

**TITLE 12**

**BUILDING, UTILITY, ETC. CODES**

**CHAPTER**

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. HOUSING CODE.
6. MODEL ENERGY CODE.
7. RESIDENTIAL CODE.

**CHAPTER 1**

**BUILDING CODE<sup>1</sup>**

**SECTION**

- 12-101. International Building Code adopted.  
12-102. Modifications.  
12-103. Repeal of previous ordinances.  
12-104. Official responsible for enforcement.  
12-105. [Deleted.]  
12-106. [Deleted.]

**12-101. International Building Code adopted.** The International Building Code, 2000 edition, with amendments, is hereby adopted by reference as though it was copied fully herein. (1976 Code, § 4-101, as amended by Ord. #112, Nov. 1976, and Ord. #121, Sept. 1977, modified, and replaced by Ord. #324, May 2002)

**12-102. Modifications.** Chapter 1 Section 105.2 - work exempt without permit: Paragraph 1 and 2 relating to accessory structures and fences are changed to require permit.

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<sup>1</sup>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.

Ord. #121, Sept. 1977 established a Building, Housing and Plumbing Department of the City of Smithville, Tennessee. It also designated J.D. Hendrixson as head of this department and to serve as the building, housing and plumbing officials.

Ord. #336, Feb. 2003 provides the current schedule of building permit fees and is of record in the office of the city recorder.

The following appendixes are hereby adopted as noted:

- A. Employee qualification
- B. Board of Appeals  
B101.2.2 Qualifications - change to delete all "registered design" requirements for professionals.
- C. Agricultural Buildings
- D. Fire District
- E. Supplementary Accessibility Requirements
- F. Rodent Proofing
- G. Flood Resistant Construction
- H. Signs
- I. Patio Covers
- J. Historic Buildings

(1976 Code, § 4-102, as amended by Ord. #112, Nov. 1976, and Ord. #122, Oct. 1977, and replaced by Ord. #324, May 2002)

**12-103. Repeal of previous ordinances.** Any matters in said codes which are contrary to existing ordinances of the City of Smithville shall prevail and that portions of Ord. #121 establishing a building, housing and plumbing code adopted on September 19, 1977 specifically relating to the Building and Plumbing Codes, 1976 editions, and portions of Ord. #122 amending Ord. #121 adopted October 17, 1977, specifically relating to the Building and Plumbing codes, 1976 edition, are hereby repealed and, to that extent any existing ordinances to the contrary are hereby repealed in that respect only. (Ord. #122, Oct. 1977, as replaced by Ord. #324, May 2002)

**12-104. Official responsible for enforcement.** Within the International Building Code, when reference is made to the duties of a certain official named therein, that designated official of the City of Smithville, Dekalb County, Tennessee 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 said code are concerned. (1976 Code, § 4-103, as amended by Ord. #121, Sept. 1977, modified, and replaced by Ord. #324, May 2002)

**12-105. [Deleted.]** This section was deleted by Ord. #324, May 2002. (Ord. #121, Sept. 1977, as amended by Ord. #122, Oct. 1977, and deleted by Ord. #324, May 2002)

**12-106. [Deleted.]** This section was deleted by Ord. #324, May 2002. (Ord. #121, Sept. 1977, modified, as deleted by Ord. #324, May 2002)

## CHAPTER 2

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

#### SECTION

- 12-201. International Plumbing Code adopted.
- 12-202. Modifications.
- 12-203. Repeal of previous ordinances.
- 12-204. Official responsible for enforcement.
- 12-205. [Deleted.]
- 12-206. [Deleted.]

**12-201. International Plumbing Code adopted.** The International Plumbing Code, 2000 edition, with amendments, is hereby adopted by reference as though it was copied fully herein. (1976 Code, § 4-201, as amended by Ord. #112, Nov. 1976, and Ord. #121, Sept. 1977, modified, and replaced by Ord. #324, May 2002)

**12-202. Modifications.** The following sections are hereby revised:

- Section 1.01           insert City of Smithville, Tennessee
- Section 106.6.2       delete
- Section 106.6.3       delete
- Section 108.5          delete
- Section 305.6.1       delete requirement for septic tank connection, all building sewers to be a minimum of 12 inches below grade.
- Section 904.1          insert 12 inches

The following appendixes are hereby adopted:

- B. Rates of Rainfall
- C. Greywater recycling systems
- D. Design temperature
- E. Sizing of water piping system
- F. Structural Safety
- G. Vacuum Drainage System

(1976 Code, § 4-202, as amended by Ord. #112, Nov. 1976, and replaced by Ord. #324, May 2002)

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<sup>1</sup>Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

**12-203. Repeal of previous ordinances.** Any matters in said codes which are contrary to existing ordinances of the City of Smithville shall prevail and that portions of Ord. #121 establishing a building, housing and plumbing code adopted on September 19, 1977 specifically relating to the Building and Plumbing Codes, 1976 editions, and portions of Ord. #122 amending Ord. #121 adopted October 17, 1977, specifically relating to the Building and Plumbing codes, 1976 edition, are hereby repealed and, to that extent any existing ordinances to the contrary are hereby repealed in that respect only. (Ord. #122, Oct. 1977, as replaced by Ord. #324, May 2002)

**12-204. Official responsible for enforcement.** Within the International Plumbing Code, when reference is made to the duties of a certain official named therein, that designated official of the City of Smithville, Dekalb County, Tennessee 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 said code are concerned.(1976 Code, § 4-203, as amended by Ord. #121, Sept. 1977, modified, and replaced by Ord. #324, May 2002)

**12-205. [Deleted.]** This section was deleted by Ord. #324, May 2002. (Ord. #121, Sept. 1977, as amended by Ord. #122, Oct. 1977, and deleted by Ord. #324, May 2002)

**12-206. [Deleted.]** This section was deleted by Ord. #324, May 2002. (Ord. #121, Sept. 1977, modified, as deleted by Ord. #324, May 2002)

## CHAPTER 3

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

#### SECTION

- 12-301. Electrical code adopted.
- 12-302. Available in secretary and treasurer's office.
- 12-303. Permit required for doing electrical work.
- 12-304. Violations.
- 12-305. Enforcement.
- 12-306. Fees.

**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> 1993 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. (1976 Code, § 4-301, modified)

**12-302. Available in secretary and treasurer'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 secretary and treasurer's office and shall be kept there for the use and inspection of the public. (1976 Code, § 4-302, modified)

**12-303. Permit required for doing electrical work.** No electrical work shall be done within this city until a permit therefor has been issued by the electrical inspector. 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. (1976 Code, § 4-303)

**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

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<sup>1</sup>Municipal code reference

Fire protection, fireworks and explosives: title 7.

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

such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1976 Code, § 4-304)

**12-305. Enforcement.** The electrical inspector shall be such person as the board of mayor and aldermen shall 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. (1976 Code, § 4-305)

**12-306. 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. (1976 Code, § 4-306)

## 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. Violations and penalties.
- 12-412. Nonliability.

**12-401. Title and definitions.** This chapter and the code herein adopted by reference shall be known as the gas code of the city and may be cited as such.

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. (1976 Code, § 4-401)

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

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<sup>1</sup>Municipal code reference

Gas system administration: title 19, chapter 1.

consumer's gas piping and gas appliances. All gas piping and gas appliances 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> 1994 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 secretary and treasurer for the use and inspection of the public. (1976 Code, § 4-402, modified)

**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. (1976 Code, § 4-403)

**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 secretary and treasurer of the city 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 secretary and treasurer, 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 secretary and treasurer 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 city.

(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 (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.



conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees. (1976 Code, § 4-404)

**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, shall be appointed or designated by the board of mayor and aldermen. (1976 Code, § 4-405)

**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. (1976 Code, § 4-406)

**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 gas inspector; 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 inspector 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. (1976 Code, § 4-407)

**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. (1976 Code, § 4-408)

**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. (1976 Code, § 4-409)

**12-410. Fees.** (1) The total fees for inspection of consumer's gas piping at one location (including both rough and final piping inspection) shall be \$1.50 for one to four outlets, inclusive, and \$0.50 for each outlet above four.

(2) The fees for inspecting conversion burners, floor furnaces, boilers, or central heating plants shall be \$1.50 for each unit.

(3) The fees for inspecting vented wall furnaces and water heaters shall be \$1.00 for each unit.

(4) If the inspector is called back, after correction of defects noted, and additional fee of \$1.00 shall be made for each such return inspection.

(5) Any and all fees shall be paid by the person to whom the permit is issued. (1976 Code, § 4-410)

**12-411. Violations and penalties.** Section 107 of the gas code is hereby deleted. 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. (1976 Code, § 4-411)

**12-412. Nonliability.** This chapter shall not be construed as imposing upon the city any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the city, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector. (1976 Code, § 4-412)

## CHAPTER 5

### HOUSING CODE

#### SECTION

12-501. Housing code adopted.

12-502. Modifications.

12-503. Available in clerk and secretary's office.

12-504. Board of adjustment and appeals.

12-505. Violations.

**12-501. Housing code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the Standard Housing Code,<sup>1</sup> 1991 edition with 1992/1994 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (1976 Code, § 4-501, as amended by Ord. #112, Nov. 1976, and Ord. #121, Sept. 1977, modified)

**12-502. Modifications.** Wherever the housing code refers to the duties of certain officials named therein that designated official in the City of Smithville, 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 said code are concerned.

Section 108 of the housing code is deleted. (1976 Code, § 4-502, as amended by Ord. #112, Nov. 1976)

**12-503. Available in clerk and secretary's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the housing code has been placed on file in the clerk and secretary's office and shall be kept there for the use and inspection of the public. (1976 Code, § 4-503, as amended by Ord. #121, Sept. 1977, modified)

**12-504. Board of adjustment and appeals.** The board of adjustment and appeals, as provided for in said codes, is hereby established consisting of the

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<sup>1</sup>Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

number and terms of office as provided in said codes and they will be hereafter appointed and their terms of office fixed by subsequent ordinances of the board.

The mayor be, and he is hereby, authorized and empowered to appoint the five (5) members of the board of adjustments and appeals to serve for the terms and as provided in Section 105 of the Standard Building Code, 1994 Edition, by letter to be attached to this amendment, and said board shall perform the duties therein provided and shall also act as a board of adjustments and appeals for like purposes in relation to the Standard Plumbing Code. (Ord. #121, Sept. 1977, as amended by Ord. #122, Oct. 1977)

**12-505. Violations.** Any person, firm, corporation or agent who shall violate a provision of the aforesaid Standard Housing Code, as amended, or failed 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 this code shall be guilty of a civil offense. Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of said code is committed, or continued and upon conviction of any such violation such person shall be punished under the general penalty provision of this municipal code. (Ord. #121, Sept. 1977, modified)

## CHAPTER 6

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

#### SECTION

- 12-601. Model energy code adopted.
- 12-602. Modifications.
- 12-603. Available in secretary and treasurer's office.
- 12-604. Violations and penalty.

**12-601. Model energy code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, 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 new building construction, the Model Energy Code<sup>2</sup> 1992 edition, as prepared and maintained by The Council of American Building Officials, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code.

**12-602. Modifications.** Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the City of Smithville. 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.

**12-603. Available in secretary and treasurer's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 13-19-106 requires Tennessee cities either to adopt the Model Energy Code, 1992 edition, or to adopt local standards equal to or stricter than the standards in the energy code.

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.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from The Council of American Building Officials, 5203 Leesburg, Pike Falls Church, Virginia 22041.

the energy code has been placed on file in the secretary and treasurer's office and shall be kept there for the use and inspection of the public.

**12-604. Violation and penalty.** It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

## CHAPTER 7

### RESIDENTIAL CODE

#### SECTION

12-701. International Residential Code adopted.

12-702. Modifications.

**12-701. International Residential Code adopted.** Certain documents, one (1) copy of which is on file in the office of the Building Officials office of the City of Smithville, being marked and designated as International Residential Code, including Appendix A, B, C, D, E, F, G, H, J and K, as published by the International Code Council and is hereby adopted as the code of the City of Smithville for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City of Smithville, and providing the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2000 edition, published by the International Code Council on file in the office of the City of Smithville, DeKalb County Tennessee are hereby referred to, adopted and made a part hereof as if fully set out in this chapter. (as added by Ord. #335, Feb. 2003)

**12-702. Modifications.** The following sections are hereby revised:

Section R101.1 Insert: City of Smithville, DeKalb County Tennessee

Table R301.2(1) Insert: Criteria specified by the City of Smithville, DeKalb County Tennessee Building Official

Chapter 1 Section 105.2--work exempt without permit; paragraph 1 and 2 are Changed to require permit. (as added by Ord. #335, Feb. 2003)