspector or his/her designee shall be made to and heard by the Board of Construction and Mechanics Codes Appeals as set forth in Title 12, Chapter 10 of the Town of Pegram Municipal Code."
6. Table R301.2(1) is hereby amended by adding the following Design Criteria in the appropriate fields:

1. Ground Snow Load - 15
2. Wind Speed (mph)- 90
3. Topographic effects- NA
4. Seismic Design Category- C
5. Weathering- Severe
6. Frost line depth- 12"
7. Termite- Mod to Hvy
8. Winter design temp- 14 degree F
9. Ice Barrier Underlayment Required- No
10. Flood Hazard- See Firm
11. Air freezing index- 500
12. Mean Annual Temp- 57 degree F

7. Section R313.1 Townhouse automatic fire sprinkler systems, is amended by adding; "... however, an automatic fire sprinkler system shall not be required in a three (3) unit townhouse with less than five thousand (5,000) square feet and three (3) or fewer stories if each unit is separated by a two (2) hour fire wall."

8. Section R313 .2 of Chapter 3 Building Planning is hereby deleted.

9. The following appendices are also adopted and incorporated in said International Residential Code:

- Appendix A - Sizing and Capacities of Gas Piping
- Appendix B - Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents
- Appendix C - Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems
- Appendix D - Recommended Procedure for Safety Inspection of an Existing Appliance Installation
- Appendix E - Manufactured Housing Used as Dwellings
- Appendix G - Swimming Pools, Spas and Hot Tubs
- Appendix H - Patio Covers
- Appendix J - Existing Buildings and Structures
- Appendix K - Sound Transmission
- Appendix M - Home Day Care-R-3 Occupancy
- Appendix N - Venting Methods
- Appendix O - Automatic Vehicular Gates
- Appendix P - Sizing of Water Piping System

B. International Building Code Amendments:

1. Section [A]101.1 - Title: Such section is hereby amended by inserting "Incorporated Areas of Pegram, TN" for the jurisdiction name.

2. Section [A]103.1 is hereby amended by replacing the word "building official" with the word "Building Inspector." The following sentence shall be added to the end of the section: "All references herein to "building official" shall be deemed to refer to the "Building Inspector."

3. Section R113 shall be deleted in its entirety and replaced with the following: "Any appeal of a decision by the Building Inspector or his/her designee shall be made to and heard by the Board of Construction and Mechanics Codes Appeals as set forth in Title 12, Chapter 10 of the Town of Pegram Municipal Code."

4. The following appendices are also adopted and incorporated in said International Building Code:

- Appendix C - Group U - Agricultural Buildings
- Appendix I - Patio Covers
- Appendix J - Grading

C. International Existing Building Code Amendments:

1. Section [A]101.1 - Title: Such section is hereby amended by inserting "Incorporated Areas of Pegram, TN" for the jurisdiction name.

2. Section [A]103.1 is hereby amended by replacing the word "code official" with the word "Building Inspector." The following sentence shall be added to the end of the section: "All references herein to "code official" shall be deemed to refer to the "Building Inspector."

3. Section R112 shall be deleted in its entirety and replaced with the following: "Any appeal of a decision by the Building Inspector or his/her designee shall be made to and heard by the Board of Construction and Mechanics Codes Appeals as set forth in Title 12, Chapter 10 of the Town of Pegram Municipal Code."

4. The following appendices are also adopted and incorporated in said International Existing Building Code:

- Appendix B - Supplementary Accessibility Requirements for Existing Buildings and Facilities

(as added by Ord. #2016-110, Feb. 2016, amended by Ord. #2018-124, April 2018 **Ch3\_12-05-22**, and replaced by Ord. #2022-148, Dec. 2022 **Ch3\_12-05-22**)

## CHAPTER 2

### INTERNATIONAL PLUMBING CODE<sup>1</sup>

#### SECTION

- 12-201. International Plumbing Code adopted.
- 12-202. Modifications.
- 12-203. Available in recorder's office.
- 12-204. Violations and penalties.
- 12-205. Amendments to the International Plumbing Code, 2012 edition.

**12-201. International Plumbing Code adopted.** Pursuant to the authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, as amended, the International Plumbing Code, 2012 edition, as prepared, published and adopted by the International Code Council,<sup>2</sup> except as amended in § 12-205, is hereby adopted and incorporated by reference as a part of the municipal code, as if set forth verbatim herein. In the event any section of title 12, chapter 2, is in conflict with the regulations, provisions, penalties, conditions and terms of the International Plumbing Code hereby adopted, as amended, the municipal code shall dictate and be liberally construed. (Ord. #2002-06, Feb. 2002, as replaced by Ord. #2005-21, Feb. 2005, and Ord. #2008-64, Jan. 2009, renumbered by Ord. #2009-23, May 2009, and replaced by Ord. #2016-112, Feb. 2016)

**12-202. Modifications.** Whenever in the International Plumbing Code reference is made to the duties of a certain official named therein, that designated official of the Town of Pegram who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the International Plumbing Code are concerned. (1990 Code, § 4-202, modified, as replaced by Ord. #2005-21, Feb. 2005, and Ord. #2008-64, Jan. 2009, and renumbered by Ord. #2009-23, May 2009)

**12-203. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International

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<sup>1</sup>Municipal code references

Street excavations: title 16, chapter 2.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

<sup>2</sup>Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

Plumbing Code, 2012 edition, has been and is now filed in the office of the town recorder and shall be kept there for the use and inspection of the public. (Ord. #2002-06, Feb. 2002, as replaced by Ord. #2005-21, Feb. 2005, and Ord. #2008-64, Jan. 2009, renumbered by Ord. #2009-23, May 2009, and replaced by Ord. #2016-112, Feb. 2016)

**12-204. Violations and penalties.** It shall be unlawful for any person to violate any of the provisions of this chapter or the International Plumbing Code herein adopted, or fail to comply therewith, or violate or fail to comply with any order made thereunder; or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been modified by the board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed herein. It shall be a civil offense for any person to violate or fail to comply with any provision of this chapter, as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a fine of fifty dollars (\$50.00) for each offense, or up to the maximum amount, which the legislature of the State of Tennessee may hereafter establish. Each day a violation is allowed to continue shall constitute a separate offense. Any fine imposed is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of the town. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine. The application of a penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1990 Code, § 4-204, as replaced by Ord. #2005-21, Feb. 2005, and renumbered by Ord. #2009-23, May 2009)

**12-205. Amendments to the International Plumbing Code, 2012 edition.** The following amendments, deletions or additions to the 2012 edition of the International Plumbing Code are hereby adopted by reference as fully as though copied into said International Plumbing Code:

1. Section [A]101.1 - Title: Such section is hereby amended by inserting "Incorporated Areas of Pegram, TN" for the jurisdiction name.

2. Section 305.4.1 is hereby amended by inserting" ... 18" inches ... " into the blank fields.

3. The following appendices are also adopted and incorporated in said International Plumbing Code:

- 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

(as added by Ord. #2016-112, Feb. 2016)



## CHAPTER 3

### ELECTRICAL CODE<sup>1</sup>

#### SECTION

- 12-301. Electrical code adopted.
- 12-302. Available in recorder's office.
- 12-303. Permit required for doing electrical work.
- 12-304. Violations.
- 12-305. Enforcement.
- 12-306. Inspections.
- 12-307. Fees.
- 12-308. Exceptions.

**12-301. Electrical code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code,<sup>2</sup> 1999 edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. (1990 Code, § 4-301, as amended by Ord. #2000-7, Feb. 2000, modified, and renumbered by Ord. #2009-73, May 2009)

**12-302. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1990 Code, § 4-302, as renumbered by Ord. #2009-73, May 2009)

**12-303. Permit required for doing electrical work.** No electrical work shall be done within this town until a permit therefor has been issued by the town. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (1990 Code, § 4-303, as renumbered by Ord. #2009-73, May 2009)

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<sup>1</sup>Municipal code references

Fire protection: title 7, chapters 2 and 3.

<sup>2</sup>Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

**12-304. Violations.** It shall be unlawful for any person to do or authorize any electrical work or to use any electricity in such manner or under such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1990 Code, § 4-304, as renumbered by Ord. #2009-73, May 2009)

**12-305. Enforcement.** The electrical inspector shall be such person as the board of mayor and aldermen may appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code. (1990 Code, § 4-305, modified, as renumbered by Ord. #2009-73, May 2009)

**12-306. Inspections.** The town shall have the right, but shall not be obligated, to inspect any installation or electrical work system before electric service is furnished or at any later time. The town reserves the right to refuse service or to discontinue service to any premises not in compliance with any special contract, these rules and regulations, or other requirements of the town.

Any failure to inspect or reject a customer's installation or electrical work system shall not render the town liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made. (as renumbered by Ord. #2009-73, May 2009)

**12-307. Fees.** The electrical inspector shall collect the same fees as are authorized in Tennessee Code Annotated, § 68-102-143, for electrical inspections by deputy inspectors of the state fire marshal. (1990 Code, § 4-306, as renumbered by Ord. #2009-73, May 2009)

**12-308. Exceptions.** The electric utilities entities that serve the Town of Pegram require inspection by state inspectors prior to serving any new or modified electric service customer. This inspection will be accepted in lieu of the above requirements, except that this exception will not prevent the Town of Pegram from requiring electrical inspection for safety and enforcement of companion codes, if required. (1990 Code, § 4-307, as renumbered by Ord. #2009-73, May 2009)

## CHAPTER 4

### GAS CODE<sup>1</sup>

#### SECTION

- 12-401. Title and definitions.
- 12-402. Purpose and scope.
- 12-403. Use of existing piping and appliances.
- 12-404. Bond and license.
- 12-405. Gas inspector and assistants.
- 12-406. Powers and duties of inspector.
- 12-407. Permits.
- 12-408. Inspections.
- 12-409. Certificates.
- 12-410. Fees.
- 12-411. Exceptions.
- 12-412. Violations and penalties.

**12-401. Title and definitions.** This chapter and the code herein adopted by reference shall be known as the gas code of the town. The following definitions are provided for the purpose of interpretation and administration of the gas code.

(1) "Inspector" means the person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting as such under this chapter by appointment of the board of mayor and aldermen.

(2) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

(3) "Gas company" means any person distributing gas within the corporate limits or authorized and proposing to so engage.

(4) "Certificate of approval" means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.

(5) "Certain appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers. (1990 Code, § 4-401, as renumbered by Ord. #2009-73, May 2009)

**12-402. Purpose and scope.** The purpose of the gas code is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All gas piping and gas appliances

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<sup>1</sup>Municipal code reference

Gas system administration: title 19, chapter 2.

installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of this chapter and to the Standard Gas Code,<sup>1</sup> 1997 edition, which is hereby incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of the gas code shall be kept on file in the office of the town recorder for the use and inspection of the public. (1990 Code, § 4-402, as amended by Ord. #2000-6, Feb. 2000, and renumbered by Ord. #2009-73, May 2009)

**12-403. Use of existing piping and appliances.** Notwithstanding any provision in the gas code to the contrary, consumer's piping installed prior to the adoption of the gas code or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of the gas code. (1990 Code, § 4-403, as renumbered by Ord. #2009-73, May 2009)

**12-404. Bond and license.** (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the town recorder a good and sufficient bond in the penal sum of \$10,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of the gas code. The bond herein required shall expire on the first day of January next following its approval by the town recorder, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of said bond, the person desiring to do such work shall secure from the town recorder a nontransferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay any applicable license fees to the town recorder.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in

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<sup>1</sup>Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees. (1990 Code, § 4-404, as renumbered by Ord. #2009-73, May 2009)

**12-405. Gas inspector and assistants.** To provide for the administration and enforcement of the gas code, the office of gas inspector is hereby created. The inspector, and such assistants as may be necessary in the proper performance of the duties of the office, may be appointed or designated by the board of mayor and aldermen. (1990 Code, § 4-405, modified, as renumbered by Ord. #2009-73, May 2009)

**12-406. Powers and duties of inspector.** (1) The inspector is authorized and directed to enforce all of the provisions of the gas code. Upon presentation of proper credentials, he may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of the gas code.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, which notice shall state that the same has been disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(3) It shall be the duty of the inspector to confer from time to time with representatives of the local health department, the local fire department, and the gas company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate officials from time to time for their consideration. (1990 Code, § 4-406, as renumbered by Ord. #2009-73, May 2009)

**12-407. Permits.** (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the town recorder; however, permits will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(2) When only temporary use of gas is desired, the recorder may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the

consumer's gas piping to be used is given a test equal to that required for a final piping inspection.

(3) Except when work in a public street or other public way is involved the gas company shall not be required to obtain permits to set meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system. (1990 Code, § 4-407, as renumbered by Ord. #2009-73, May 2009)

**12-408. Inspections.** (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the test shall be furnished by the installer of such piping.

(3) The town shall have the right, but shall not be obligated, to inspect any installation or gas plumbing system before gas service is furnished or at any later time. The town reserves the right to refuse service or to discontinue service to any premises not in compliance with any special contract, these rules and regulations, or other requirements of the town.

Any failure to inspect or reject a customer's installation or gas plumbing system shall not render the town liable or responsible for any loss or damage which might have been avoided had such inspection or rejection been made. (1990 Code, § 4-408, modified, as renumbered by Ord. #2009-73, May 2009)

**12-409. Certificates.** The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of the gas code. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service. (1990 Code, § 4-409, as renumbered by Ord. #2009-73, May 2009)

**12-410. Fees.** The permit fee schedule as recommended in Appendix "C" of the gas code is hereby adopted. (1990 Code, § 4-410, as renumbered by Ord. #2009-73, May 2009)

**12-411. Exceptions.** The gas service entities that serve the Town of Pegram require inspection by state inspectors prior to serving any new or modified gas service customer. This inspection will be accepted in lieu of the above requirements, except that this exception will not prevent the Town of Pegram from requiring electrical inspection for safety and enforcement of companion codes, if required. (as renumbered by Ord. #2009-73, May 2009)

**12-412. Violations and penalties.** Any person who shall violate or fail to comply with any of the provisions of the gas code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed. (1990 Code, § 4-411, as renumbered by Ord. #2009-73, May 2009)

**CHAPTER 5****EXCAVATION AND GRADING CODE**<sup>1</sup>**SECTION**

12-501. Code adopted.

12-502. Violations and penalties.

**12-501. Code adopted.** There is hereby adopted for the purpose of establishing rules and regulations relative to excavations and grading performed within the corporate limits the Standard Grading/Excavation Code,<sup>2</sup> 1975 edition, published by the Southern Building Code Congress, International, Inc., which is incorporated by reference as a part of this code the same as if fully set out herein, save and except such portions that are hereinafter deleted, modified, or amended, or in conflict with this code of ordinances. One (1) copy of the code adopted herein has been and now is filed in the office of the recorder and same is hereby adopted and incorporated fully as if set out at length herein, and the provisions thereof shall be controlling in the town. (1990 Code, § 4-701, as renumbered by Ord. #2009-73, May 2009)

**12-502. Violations and penalties.** Any person who shall violate or fail to comply with any of the provisions of the grading and excavation code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed. (1990 Code, § 4-702, as renumbered by Ord. #2009-73, May 2009)

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<sup>1</sup>Municipal code references

Fire protection: title 7, chapters 2 and 3.

Zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

<sup>2</sup>Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.



## CHAPTER 6

### INTERNATIONAL MECHANICAL CODE<sup>1</sup>

#### SECTION

12-601. International Mechanical Code adopted.

12-602. Available in recorder's office.

12-603. Violations and penalties.

12-604. Amendments to the International Mechanical Code, 2012 edition.

**12-601. International Mechanical Code adopted.** Pursuant to the authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, as amended, the International Mechanical Code, 2012 edition, as prepared, published and adopted by the International Code Council,<sup>2</sup> except as amended in § 12-604, is hereby adopted and incorporated by reference as a part of the municipal code, as if set forth verbatim herein. In the event any section of title 12, chapter 6, is in conflict with the regulations, provisions, penalties, conditions and terms of the International Mechanical Code hereby adopted, as amended, the municipal code shall dictate and be liberally construed. (Ord. #2002-05, Feb. 2002, as replaced by Ord. #2005-22, Feb. 2005, and Ord. #2008-65, Jan. 2009, renumbered by Ord. #2009-73, May 2009, and replaced by Ord. #2016-111, Feb. 2016)

**12-602. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Mechanical Code, 2012 edition, has been and is now filed in the office of the town recorder and shall be kept there for the use and inspection of the public. (as added by Ord. #2008-65, Jan. 2009, renumbered by Ord. #2009-73, May 2009, and replaced by Ord. #2016-111, Feb. 2016)

**12-603. Violations and penalties.** It shall be unlawful for any person to violate any of the provisions of this chapter or the International Mechanical Code herein adopted, or fail to comply therewith, or violate or fail to comply with any order made thereunder; or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or

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<sup>1</sup>Municipal code references

Street excavations: title 16, chapter 2.

Wastewater treatment: title 18, chapter 2.

Water and sewer system administration: title 18.

<sup>2</sup>Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

permit issued thereunder, and from which no appeal has been modified by the board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed herein. It shall be a civil offense for any person to violate or fail to comply with any provision of this chapter, as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a fine of fifty dollars (\$50.00) for each offense, or up to the maximum amount, which the legislature of the State of Tennessee may hereafter establish. Each day a violation is allowed to continue shall constitute a separate offense. Any fine imposed is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of the town. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine. The application of a penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1990 Code, § 4-802, modified, as replaced by Ord. #2005-22, Feb. 2005, and renumbered by Ord. #2008-65, Jan. 2008, and Ord. #2009-73, May 2009)

**12-604. Amendments to the International Mechanical Code, 2012 edition.** The following amendments, deletions or additions to the 2012 edition of the International Mechanical Code are hereby adopted by reference as fully as though copied into said International Mechanical Code:

1. Section [A101.1 - Title: Such section is hereby amended by inserting "Incorporated Areas of Pegram, TN" for the jurisdiction name.

2. The following appendices are also adopted and incorporated in said International Mechanical Code:

- Appendix A - Chimney Connector Pass-through's.  
(as added by Ord. #2016-111, Feb. 2016)

## CHAPTER 7

### MODEL ENERGY CODE<sup>1</sup>

#### SECTION

- 12-701. Model energy code adopted.
- 12-702. Modifications.
- 12-703. Available in recorder's office.
- 12-704. Violations and penalties.

**12-701. Model energy code adopted.** Pursuant to the authority of Tennessee Code Annotated, §§ 6-54-501 through 506, the Model Energy Code, 2003 edition (hereinafter referred to as "the energy code"), as prepared and maintained by the Council of American Building Officials, is hereby adopted and incorporated in its entirety by reference with all regulations, provisions, penalties, conditions and terms adopted and made part hereof as if fully set forth herein. (as replaced by Ord. #2005-24, Feb. 2005, and renumbered by Ord. #2009-73, May 2009)

**12-702. Modifications.** Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the Town of Pegram. When the "building official" is named it shall, for the purposes of the energy code, mean such person as the board of mayor and aldermen shall have appointed or designated to administer and enforce the provisions of the energy code. (as renumbered by Ord. #2009-73, May 2009)

**12-703. Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the energy code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as renumbered by Ord. #2009-73, May 2009)

**12-704. Violations and penalties.** It shall be unlawful for any person to violate any of the provisions of this chapter or the Model Energy Code herein adopted, or fail to comply therewith, or violate or fail to comply with any order

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 13-19-106.

Municipal 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.

made thereunder; or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been modified by the board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed herein. It shall be a civil offense for any person to violate or fail to comply with any provision of this chapter, as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a fine of fifty dollars (\$50.00) for each offense, or up to the maximum amount, which the legislature of the State of Tennessee may hereafter establish. Each day a violation is allowed to continue shall constitute a separate offense. Any fine imposed is intended to be remedial in nature for the purpose of deterrence and to protect the public health, safety and welfare of the residents of the town. Subsequent compliance shall result in a reduction and/or elimination of the imposed fine. The application of a penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (as replaced by Ord. #2005-24, Feb. 2005, and renumbered by Ord. #2009-73, May 2009)

**CHAPTER 8**

**[DELETED]**

(as deleted by Ord. #2004-18, Jan. 2005, and renumbered by  
Ord. #2009-73, May 2009)

**CHAPTER 9**

**[DELETED]**

(as deleted and renumbered by Ord. #2009-73, May 2009)

## CHAPTER 10

### BOARD OF CONSTRUCTION AND MECHANICS CODE APPEALS

#### SECTION

- 12-1001. Board of building construction appeals established; appointment of members.
- 12-1002. Composition of board.
- 12-1003. Appointment; terms.
- 12-1004. Appeals.
- 12-1005. Unsafe conditions.
- 12-1006. Decisions.
- 12-1007. Action.
- 12-1008. Rules of procedure.
- 12-1009. Quorum.
- 12-1010. Secretary of board.
- 12-1011. Decisions are final.
- 12-1012. Fees.

**12-1001. Board of building construction appeals established; appointment of members.** There is hereby created and established a board to be called the board of construction and mechanics codes appeals which shall consist of three (3) citizens from the Town of Pegram, qualified as set forth in this chapter, and which shall be appointed by the mayor and subject to approval by a majority vote of the board of mayor and aldermen. The building inspector shall be an ex officio member of the board but shall have no vote on any matter before the board. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1002. Composition of board.** The board of construction and mechanics codes appeals shall be composed of the following:

- (1) A member that is a current State of Tennessee licensed engineer;
- (2) A member at large from the building industry; and
- (3) A member at large from the public.

All board members shall be residents of the Town of Pegram at the time of their appointment and during then term on the board. At the first meeting of the board after the appointment of members of the board created by this chapter, they shall meet and organize, electing one (1) of their members to be chairman of the board and one (1) member to be vice chairman. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1003. Appointment; terms.** The members shall be nominated by the mayor, subject to board of mayor and aldermen confirmation, for terms of four (4) years each. Vacancies shall be filled for a term in the manner in which original appointments are made. Continued absence of any member from regular

meetings of the board shall, at the discretion of the mayor, render such member subject to immediate removal from the board by the mayor. (as added by Ord. #2022-148, Dec. 2022 **Ch3\_12-05-22**)

**12-1004. Appeals.** (1) The owner of a building, structure or service system, or his/her duly-authorized agent, may appeal a decision of the building inspector or his/her designee with respect to any code adopted in title 12 and title 7, chapter 1, of the Town of Pegram Municipal Code to the board of construction and mechanics codes appeals whenever any one (1) of the following conditions are claimed to exist:

(a) When it is claimed that the provisions of the code (including revisions and new additions thereto) do not apply;

(b) That any equally good or more desirable form of installation can be employed in any specific case; or

(c) When it is claimed that the true intent and meaning of the code or any of the regulations thereunder have been misconstrued or wrongly interpreted.

(2) Notice of appeal shall be in writing and filed within thirty (30) days after the decision is rendered by the building inspector or his designee. An appeal shall be on forms provided by the building inspector. (as added by Ord. #2022-148, Dec. 2022 **Ch3\_12-05-22**)

**12-1005. Unsafe conditions.** In case of a construction project which, in the opinion of the building inspector or his/her designee, is unsafe, unhealthy, or otherwise creates an issue requiring expedited action in order to foster the public welfare, the building inspector or his/her designee may limit the time for an appeal to a shorter period. If the building inspector or his/her designee limits the time for appeal, he/she must put their specific reasons in writing and provide a copy to the property owner. (as added by Ord. #2022-148, Dec. 2022 **Ch3\_12-05-22**)

**12-1006. Decisions.** The board of construction and mechanics codes appeals, when appealed to, may interpret the application of any provision of the town's adopted codes to any particular case when in the board's opinion, the true intent of the codes or rules have been incorrectly interpreted, the provisions of the codes do not fully apply, or an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of the codes. (as added by Ord. #2022-148, Dec. 2022 **Ch3\_12-05-22**)

**12-1007. Action.** The board shall consider an appeal within thirty (30) days of its filing and shall reach a decision within thirty (30) days after the initial consideration of the appeal, unless the applicant requests or consents to additional time. Each decision of the board shall also include the basis for its decision, which shall be reduced to writing and signed by the chairman. If a



decision of the board reverses or modifies a decision of the building inspector or his/her designee or varies the application of any provision of the adopted code, the building inspector or his/her designee shall immediately take action in accordance with that decision. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1008. Rules of procedure.** The board of construction and mechanics codes appeals may establish guidelines and procedures consistent with the provisions of the adopted codes. The board shall meet at such intervals as it may deem necessary for the proper performance of its duties. A certified copy of the board's decision shall be sent by mail to the appellant and a copy shall be kept in the public records of the building inspector. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1009. Quorum.** Two (2) members of the board of construction and mechanics codes appeals shall constitute a quorum. In varying the application of any provisions of the adopted code or in modifying an order of the building inspector or his/her designee, affirmative votes of the majority present, but not less than two (2) affirmative votes, shall be required. A board member shall not act in a case in which he or she might have a personal interest. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1010. Secretary of board.** The building inspector or his/her designee shall serve as secretary of the board and shall keep a detailed record of the board's meetings and determinations. Such record shall be a public record filed in the offices of building and codes department. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1011. Decisions are final.** Each decision of the board of construction and mechanics codes appeals shall be final, subject only to such review or remedy as may be obtained in a court of law. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)

**12-1012. Fees.** When a decision of the building inspector or his/her designee is appealed to the board of construction and mechanics codes appeals, the property owner or applicant shall pay a filing fee of one hundred dollars (\$100.00), which may be refundable at the discretion of the board if the board overturns the decision of the building inspector or his/her designee. (as added by Ord. #2022-148, Dec. 2022 *Ch3\_12-05-22*)