

TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

1. CODES ADOPTED BY REFERENCE.
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CHAPTER 1

CODES ADOPTED BY REFERENCE¹

SECTION

- 12-101. Codes adopted.
 12-102. Modifications.
 12-103. Available in recorder's office.
 12-104. Violations.

12-101. Codes adopted. The following codes, published by the International Code Council,² are hereby adopted by reference as though they were copied herein fully:

International Residential Code, 2009 edition;
International Building Code, 2009 edition;
International Existing Building Code, 2009 edition;
International Mechanical Code, 2009 edition;
International Fuel Gas Code, 2009 edition;
International Plumbing Code, 2009 edition;

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 these codes (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

International Energy Conservation Code, 2009 edition;
International Property Maintenance Code, 2009 edition. (1983 Code, § 4-101, modified, as replaced by Ord. #289, Sept. 2008 and Ord. #371, Sept. 2014 **Ch2_5-7-19**)

12-102. Modifications. As developed by the International Code Council, Inc.

NOTING THE FOLLOWING CHANGES:

Fees for building permits, demolition permits, excavation, etc. related to shall remain as adopted.

The height of weeds stated in section 302.4 of the International Property Maintenance Code shall be limited to twelve inches (12").

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses. Exception: shall be replaced in its entirety to say "An automatic residential fire sprinkler system shall not be required if a two (2) hour fire resistance rated fire wall exists between units if such walls do not contain plumbing and/or mechanical equipment, ducts, or vents in the common wall."

R313.2 One- and two-family dwellings automatic fire systems. shall be replaced in its entirety to say "An automatic residential fire sprinkler system in one (1) and two (2) family dwellings is optional."

Appendix P of the International Residential Code shall be adopted in its entirety. (1983 Code, § 4-102, as replaced by Ord. #289, Sept. 2008 and Ord. #371, Sept. 2014 **Ch2_5-7-19**; and amended by Ord. #384, May 2016 **Ch2_5-7-19**)

12-103. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of each code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1983 Code, § 4-103, modified, as amended by Ord. #289, Sept. 2008)

12-104. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the codes as herein adopted by reference and modified. (1983 Code, § 4-104, as amended by Ord. #289, Sept. 2008)

CHAPTER 2

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)

CHAPTER 3

ELECTRICAL CODE

- 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. 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,¹ 2002 edition, including any subsequent future amendments and modifications thereto approved and adopted 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. (1983 Code, § 4-301, modified)

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. (1983 Code, § 4-302, modified)

12-303. Permit required for doing electrical work. No electrical work shall be done within Town of White Bluff 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. (1983 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 such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1983 Code, § 4-304)

¹Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 12269-9101.

12-305. Enforcement. The electrical inspector shall be such person as the mayor 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. (1983 Code, § 4-305)

12-306. Fees. The electrical inspector shall collect fees that have been established by the Codes Department of White Bluff, Tennessee. The range of these fees shall be printed inside all three (3) copies of the National Electrical Code. (1983 Code, § 4-306)

CHAPTER 4

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)

CHAPTER 5

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)

CHAPTER 6

CODES DEPARTMENT

SECTION

12-601. Appointment.

12-602. Term of office.

12-603. Definition of duties or objectives.

12-604. Procedures.

12-601. Appointment. There is hereby established a Codes Department of the Town of White Bluff, Tennessee. The town council shall appoint any individual that it deems appropriate to become the administrator of the Codes Department of White Bluff. (1983 Code, § 4-601)

12-602. Term of office. The administrator of the codes department shall hold office so long as his conduct and efficiency are satisfactory to the town council. The administrator may be suspended up to thirty (30) days by the mayor, but may be dismissed only by the town council. (1983 Code, § 4-602)

12-603. Definition of duties or objectives. (1) The primary duty of the codes administrator shall be the coordination of all necessary inspections for property, structures and buildings, as well as the maintaining of all inspection records. Such records shall be incorporated into a semi-annual, written report of the functions of the codes department to the town council.

(2) The codes administrator shall be responsible for appointing as necessary on a part-time specific case basis individuals to perform inspections for the various codes contained within the municipal codes. Further, duties would include the submission of individual names and their qualifications for specific duties for approval by the town council. No individual may be employed for any position that has not been previously approved by the council nor any individual be employed in any area beyond what was specifically approved by the town council.

(3) The building codes officer shall assess a permit fee: (a) For each mobile home of one hundred fifty dollars (\$150.00) per unit. A double-wide mobile home is considered two (2) units. For all other structures, the building permit fee is set at thirty dollars (\$30.00) per square foot.

(b) For any remodeling, alteration, or rehabilitation of existing structures, a permit is required with the permit fee set at one hundred dollars (\$100.00) for each residential permit and one hundred fifty dollars (\$150.00) for each commercial permit, which fees shall include no more than four (4) inspection visits by codes personnel.

(c) In the event the codes officer deems it necessary to make additional inspections of the premises due to substandard construction, a twenty-five dollar (\$25.00) inspection fee for each additional inspection shall be assessed.

(d) For all residential or commercial remodeling, alteration or rehabilitation, a permit is required if the owner of the property is:

- (i) Changing the existing foundation of the building;
- (ii) Moving or installing load bearing walls;
- (iii) Installing or moving any plumbing;
- (iv) Installing a new heating, ventilation and air conditioning (HVAC) system;
- (v) Relocating or installing any electrical circuits or fixtures;
- (vi) When the codes officer determines that an inspection is required to insure the new work is in compliance with current building codes;

(e) The building inspector's compensation is set at sixty (60%) percent of fees charged for mobile homes and forty (40%) percent of all other fees.

(4) The codes administrator shall be responsible for submission of the annual budget for the various code functions within this section of the municipal codes. Further, the administrator shall submit any necessary values or changes in values as they pertain to the fees associated with issuance of permits for the codes to the town council for final approval.

(5) The codes administrator shall be present at all meetings of the board of adjustments and appeals or shall appoint a representative from those individuals employed either permanently or part-time from the inspection departments of the codes. (1983 Code, § 4-603, as amended by Ord. #163, Oct. 1997, Ord. #245, Oct. 2005, and Ord. #307, Feb. 2010)

12-604. Procedures. (1) The codes department shall establish rules and regulations for its own procedure.

(2) The codes administrator shall submit monthly reports to the town council concerning:

- (a) Activities of the department since the previous report.
- (b) Decisions which have been submitted by the board of appeals and adjustments.
- (c) Any necessary details of the administration of the various codes of this section.

(3) The codes administrator shall approve of any purchases of materials necessary for the continued operation of the codes. (1983 Code, § 4-604)

CHAPTER 7

BOARD OF ADJUSTMENT AND APPEALS

SECTION

12-701. Appointment.

12-702. Term of office.

12-703. Definition of duties.

12-704. Procedures.

12-701. Appointment. There is hereby established a board to be designated as the board of adjustments and appeals. This board shall consist of three (3) members at large from the building industry. The board shall be appointed by the chief appointing authority. (1983 Code, § 4-701)

12-702. Term of office. Of the members first appointed, one (1) shall be for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years. Thereafter members shall be appointed for terms of three (3) years.

Vacancies shall be filled for unexpired terms in the manner in which original appointments are made. Continued absence of any member from regular meeting of the board shall, at the discretion of the chief appointing authority, render any such member liable to immediate removal from office. (1983 Code, § 4-702)

12-703. Definition of duties. (1) Whenever the building official, gas inspector, plumbing inspector, electrical inspector, or any other inspector for the codes department shall reject or refuse to approve the mode or manner of provision of construction materials to be used in the erection or alteration of a building or structure, or when it is claimed that the provisions of any codes does not apply, or that an equally good or more desirable alternative to methods or materials can be used in any specific case, or when it is claimed that the true intent and meanings of these codes or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner or his duly authorized agent may appeal from the decision of any and all officials or inspectors to the board of adjustments and appeals. Notice of the appeal shall be in writing and filed within ninety (90) days after the decision is rendered by the official or inspector. A fee of ten and 00/100 (\$10.00) dollars shall accompany such notice of appeal.

(2) The board of adjustments and appeals, when so appealed to and after a hearing, may vary the application of any of these codes to any particular case when in its opinion, the enforcement thereof would be manifest injustice, and would be contrary to the spirit and purpose of these codes or public interest,

or when, in its opinion the interpretation of the official or inspector should be modified or reversed.

(3) A decision of the board of adjustment and appeals to vary the application of any provision of these codes or to modify an order of the official or inspectors shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefore.

(4) Every decision shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be sent by mail or otherwise to the appellant and an additional copy to be filed by the codes department.

(5) Other duties may include the receiving and hearing of complaints from the general public in relationship to existing structure that are considered to be in violation to existing codes. Such complaints must be in writing describing the property, building or structures in question as well as specifically stating the reasons for the complaint and the appropriate portion of which codes the violation effects. A ten and 00/100 (\$10.00) dollar fee must accompany each complaint. Only upon unanimous consent of the board under such circumstances will inspections be made on the subject properties, structures or buildings, by the appropriate code official or inspector.

(6) The board may act upon its own volition for the submission of properties, structures or buildings for inspection which are felt to be in violation of any or all parts of any codes adopted by the Town of White Bluff. Upon unanimous consent by the board of issuance of an order for inspection by an official or inspector of the related code may be submitted. Such order must be recorded in the minutes of the meeting. The subsequent inspection should relate only to the subject section of the codes for which the order is made unless dangerous conditions are discovered or observed. (1983 Code, § 4-703)

12-704. Procedures. (1) The board shall establish rules and regulations for its own procedure. The board shall meet at regular intervals, to be determined by the chairman, or in any event, the board shall meet within ten (10) working days after notice of appeal has been made.

(2) The codes administrator shall act as secretary of the board and shall make a detailed record of all its proceedings, which shall set for the reasons for its decisions, the vote of each member participating therein, the absence of a member, and any failure of a member to vote. (1983 Code, § 4-704)

CHAPTER 8

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)

CHAPTER 9

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)

CHAPTER 10

[REPEALED]

(as repealed by Ord. #289, Sept. 2008)