

## TITLE 12

### BUILDING, UTILITY, ETC. CODES

#### CHAPTER

1. BUILDING CODE.
2. BUILDING INSPECTOR.
3. PLUMBING CODE.
4. PLUMBING REGULATIONS.
5. ELECTRICAL CODE.
6. ELECTRICAL REGULATIONS.
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#### CHAPTER 1

#### BUILDING CODE<sup>1</sup>

#### SECTION

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

**12-101. Building code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Building Code,<sup>2</sup> 2003 edition, is hereby adopted and incorporated by specific reference as a part of this code, and is hereinafter referred to as the building code. (1986 Code, § 4-101, as amended by Ord. #12-09-03-1, Feb. 2004)

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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.

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

**12-102. Modifications.** Whenever the building code refers to the "chief appointing authority" or the "chief administrator," it shall be deemed to be a reference to the board of mayor and aldermen. When the "building official" or "director of public works" is named, it shall, for the purposes of the building code, mean such person as the board of mayor and aldermen shall have appointed or designated to administer and enforce the provisions of the building code. The recommended schedule of permit fees set forth in Appendix "K" is amended so that the fees to be collected shall be as provided from time to time by appropriate ordinance or resolution. The minimum fee for an inspection shall be one dollar and fifty cents (\$1.50). Section 114 of the building code is hereby deleted. (1986 Code, § 4-102)

**12-103. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the building code has been filed with the city recorder and is available for public use and inspection. (1986 Code, § 4-103, as amended by Ord. #12-09-03-1, Feb. 2004)

**12-104. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. (1986 Code, § 4-104)

**CHAPTER 2****BUILDING INSPECTOR****SECTION**

12-201. Office of building inspector.

12-202. Fees collected by building inspector.

**12-201. Office of building inspector.** There is hereby created the office of the building inspector, whose duties shall be to issue building permits and to enforce all codes relating to buildings that are now in effect and any that shall be adopted in the future, and to perform all other duties that may be delegated to him from time to time. (1986 Code, § 4-201)

**12-202. Fees collected by building inspector.** All fees and emoluments paid to the building inspector and collected by him shall be paid to the town. (1986 Code, § 4-202)

## CHAPTER 3

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

#### SECTION

- 12-301. Plumbing code adopted.
- 12-302. Modifications.
- 12-303. Available in recorder's office.
- 12-304. Violations.

**12-301. Plumbing code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the town, when such plumbing is or is to be connected with the municipal water or sewerage system, the Standard Plumbing Code,<sup>2</sup> 2000 edition, 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 plumbing code. (1986 Code, § 4-301, modified)

**12-302. Modifications.** Wherever the plumbing code refers to the "chief appointing authority," the "administrative authority," or the "governing authority," it shall be deemed to be a reference to the board of mayor and aldermen.

Wherever "city engineer," "engineering department," "plumbing official," or "inspector" is named or referred to, it shall mean the person appointed or designated by the board of mayor and aldermen to administer and enforce the provisions of the plumbing code. Section 110 of the plumbing code is hereby deleted. (1986 Code, § 4-302)

**12-303. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1986 Code, § 4-303, modified)

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<sup>1</sup>Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Water and sewer systems: title 18.

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

**12-304. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified. (1986 Code, § 4-304)

## CHAPTER 4

### PLUMBING REGULATIONS

#### SECTION

- 12-401. Permit requirements.
- 12-402. Bond requirements.
- 12-403. Permit fees.
- 12-404. Creation and membership of board of examiners.
- 12-405. Powers and duties of board of examiners.
- 12-406. Issuance of permits.
- 12-407. Inspections.
- 12-408. Reinspections.
- 12-409. Extra inspections.
- 12-410. Review of inspection decisions.
- 12-411. Inspection fees.
- 12-412. Standards and their application for plumbing controls.

**12-401. Permit requirements.**<sup>1</sup> No person, firm, or corporation, engaged in or working at the business of plumbing contracting shall engage in that business unless the person, firm, or corporation has first received a permit in accordance with the provisions of this chapter. (1986 Code, § 4-401)

**12-402. Bond requirements.** Any person, firm, or corporation desiring to engage in or work at the business of plumbing contracting shall present to the board of examiners that they are properly bonded in the penal sum of two thousand five hundred dollars (\$2,500.00) with some surety company authorized to do business in the State of Tennessee. The bond shall be payable to the town for the use of the town and any citizen who is damaged by the failure of the plumbing contractor to comply strictly with the plumbing code, of who may be damaged by any negligence committed or imperfect or defective work done by the plumbing contractor or any person in the employ of the plumbing contractor while acting in the scope and course of their employment.

The bond shall require plumbing contractors to comply with all the provisions of the plumbing code and any revisions or supplements which may be made or added from time to time. In the bond the plumbing contractor shall indemnify and save harmless the town and all persons therein from loss, cost, or damage caused by negligence or inadequate, imperfect, or defective work done by them or their employees while acting in the scope and course of their

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<sup>1</sup>Municipal code reference.

Issuance of permits: § 12-406.

Plumbing code: code 12, chapter 3.

employment. Nothing in this section shall be construed to relieve any plumbing contractor from giving bond as now required by this code or other ordinances of the town. (1986 Code, § 4-402)

**12-403. Permit fees.** The fee for a permit to work at or engage in the business of plumbing contracting shall be twelve dollars and fifty cents (\$12.50) per year or fraction thereof, permit to expire October 15, following. No permit to do plumbing work shall be issued until the annual fee to engage in business has been paid. (1986 Code, § 4-403)

**12-404. Creation and membership of board of examiners.** There is hereby created and established a board of examiners. This board shall consist of three members, who from special training or experience would qualify as experts either in the field of plumbing or heating. At least one of the three members shall be a person who from special training and experience is qualified in the field of natural gas installations, and at least one of the three members shall be a person who from special training and experience is qualified in the field of plumbing. The third member shall be qualified by special training either in the field of natural gas, heating, or plumbing. One shall be the building official. The terms of office for the board members, other than the building official, shall be for a period of two years, or until their successors are appointed. The mayor shall appoint the appointive members of the board and their successors, and the two members of the board, before assuming their duties, shall subscribe to an oath before the recorder to discharge their duties impartially to the best of their ability, without fear or favor. The appointive members shall serve without compensation. (1986 Code, § 4-404)

**12-405. Powers and duties of board of examiners.** The board of examiners shall, as soon as possible after their appointment, meet and organize by selecting a chairman. The building official shall be the secretary and shall designate the time and place for the examination of all applicants desiring to obtain a permit to operate a plumbing business in the Town of Rogersville.

A meeting of the examining board shall not be held more often than once a month, unless a special meeting is requested by at least two members of the board, one of which must be the secretary of the board. All persons, firms, corporations, or contractors desiring to do plumbing contracting who do not at this time have a permit to engage in plumbing contracting shall appear before the board of examiners and be examined as to their qualifications and ability to operate such a business, and be approved for a permit. No permit shall be issued by the recorder without a certificate of approval from the board of examiners, and the fee for the above examination, which may be either oral or written, shall be five dollars (\$5.00) in addition to the regular permit fee. The plumbing contractor or a licensed employee shall be on every job. Competent laborers or workmen to do and perform the work undertaken by the plumbing

contractor, in the installation, replacement, or repair of plumbing, or the installation, repair, or servicing of plumbing fixtures and equipment and appliances connected to them shall also be on every job. The contractor shall be responsible for seeing that work is performed in a safe and workmanlike manner and is up to the standard of the art of this kind of work. The contractor shall see that work is performed in accordance with good engineering practices as used by those in such work familiar with all precautions required for utmost safety and in accordance with the provisions of this chapter.

Any permit to engage in the work of plumbing contractor may be revoked by the board of examiners for the failure to comply with all municipal ordinances governing the installation of plumbing fixtures and equipment and in doing plumbing work; for allowing work to be carried on in an unworkmanlike manner by those employed by him; by using unqualified labor in such work; allowing work to be done in a hazardous manner; or for continued inefficient work. Certificates for a permit shall be signed by the chairman of the board of examiners and the secretary, and the permit shall be issued by the recorder. The permit shall be valid until revoked. (1986 Code, § 4-405)

**12-406. Issuance of permits.** Permits for any work covered by this chapter shall be issued only by the recorder upon receipt of an application issued by the building official. No application for a permit will be issued until the applicant, if requested to do so by the building official, submits detailed plans or drawings showing the work to be covered by the permit.

The authority is hereby granted to the building official to make additional charges on any job for which a permit has been issued to cover any addition to that particular job, or for work knowingly or unknowingly left out by the applicant for the permit.

Any non-resident plumbing contractor desiring to do plumbing work in the Town of Rogersville who furnishes the building official with sufficient proof that he is properly licensed and otherwise qualified to conduct his particular type of business in a town or city which has rules and regulations governing such work comparable to those in force in the Town of Rogersville will be permitted to do such work in the Town of Rogersville after having purchased from the recorder, upon recommendation of the building official, the necessary permits governing the work. Only one permit per year will be issued under the above conditions. The action of the building official in this matter will be subject to the final approval of the board of examiners. (1986 Code, § 4-406)

**12-407. Inspections.** The plumbing inspector and the mayor are hereby granted authority to enter any building or premises for the inspection of plumbing at any time within reasonable working hours.

At least two inspections shall be made on each job, the first one when the work is roughed in and test on, and the second one when the work is finished and all fixtures set. On jobs where, due to size of type of construction, it would

not be practical to have all plumbing ready for inspection at one time, inspections will be made as often as is necessary. (1986 Code, § 4-407)

**12-408. Reinspections.** The plumbing inspector in conjunction with the health department may make periodically a thorough reinspection of the installation of all plumbing, devices, appliances, and equipment now installed or that may hereafter be installed within the Town of Rogersville and within the scope of this chapter. When the installation of any such plumbing, devices, appliances, or equipment is found to be in a dangerous or unsafe condition, the person, firm, or corporation owning, using, or operating them shall be notified in writing and shall make the necessary repairs or changes required to place such plumbing devices and equipment in safe and sanitary condition. The person shall have such work completed within five days or any longer period specified by the county health department.

Upon failure of any person, firm, corporation, or contractor to comply promptly with any notice or instructions from the plumbing inspector or the health department to correct unsanitary conditions or faulty work, the building official, upon recommendation by the health department, shall have and is hereby granted authority to request the water commission of the Town of Rogersville to discontinue water service to the offender until the notice or instructions have been complied with. The water commission is hereby authorized to take such action. (1986 Code, § 4-408)

**12-409. Extra inspections.** Extra inspections made necessary through failure of any plumbing contractor or his agent or employee in charge of the work to properly specify the location of the work, or to install plumbing or fixtures in violation of the plumbing code, or to otherwise create conditions making additional inspection necessary will be charged for at the rate of three dollars (\$3.00) a trip.

Nothing in this chapter shall be constructed to relieve the contractor, owner, or operator of a plumbing business of full responsibility for work done by their employees. (1986 Code, § 4-409)

**12-410. Review of inspection decisions.** When the building official upon recommendation of the health department condemns all or part of a plumbing installation, the owner or agent may, within five days after receiving written notice from the building official, file a petition in writing for review of said action of the plumbing inspector with the mayor, upon receipt of which the mayor shall at once proceed to determine if the plumbing installation complies with this chapter and within three (3) days shall make a decision in accordance with his findings. (1986 Code, § 4-410)

**12-411. Inspection fees.** The schedule of fees to be charged for the inspection of all plumbing and plumbing fixtures shall be as provided from time to time by appropriate ordinance or resolution. (1986 Code, § 4-411)

**12-412. Standards and their application for plumbing controls.** Except as may be provided otherwise in this chapter or duly adopted rules, the requirements of the Standard Plumbing Code,<sup>1</sup> as revised from time to time, shall be deemed to be the most approved methods and practices and acceptable and suitable for use under this chapter.

No plumbing shall be installed in a building or structure, nor shall an alteration or extension of an existing plumbing system be made except in conformity with the provisions of this chapter or any rules that may be adopted and promulgated by the building official as hereby provided for by this chapter.

No rule or regulation of the building official shall become effective until four weeks after notice of intention to adopt it has been given in the official paper of the town and until a public hearing on it has been held. The public hearing shall not be necessary unless a request has been made for the hearing during the period of publication. The rule must be drawn in its proposed form and open to public inspection at the time the notice to adopt is published.

Rules adopted and promulgated as herein provided shall have the same force and effect as provisions of this chapter.

Any rule may be amended or repealed by the same procedure prescribed for the adoption of new rules.

In adopting rules for plumbing control, the building official shall embody in them the most approved methods and practices for safety of life and property.

It shall be unlawful to install, maintain, or use any plumbing fixtures or appliances in connection therewith except in conformity with the rules and regulations provided by this chapter.

It shall be unlawful to use or permit the use of, or to supply water service to a plumbing system in a building or structure, unless the required inspection and approval has been granted.

No person, except those who are qualified and have been approved by the plumbing inspector, shall be allowed to install house drains or house sewers or make connections to the municipal sewer system. House drains and house sewers are that part of a sewer system which extends from the outside of the building to the municipal sewer system.

It shall be unlawful to make or cause to be made any connection to the municipal sewer system until a permit has been issued for the connection and proof furnished the plumbing inspector that persons who are qualified will do this work.

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<sup>1</sup>Municipal code reference

Plumbing code: title 12, chapter 3.

It shall be unlawful to cover any plumbing, house drains, or house sewer connections until the work has been inspected and approved by the plumbing inspector. (1986 Code, § 4-412)

**CHAPTER 5****ELECTRICAL CODE**<sup>1</sup>**SECTION**

- 12-501. Electrical code adopted.
- 12-502. Available in recorder's office.
- 12-503. Permit required for doing electrical work.
- 12-504. Violations.
- 12-505. Enforcement.

**12-501. 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, regulation 15 of the Tennessee Department of Insurance, Division of Fire Prevention,<sup>2</sup> and the National Electrical Code,<sup>3</sup> 2002 edition, as prepared by the National Fire Protection Association, and modified by regulation 15, are hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. (1986 Code, § 4-501, modified)

**12-502. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of regulation 15 and the National Electrical Code have been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1986 Code, § 4-502, modified)

**12-503. Permit required for doing electrical work.** No electrical work shall be done within the Town of Rogersville 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,

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<sup>1</sup>Municipal code reference

Fire protection and fireworks: title 7.  
Property maintenance: title 13.

<sup>2</sup>Copies of this regulation are available from the Department of Insurance, Division of Fire Prevention, 504 Tennessee Bldg., 64 Church Street, Nashville, Tennessee 37219-5319.

<sup>3</sup>Copies of this code may be purchased from the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.

machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (1986 Code, § 4-503)

**12-504. 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. (1986 Code, § 4-504)

**12-505. 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. (1986 Code, § 4-505)

## CHAPTER 6

### ELECTRICAL REGULATIONS

#### SECTION

- 12-601. Definitions.
- 12-602. Permit requirements.
- 12-603. Bond requirements.
- 12-604. Permit fees.
- 12-605. Creation and membership of board of examiners.
- 12-606. Powers and duties of board of examiners.
- 12-607. Issuance of permits.
- 12-608. Inspections.
- 12-609. Reinspections.
- 12-610. Extra inspections.
- 12-611. Review of inspection decisions.
- 12-612. Inspection fees.
- 12-613. Installation and maintenance of television and radio antennae.
- 12-614. Standards and their application for electrical controls.

**12-601. Definitions.** As used in this chapter the following words or groups of words have the following meanings:

(1) "Electric contractor." The term electric contractor as master employer shall include all those persons, firms, or corporations offering their service for the installation of electric wiring of any type, but shall not be construed to include those engaged only in the sale of electric appliances or their maintenance and repair.

(2) "Outlets." For the purpose of the fee schedule, "outlets" shall mean all outlets as covered in Article 100 under "Definitions" Chapter I of the National Electric Code, also, all unit control switches and all motors less than 1/4 horse power.

(3) "Incandescent fixtures." For the purpose of the fee schedule, "incandescent fixtures" shall mean all fixtures using incandescent lamps.

(4) "Fluorescent fixtures." For the purpose of the fee schedule, "fluorescent fixtures" shall mean each ballast controlling any fluorescent lamp.

(5) "Motors." For the purpose of the fee schedule, "motors" shall mean all motors of (1/4) horse power or over.

(6) "Miscellaneous equipment." For the purpose of the fee schedule, "miscellaneous equipment" shall mean signs, ranges, water heaters, refrigerators, x-ray machines, rectifiers, furnace connections, gas jumps, transformers, motion picture machines, vulcanizers, toasters, waffle irons, and any other machines and devices. (1986 Code, § 4-601)

**12-602. Permit requirements.**<sup>1</sup> No person, firm, or corporation engaged in or working at the business of electric contracting as master employer shall engage in that business unless the person, firm, or corporation has first received a permit in accordance with the provisions of this chapter. (1986 Code, § 4-602)

**12-603. Bond requirements.** Any person, firm, or corporation desiring to engage in or work at the business of electric contracting as employer or owner shall present to the board of examiners evidence that they are properly bonded in the penal sum of five thousand dollars (\$5,000.00) with some surety company authorized to do business in the State of Tennessee. The bond shall be payable to the town or anyone who is damaged by any negligence committed or imperfect or defective work done by the electric contractor or any person in the employ of the electric contractor, while acting in the scope and course of their employment. The bond shall require electric contractors to comply with all the provisions of the National Electrical Code<sup>2</sup> and any revisions or supplement which might be made or added from time to time. In the bond the electric contractor shall indemnify and save harmless the town and all persons therein from loss, cost, or damage caused by negligence of or inadequate, imperfect, or defective work done by them or their employees while acting in the scope and course of their employment. Nothing in this section shall be construed to relieve any electric contractor from giving bond as now required by this code or other ordinances of the town. (1986 Code, § 4-603)

**12-604. Permit fees.** Permit fees shall be as established by the board of mayor and aldermen by resolution. The owner of the business or the senior member or active head of the firm or corporation shall be considered as the person responsible for all work done under this chapter.

Authority is hereby granted to the building official to make additional charges on any job for which a permit has been issued to cover any addition to that particular job, or for work knowingly or unknowingly left out by the applicant for the permit. (1986 Code, § 4-604)

**12-605. Creation and membership of board of examiners.** There is hereby created and established a board of examiners. The board shall consist of three members. One of the members to be a person who from special training or experience would qualify as an expert in the electric field and one other shall be the building official. The term of office for the board members, other than the

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<sup>1</sup>Municipal code reference  
Permits: § 12-607.

<sup>2</sup>Municipal code reference  
Electrical code: title 12, chapter 5.

building official, shall be for a period of two (2) years or until their successors are appointed. The mayor shall appoint the members of the board, other than the building official, and their successors. Two (2) members of the board shall have power to act. All members of the board, before assuming their duties, shall subscribe to an oath before the recorder to discharge their duties impartially to the best of their ability, without fear or favor. The appointive members shall serve without compensation. (1986 Code, § 4-605)

**12-606. Powers and duties of board of examiners.** The board of examiners shall as soon as possible after their appointment meet and organize by selecting a chairman. The building official shall be the secretary and shall designate the time and place for the examination of all applicants desiring to obtain a permit to operate an electrical contracting business within the town.

The meeting of the examining board shall not be held more often than once a month, unless a special meeting is requested by at least two (2) members of the board, one of whom must be the secretary of the board. All persons, firms, corporations, or contractors desiring to engage in the business of electric contracting who do not at this time have a permit to engage in electric contracting shall appear before the board of examiners and be examined as to their qualifications and ability and be approved for a permit. No permit shall be issued by the recorder without a certificate of approval from the board of examiners. The fee for the above examination, which may be either oral or written, shall be five dollars (\$5.00) in addition to the regular permit fee. The electric contractor or a licensed employee shall be on every job. The electric contractor shall use qualified laborers or workmen in the installation, replacement, or repair or servicing of electric appliances and/or electric equipment. The contractor shall be responsible for seeing that work is performed in a safe and workmanlike manner and is up to the standard of the art of this kind of work. He shall see that work is performed in accordance with good engineering practices, as used by those in such work who are familiar with all precautions required for utmost safety and in accordance with the provisions of this chapter. Any permit to engage in the work of an electric contractor may be revoked by the board of examiners for the failure to comply with all municipal ordinances governing the installation of electric wiring, electric appliances, and/or electric equipment in doing such work; for allowing work to be carried on in any unworkmanlike manner by those employed by him; for allowing, and using unqualified labor in performance of such work; for allowing work to be done in a hazardous or dangerous manner; or for continued inefficient work. Certificates for a permit shall be signed by the chairman of the board of examiners and the secretary, and the permit shall be issued by the recorder. The permit shall be valid until revoked. (1986 Code, § 4-606)

**12-607. Issuance of permits.** Permits for any electrical work covered by this chapter shall be issued only by the recorder upon receipt of an

application issued by the building official. No application for a permit will be issued until the applicant, if requested to do so by the building official, submits detailed plans or drawings showing the work to be covered by the permit.

Electricians not residents of the town but employed by itinerant companies operating stage shows, circuses, and similar forms of entertainment will be required to purchase a permit, but without an examination. These electricians may install electric equipment for the use of such companies, subject to the instructions and approval of the electric inspector.

Any non-resident person, firm, or corporation selling and installing elevators, escalators, or other special equipment of this type, or firms or corporations who keep and maintain a construction organization of their own and who do construction work for no one except their own company, and who furnish the building official with sufficient proof that they are properly licensed and otherwise qualified to conduct their particular type of business in a town or city which has rules and regulations governing such work comparable to those in force in Rogersville will be permitted to do such work in Rogersville, after having purchased from the recorder, upon recommendation of the building official, the necessary permits governing the work. Only one such permit per year will be issued under the above conditions. (1986 Code, § 4-607)

**12-608. Inspections.** At least two inspections shall be made on each job. The first one shall be made when the work is roughed in (all connections made up and soldered or approved connectors not taped), and the second when the job is finished. On jobs where, due to size or type of construction it would not be practical to get all the wiring ready for inspection at one time, inspections will be made as often as is necessary.

No work shall be covered until the proper inspections have been made and approval given. The contractor or the person responsible for any work covered before it is inspected and approved will be required to uncover the work at their expense in order that the proper inspection might be made.

No service equipment or wiring shall be installed in attics, lofts, or upper floors unless there is a ladder or stairway furnished so that work will be accessible at the time the request for an inspection is made.

Nothing in this chapter shall be construed to relieve the contractor, owner, or operator of an electric contracting business of full responsibility for work done by their employees. (1986 Code, § 4-608)

**12-609. Reinspections.** The electric inspector shall make periodically a thorough reinspection of the installation of all electric wiring, devices, appliances, and equipment now installed or that may hereafter be installed within the town and within the scope of this chapter. When the installation of any such wiring, devices, appliances, or equipment is found to be in a dangerous or unsafe condition, the person, firm, or corporation owning, using, or operating it shall be notified in writing and shall make the necessary repairs or changes

required to place such wiring, devices, and equipment in safe condition. Such work shall be completed within ten (10) days, or any longer period specified by the electric inspector in the notice. Upon failure of the contractor to comply with the notice, the electric inspector will and is hereby granted authority to have the electric service discontinued until the recommended repairs or changes are made. Reinspection shall be made at least once in every two years of all electric wiring, devices, appliances, and equipment in all automobile service stations, garages, hotels, rooming houses, auditoriums, and all other places used for public gatherings and seating more than sixty (60) persons. No fee will be charged for such inspections. (1986 Code, § 4-609)

**12-610. Extra inspections.** Extra inspections made necessary through failure of any electric contractor, his agents, or employees in charge of the work to specify properly the location of the work, or to install wiring or apparatus in the proper manner, or otherwise to create conditions making additional inspection necessary will be charged for at the rate of three dollars ( \$3.00) per trip. (1986 Code, § 4-610)

**12-611. Review of inspection decisions.** When the electric inspector condemns all or a part of any electrical installation, the owner may, within five days after receiving written notice from the building official, file a petition in writing with the mayor for review of the action of the building official. Upon receipt of the petition the mayor shall at once proceed to determine if the electric installation complies with this chapter and within three days shall make a decision in accordance with his findings. (1986 Code, § 4-611)

**12-612. Inspection fees.** The schedule of fees to be charged for the inspection of wiring for lights, heat, and power and all other electrical equipment shall be as set by resolution of the board of mayor and aldermen. (1986 Code, § 4-612)

**12-613. Installation and maintenance of television and radio antennae.** All television antennae or masts and their appurtenances now existing or hereafter erected in the town shall comply with the following regulations and the applicable rules and regulations of the National Electric Code.

Before erecting any television antennae or masts or their appurtenances, application shall be made to the building official for a permit therefor. The application shall set forth detailed information regarding the location, type of antennae, and materials to be used, all of which shall conform to the provisions of this chapter. The application shall be accompanied by a fee of one dollar (\$1.00) payable to the Town of Rogersville. When the application shows that the proposed work and equipment conform with these regulations, the building official shall issue a permit therefor. Where the application fails to show

conformity to the provisions hereof, a permit shall be denied. It shall be unlawful for any person hereafter to erect a television antenna or mast or appurtenance without obtaining a permit from the building official. It shall be unlawful for any person to maintain or use or to have on his premises a television antenna or mast or appurtenance thereto unless they conform to these regulations. When and where any television antenna or mast or appurtenance thereto is in violation of these regulations, the owner of the equipment shall be served notice and given thirty (30) days to correct the condition of the equipment to conform to these regulations or to remove the equipment from the premises.

(1) No antenna or mast shall be located where it will be in danger of falling on the electrical distribution lines unless a separate safety wire is attached to the crossarm of the antenna and is sufficiently anchored as per § 12-613(3).

(2) The antenna or mast shall have at least three (3) guywires of no. twelve (12) or larger gauge galvanized wire or six (6) stranded clothes line wire.

(3) All guy-wires shall be anchored securely. If the anchors are fastened to the wood structure of the building, screw-type eye-bolts at least five-sixteenth inch (5/16") diameter shall be embedded into solid wood at least three (3) inches deep. All guywires extended to the ground shall be fastened to one and one-fourth (1-1/4") iron pipe driven at least three feet, six inches (3'6") into firm soil or clay or four inches by four inches (4" x 4") of pressure treated wood driven three feet, six inches (3'6") into firm soil or clay. A plate of iron three-eighths inches (3/8") thick and an area of at least one (1) square foot having a one-half inch (1/2") diameter rod fastened to masonry shall be by means of two (2), three-eighths inch (3/8") expansion bolts embedded at least four inches (4") into the masonry. Nails for fasteners or anchors are prohibited. Guywires shall be secured to anchors by served connections or served wrapped ends or with wire clamps.

(4) All antennae or masts shall be grounded by means of not less than no. six (6) gauge copper wire clamped to ground rod driven four feet (4') into earth or to cold water piping of the building wherever the contact is made within eight feet (8') of vertical line of antennae or masts. If the conditions of the earth are such that no moisture is obtained at four feet (4') depth then a hole shall be drilled or dug at least four feet (4') deep and after placing the grounding rod therein the hole shall be filled with wet charcoal. All grounding conductors shall be run in as straight a line as practicable from equipment to the grounding electrode or rod. Lightning arrestors or lead-ins are not to be considered the grounding of the antennae or masts.

(5) Whenever lead-in conductors of polyethylene ribbon-type are used, lightning arrestors shall be used on each lead-in conductor. Lightning arrestors shall be grounded similar to requirement of antennae or masts.

(6) No antenna or mast shall be fastened to a chimney unless the antenna or mast has sufficient guywires. Any fastening to a chimney or flue will be accepted only as a stabilizer for the base of the antenna or mast and not as

a brace. Any anchorage to a chimney or flue shall be made by a steel band of sixteen (16) gauge metal one (1) inch wide or any manufactured approved chimney clamp. The ends of the band shall be fastened by means of clamps or rivets. There shall be at least one hundred fifty (150) pounds of masonry above the clamp figured on a basis of six (6) pounds per brick in place.

(7) No anchorage for guywires shall be made to a cornice or projection of any building but shall be made to substantial framing of the building.

(8) No guywires shall be permitted to be fastened to any adjoining building without written consent of the owner or agent and occupant of the adjoining building. No guywire shall be permitted to be placed in the path of regular travel or to form a trap for anyone. (1986 Code, § 4-613)

**12-614. Standards and their application for electrical controls.**

No electric wiring for light, heat, or power shall be installed in a building or structure, nor shall an alteration or extension of an existing electric wiring system be made, except in conformity with the provisions of this chapter or any rules that may be adopted and promulgated by the building official as hereby provided for by this chapter.

No rule or regulation of the building official shall become effective until four weeks after notice of intention to adopt it has been given in the official paper of the town and until a public hearing on it has been held. The public hearing shall not be necessary unless a request has been made for the hearing during the period of publication. The rule must be drawn in its proposed form and open to public inspection at the time the notice to adopt is published.

Rules adopted and promulgated as herein provided shall have the same force and effect as provisions of this chapter.

Any rule may be amended or repealed by the same procedure prescribed for in the adoption of new rules.

In adopting rules for electrical control, the building official shall embody in them the most approved methods and practices for safety of life and property.

Except as may be provided otherwise in this chapter or in duly adopted rules, the requirements of the National Electrical Code shall be deemed to be such most approved methods and practices.<sup>1</sup>

Except as may be provided otherwise in this chapter or in duly adopted rules, the materials, fittings, and devices enumerated in the "List of Inspected Electrical Appliances" of Underwriters' Laboratories, Inc., as revised from time to time, shall be acceptable and suitable for use under this chapter.

It shall be unlawful to install or use electric wiring except in conformity with the provisions of this chapter.

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<sup>1</sup>Municipal code reference

Electrical code: title 12, chapter 5.

It shall be unlawful to sue or permit the use of, or to supply current for, electric wiring for light, heat, or power in a building or structure, unless the required inspection and approval has been granted.

The building official may, in his discretion, give temporary permission for a reasonable time to supply and use current in part of an electric installation before the installation has been fully completed and the final approval granted.

The electric inspector is hereby granted authority to enter any building or premises for the purpose of inspecting electric wiring or appliances at any time within reasonable working hours. (1986 Code, § 4-614)

**CHAPTER 7****GAS CODE<sup>1</sup>****SECTION**

- 12-701. Title and definitions.
- 12-702. Purpose and scope.
- 12-703. Use of existing piping and appliances.
- 12-704. Bond and license.
- 12-705. Gas inspector and assistants.
- 12-706. Powers and duties of inspector.
- 12-707. Permits.
- 12-708. Inspections.
- 12-709. Certificates.
- 12-710. Fees.
- 12-711. Violations and penalties.
- 12-712. Nonliability.

**12-701. Title and definitions.** This chapter and the code herein adopted by reference shall be known as the gas code of the town 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 municipal governing body.

(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. (1986 Code, § 4-701)

**12-702. 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  
Property maintenance: title 13.

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> 2000 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 city recorder for the use and inspection of the public. (1986 Code, § 4-702, modified)

**12-703. 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. (1986 Code, § 4-703)

**12-704. 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 the person has secured a license as hereinafter provided, and has executed and delivered to the city recorder a good and sufficient bond in the penal sum of ten thousand dollars (\$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 city 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 work to be done during the year.

(2) Upon approval of the bond, the person desiring to do such work shall secure from the city 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 city 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. All such work must be done, however, in conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees. (1986 Code, § 4-704)

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

**12-705. 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 by the board of mayor and aldermen and the compensation shall be determined at the time of appointment. (1986 Code, § 4-705)

**12-706. 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 which has not been issued or which, upon inspection, is 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 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 this notice or reconnect the gas piping or fixture or appliance without authorization by the inspector. The 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 it to the appropriate officials from time to time for their consideration. (1986 Code, § 4-706)

**12-707. 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 city 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. (1986 Code, § 4-707)

**12-708. Inspections.** (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before the 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 the piping. (1986 Code, § 4-708)

**12-709. 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 the 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. (1986 Code, § 4-709)

**12-710. Fees.** Fees shall be as set by the board of mayor and aldermen by resolution. (1986 Code, § 4-710)

**12-711. Violations and penalties.** Section 114 of the gas code is hereby deleted. Any person who violates or fails 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 the person may be revoked, or both fine and revocation of license may be imposed. (1986 Code, § 4-711)

**12-712. Nonliability.** This chapter shall not be construed as imposing upon the town 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 town, 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. (1986 Code, § 4-712)

## CHAPTER 8

### HOUSING CODE

#### SECTION

- 12-801. Scope and application.
- 12-802. Definitions.
- 12-803. Minimum standards for lighting.
- 12-804. Minimum standards for ventilation.
- 12-805. Minimum standards for heating.
- 12-806. Minimum standards for basic equipment and facilities.
- 12-807. Basements.
- 12-808. Space requirements.
- 12-809. Egress.
- 12-810. Infestation.
- 12-811. Responsibilities of occupant.
- 12-812. Responsibilities of the owner.
- 12-813. Conditions of structure.
- 12-814. Minimum standards for rooming houses.
- 12-815. Enforcing officer.
- 12-816. Enforcement provisions.
- 12-817. Service of complaints or orders.
- 12-818. Enjoining enforcement of order.

**12-801. Scope and application.** (1) Every building used in whole or in part as a dwelling unit or as two or more dwelling units shall conform to the requirements of this chapter irrespective of the class to which the buildings may otherwise belong, and irrespective of when the buildings may have been constructed, altered, or repaired.

(2) No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating therein which does not comply with the requirements of §§ 12-803 through 12-813.

(3) If any dwelling unit fails to meet one or more of the minimum standards specifically stated in §§ 12-803 through 12-814 of this chapter, that dwelling unit shall be considered as unfit for human habitation in accordance with Tennessee Code Annotated, § 13-21-102, and subject to the enforcement sections of this chapter. (1986 Code, § 4-801)

**12-802. Definitions.** The following definitions shall apply in the interpretation and enforcement of this chapter:

(1) "Approved" means constructed, installed, and maintained in accordance with the provisions of this chapter and other pertinent ordinances

of the Town of Rogersville, Tennessee, and with rules and regulations adopted pursuant thereto.

(2) "Basement" means a portion of a building located partly or wholly underground.

(3) "Dwelling" means any building or structure, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto and enjoyed therewith.

(4) "Dwelling unit" means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating.

(5) "Enforcing officer" means the officer or officers who are authorized by this chapter to exercise the powers prescribed herein.

(6) "Extermination" means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the inspector.

(7) "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

(8) "Habitable room" means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, communicating corridors, closets, or storage spaces.

(9) "Household" means all persons who occupy a dwelling unit (a person living alone or any group of persons sharing a dwelling unit is a household).

(10) "Infestation" means the presence, within or around a dwelling, or any insects, rodents, or other pests.

(11) "Inspector" means the person designated by the board of mayor and aldermen as the enforcing officer.

(12) "Multiple dwelling" means any dwelling containing more than two dwelling units.

(13) "Occupant" means any person over one (1) year of age, living, sleeping, cooking, or eating in, or having actual possession of, a dwelling unit or rooming unit.

(14) "Owner" means and includes a holder of any legal or equitable estate in the premises, whether alone or jointly with others, and whether in possession or not.

(15) "Parties in interest" means all individuals, associations, partnerships, corporations, and others who have interest in a dwelling and any who are in possession or control thereof--as agent of the owner, as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner.

(16) "Plumbing" means and includes all of the following supplied facilities and equipment; gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.

(17) "Premises" means a platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure.

(18) "Public authority" means the housing authority of the Town of Rogersville or any officer who is in charge of any department or branch of the government of the town or state relating to health, fire, building regulations, or other activities concerning dwellings in the town.

(19) "Public hall" means any hall, corridor, or passageway not within the exclusive control of one family.

(20) "Rooming unit" means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

(21) "Rooming house" means any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the occupant to three or more persons who are not husband or wife, son or daughter, mother or father, sister or brother of the occupant.

(22) "Rubbish" means all waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust.

(23) "Sewer system" means the sewer system operated by the Town of Rogersville.

(24) "Single unit dwelling" means a dwelling occupied by one family alone.

(25) "Supplied" means paid for, furnished, or provided by, or under the control of, the owner or operator or their agents or representatives or both.

(26) "Water closet" means a toilet, with a bowl and trap made in one piece, which is connected to the city water and sewer system or other approved water supply and sewer system.

(27) "Workmanlike state of maintenance and repair" means complying with all codes and ordinances pertaining to construction of buildings and installation of utilities.

(28) "Meaning of certain words." Whenever the words dwelling, dwelling units, rooming house, rooming unit, premises, are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof." (1986 Code, § 4-802)

**12-803. Minimum standards for lighting.** (1) Where there is electric service connected to the dwellings, every habitable room in the dwelling shall contain at least two separate wall type electric outlets or one such outlet and one supplied ceiling type electric light fixture. Every such outlet and fixture shall be in working condition and installed in accordance with the requirements of the Rogersville electric code.

(2) Every habitable room shall have at least one window or skylight facing directly to the outside or other means of lighting which is approved as adequate by the inspector. The minimum total window area for every habitable room shall be ten (10) percent of the total floor area of the room; if the only window in a room is the skylight type, the minimum total window area shall be fifteen (15) percent of total floor area of the room, except where other means of artificial lighting are approved.

(3) Every public hall and stairway in every multiple dwelling shall be adequately lighted at all times either by windows, skylights, or other adequate lighting system. Every public hall and stairway in a structure containing not more than four dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed instead of full time lighting.

(4) Every bathroom, laundry room, furnace room, and public hall shall contain at least one ceiling or wall type electric light fixture. Every such outlet and fixture shall be in working condition and installed in accordance with the requirements of the Rogersville Electric Code. (1986 Code, § 4-803)

**12-804. Minimum standards for ventilation.** (1) Every habitable room shall have at least one (1) window or skylight operating directly to the outdoors which can easily be opened, or such other device as will adequately ventilate the room. The minimum total openable window area in every habitable room shall be equal to one-half of the minimum total window area required in § 12-803(2) except where there is supplied some other device affording adequate ventilation and approved by the inspector.

(2) Every bathroom shall have ventilation equal to four square feet or such other device as will adequately ventilate the room which is approved by the inspector. (1986 Code, § 4-804)

**12-805. Minimum standards for heating.** (1) Every dwelling with a central heating plant shall have heating facilities which are properly installed, are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms and bathrooms in every dwelling unit located therein to a temperature of at least seventy degrees (70°) F at a distance of three (3) feet above floor level, when the outside temperature is zero degrees (0°) F.

(2) All gas-burning room heaters shall be vented to the outside air by a smoke-pipe or flue. Rubber tube or armoured rubber tube connections on all gas heating fixtures are prohibited. (1986 Code, § 4-805)

**12-806. Minimum standards for basic equipment and facilities.**

(1) Water supply. The owner shall provide a supply of running water safe for drinking piped into each dwelling unit, and an adequate supply of hot water for each kitchen sink, bathtub, shower, and lavatory.

(2) Sewerage. In every dwelling, plumbing fixtures shall be properly installed and connected to the water supply and sewer system in accordance with the Rogersville plumbing code and shall be maintained in good working order.

(3) Sanitary equipment. Every dwelling unit shall contain a sink, lavatory, water closet, and shower or bathtub.

(4) Sink. Every dwelling unit shall contain a kitchen sink therein, properly connected to the water supply and sewer system.

(5) Lavatory. Every dwelling unit shall contain therein, in a room affording privacy, complete bathroom facilities, properly connected to the water supply and sewer system.

(6) Water closets. Every dwelling unit shall have a flush type water closet located therein, in a room affording privacy, and properly connected to the water supply and sewer system. This water closet may be shared by two (2) dwelling units if:

(a) The habitable area of each of the dwelling units equals not more than two hundred fifty (250) square feet of floor area; and

(b) The fixtures are placed in a room used for toilet purposes only, and the room is accessible without passing through the other dwelling unit, or outside the dwelling; and

(c) If its facilities are kept in a sanitary condition.

(7) Hopper type water closets, water closets outside the dwelling and privies are hereby declared to be public nuisances and shall be eliminated upon notice after failure to maintain in a sanitary condition, but in any case not later than twenty-four(24) months after the effective date of this chapter.

(8) Every dwelling unit shall have at least one receptacle for the temporary deposit of garbage and at least one for rubbish which shall be made of non-absorbent material, water tight and shall be covered with a tight, closely fitting lid and cover with two outside handles, and shall not exceed twenty five (25) gallons capacity. (1986 Code, § 4-806)

**12-807. Basements.** Basement space may be used as a habitable room if:

(1) The windows are sufficiently above the lot's ground so as to allow the room to meet requirements of habitable rooms as to light and ventilation (§§ 12-803(2) and 12-804); and if

(2) The floors and walls below grade level of the lot are impervious to water and free from dampness at all times; and if

(3) The clear inner height is at least six (6) feet eight (8) inches, and no pipes or beams are below six (6) feet from floor level. (1986 Code, § 4-807)

**12-808. Space requirements.** The number of persons occupying any dwelling unit shall be limited by the following requirements (provided that adequate standard dwelling units are available for any persons displaced by enforcement of these requirements):

(1) Sleeping rooms. Every sleeping room for one occupant shall have at least 70 square feet of floor space, or if occupied by more than one person, at least 50 square feet per occupant.

(2) Size of dwelling unit. The total of all habitable rooms in a dwelling unit shall provide at least one hundred fifty (150) square feet of floor space for the first occupant and one hundred (100) square feet of floor space per additional occupant.

(3) Minimum height of habitable rooms. Every habitable room shall be not less than seven (7) feet in height from the floor to the ceiling throughout one-half the area of the room. Any portion of room having a ceiling height of less than five (5) feet shall not be considered in computing the total floor area for the room.

(4) No habitable room shall contain less than seventy (70) square feet of floor area, nor shall the least horizontal dimension of the room be less than seven (7) feet. (1986 Code, § 4-808)

**12-809. Egress.** Every dwelling unit shall have a safe, unobstructed means of egress to a safe and open space at ground level. All structures of three or more stories with a dwelling unit occupying the third or higher story shall be provided with two separate usable, unobstructed means of egress for each dwelling unit located above the second story. The exit facilities from such dwelling units shall lead to a public thoroughfare either directly or through a court or yard, and passage to the exists shall not lead through any other dwelling unit or through a space that might reasonably be locked by anyone who is not a member of the household. An escape hatch or scuttle to a flat roof for escape through adjoining buildings may be considered as a usable means of egress for the dwelling unit occupying the top floor. (1986 Code, § 4-809)

**12-810. Infestation.** (1) During that portion of each year extending from May 1 through September 30 and as protection against mosquitoes, flies, and other insects, every door opening directly from a dwelling unit to outdoor space shall be equipped with screens and a self-closing device; and every window or other device with openings to outdoor space used or intended to be used for ventilation shall likewise be equipped with screens or other insect deterrents.

(2) Every basement window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents shall be permanently equipped with screens or such other device as will effectively prevent their entrance.

(3) During the summer months, there shall be no standing pools of water which might provide a breeding place for mosquitoes.

(4) Dwellings should be free from rodents and other vermin at all times. Responsibility for extermination rests with the occupant or owner as set forth in §§ 12-811 (5) and 12-812(4). (1986 Code, § 4-810)

**12-811. Responsibilities of occupant.** The responsibilities of the occupant are as follows:

(1) To keep the dwelling and premises he controls and occupies in a clean and sanitary condition.

(2) To dispose of rubbish and garbage in a clean and sanitary manner as prescribed by city regulation.

(3) To hang and remove screens provided by the owner except where owner has agreed to supply those services.

(4) To keep plumbing fixtures in a clean and sanitary condition and to exercise reasonable care in the proper use and operation thereof.

(5) To exterminate in the following cases:

(a) The occupant of a single unit dwelling is responsible for extermination of any insects, rodents, or other pests therein or on the premises.

(b) The occupant of a dwelling unit in a multiple dwelling structure is responsible for extermination of any insects, rodents, or other pests if his unit is the only unit infested.

Notwithstanding the foregoing provisions of this section, whenever infestation is caused by the failure of the owner to maintain the dwelling in a ratproof and reasonably insect proof condition, the occupant is not responsible for extermination of any insects, rodents, or other pests therein. (1986 Code, § 4-811)

**12-812. Responsibilities of the owner.** The responsibilities of the owner are as follows:

(1) To let no dwelling to anyone for occupancy unless it meets minimum standards set forth in §§ 12-803 through 12-813.

(2) To have the dwelling in a clean, sanitary, habitable condition, to free it from infestation before renting, and to repair and exterminate if needed to meet aforesaid requirements before offering for rent.

(3) To provide screen to be hung.

(4) To exterminate in the following cases:

(a) When infestation exists in two (2) or more units of a multiple dwelling structure.

(b) When infestation exists in shared or public areas of a multiple dwelling structure.

(c) When infestation exists in single dwelling unit of multiple dwelling structure or in single unit dwelling structure when infestation is due to failure of the owner to maintain the dwelling in a ratproof and reasonably insectproof condition.

(5) To provide a supply of running water safe for drinking into each dwelling unit. (1986 Code, § 4-812)

**12-813. Conditions of structure.** (1) All dwelling structures shall be reasonably watertight, weatherproof, rodent and insectproof, and in good repair.

(2) Every foundation, exterior wall, and roof shall be reasonably watertight, weathertight, and rodentproof; shall adequately support the building at all times; and shall be in a workman-like state of maintenance and repair.

(3) Every interior partition, wall, floor, and ceiling shall be reasonably tight, capable of affording privacy, and maintained in a workmanlike state of maintenance and repair and in a clean and sanitary condition.

(4) All rainwater shall be so drained and conveyed from every roof, and the lot shall be so graded and drained as not to cause dampness in the walls, ceilings, floors, or basement.

(5) Every window, exterior door, and basement hatchway shall be reasonably weathertight, watertight and rodentproof and shall be maintained in sound condition and repair.

(6) Every inside and outside stairway, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be maintained in sound condition and repair.

(7) Every toilet, bathroom, and kitchen floor shall be constructed and maintained so as to be reasonably impervious to water and shall be kept in a clean and sanitary condition.

(8) Every supplied facility, piece of equipment, or utility which is required under this chapter shall be so constructed and installed that it will function safely and effectively and shall be maintained in good working condition. (1986 Code, § 4-813)

**12-814. Minimum standards for rooming houses.** No person shall operate a rooming house or let to another for occupancy any room unless the rooming house or room complies with the following requirements:

(1) Every rooming house and room shall be in compliance with the minimum standards set forth in §§ 12-803, 12-804, 12-805, and 12-808 as to light, ventilation, heating, and space requirements.

(2) Every rooming house shall be equipped with at least one flush water closet, lavatory, and bathtub or shower for each eight persons or fraction thereof within the rooming house, including members of the family if they are

to share the use of the facilities. In rooming houses in which rooms are let only to males, flush urinals may be substituted for not more than one-half the required number of water closets. All such facilities shall be properly connected to the water supply and sewer systems.

(3) Every flush water closet, flush urinal, lavatory, tub, or shower required above shall be located within the rooming house in a room, or rooms, which:

- (a) Affords privacy;
- (b) Is accessible by a common hall without going outside the rooming house;
- (c) Is accessible from a common hall without going through sleeping quarters of others;
- (d) Is not more than one (1) story removed from the room of an occupant intended to share the facilities.

(4) Where bedding, bed linen, or towels are supplied, the operator shall maintain the bedding in a clean and sanitary manner and shall furnish clean bed linen and towels at least once each week and prior to the letting of any room to an occupant. (1986 Code, § 4-814)

**12-815. Enforcing officer.** (1) The recorder of the Town of Rogersville shall administer and enforce this chapter.

(2) **Powers of enforcing officer.** The enforcing officer shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others herein granted:

- (a) To investigate the dwelling conditions in the town in order to determine which dwellings therein are unfit for human habitation;
- (b) To administer oaths, affirmations, examine witnesses, and receive evidence;
- (c) To enter upon premises for the purpose of making examinations, provided that such entries are made in such manner as to cause the least possible inconvenience to the persons in possession;
- (d) To delegate any of his functions and powers under ordinance to such officers and agents as he may designate. Any such officers and agents shall be thoroughly qualified by training or experience for the job assigned and shall be approved by the mayor.

(3) The enforcing officer may extend the time periods for providing necessary equipment or making repairs or replacements if in his opinion the enforcement of the provisions of this chapter will cause undue hardship upon the persons involved. (1986 Code, § 4-815, as amended by Ord. #8-14-90-2, Oct. 1990)

**12-816. Enforcement provisions.** (1) When a petition is filed with the enforcing officer by a public authority or by at least five (5) residents of the town

charging that any dwelling is unfit for human habitation, or whenever it appears to the enforcing officer (on his own motion) that any dwelling is unfit for human habitation, the enforcing officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner and parties in interest of the dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the enforcing officer (or his designated agent) at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the serving of the complaint. The notice shall state that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint and that the rules of evidence prevailing in courts of law and equity shall not be controlling in hearings before the enforcing officer.

(2) If, after such notice and hearing, the enforcing officer determines that the dwelling under consideration is unfit for human habitation, he shall state in writing his findings of fact in support of the determination and shall issue and cause to be served upon the owner thereof an order

(a) Requiring the owner within the time specified in the order, to repair, alter, or improve the dwelling to render it fit for human habitation; if the repair, alteration, or improvement of the dwelling can be made at a reasonable cost, not in excess of five hundred (500) percent of the assessed valuation for tax purposes; or

(b) Requiring the owner, within the time specified in the order, to remove or demolish the dwelling provided that adequate standard dwelling units are available for any persons displaced by enforcement of these requirements; if the repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost not in excess of five hundred (500) percent of its assessed valuation for tax purposes.

(3) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling, the enforcing officer may cause the dwelling to be repaired, altered, or improved, or to be vacated and closed; and the enforcing officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(4) If the owner fails to comply with an order to remove or demolish the dwelling, the enforcing officer may cause the dwelling to be removed or demolished.

(5) The amount of the cost of such repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the enforcing officer shall, upon the filing of the notice with the officer of the register of deeds of the county in which the property lies be a lien on the property in favor of the municipality, second only to liens of the state, county and municipality for taxes, any lien of the municipality for special assessments, and

valid lien, right or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. These costs shall be placed upon the tax rolls of the municipality as a lien and shall be added to the property tax bills to be collected at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes. If the structure is removed or demolished by the public officer he shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the chancery court by the enforcing officer, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court; provided however, that nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare a nuisance and to cause their removal or abatement by summary proceedings or otherwise. (1986 Code, § 4-816, as amended by Ord. #8-14-90-2, Oct. 1990)

**12-817. Service of complaints or orders.** Complaints or orders issued by the enforcing officer pursuant to the provisions of this chapter shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the enforcing officer in the exercise of reasonable diligence, and the enforcing officer makes an affidavit to that effect, then the serving of the complaint or order upon such persons may be made by publishing it once each week for two (2) consecutive weeks in a newspaper printed and published in the town. A copy of the complaint or order shall be posted in a conspicuous place on premises affected by the complaint or order. A copy of the complaint or order shall also be filed for record in the register's office of the county in which the dwelling is located, and the filing of the complaint or order shall have the same force and effect as other lis pendens notice provided by law. (1986 Code, § 4-817)

**12-818. Enjoining enforcement of order.** (1) Any person affected by an order issued by the enforcing officer in the enforcement of the provisions of this chapter may file a bill in the chancery court for an injunction restraining the enforcing officer from carrying out the provisions of the order, and the court may, upon the filing of its bill issue a temporary injunction restraining the enforcing officer pending the final disposition of the cause if the bill is filed within sixty (60) days after the posting and service of the order of the enforcing officer. Hearings shall be had by the court on such bills within twenty (20) days, or as soon thereafter as possible, and shall be given preference over other matters on the court's calendar.

(2) The court shall hear and determine the issues and shall enter such final order or decree as law and justice require. In all such proceedings the

findings of the enforcing officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein contained shall be exclusive remedies and no person affected by an order of the enforcing officer shall be entitled to recover any damages for action taken pursuant to any order of the enforcing officer, or because of noncompliance by such person with any order of the enforcing officer. (1986 Code, § 4-818)

**CHAPTER 9****FAIR HOUSING CODE****SECTION**

- 12-901. Definitions.
- 12-902. Unlawful discriminatory acts.
- 12-903. Exception for certain religions.
- 12-904. Access to real estate services.
- 12-905. Educational and conciliatory activities.
- 12-906. Complaints and prosecutions of violations.
- 12-907. Exhaustion of remedies.

**12-901. Definitions.** Whenever used in this chapter, the following words and terms shall have the following meaning unless the context necessarily requires otherwise:

(1) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location of any such building.

(2) "Family" includes a single individual.

(3) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trust, unincorporated organizations, trustees in bankruptcy, receivers, and fiduciaries.

(4) "To rent" includes "to lease", "to sublease," "to let," and otherwise "to grant" for a consideration the right to occupy premises not owned by the occupant. (1986 Code, § 4-901)

**12-902. Unlawful discriminatory acts.** Subject to the exceptions hereinafter set out, it shall be unlawful for any person to do any of the following acts:

(1) To refuse to sell or rent after the making of a bonafide offer to do so or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, sex, religion, or national origin.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provisions of services of facilities in connection therewith, because of race, color, sex, religion, or national origin.

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, sex, religion, or national origin.

(4) To represent to any person because of race, color, sex, religion, or national origin that any dwelling is not available for inspection, sale, or rental when the dwelling is in fact so available.

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, religion, or national origin. (1986 Code, § 4-902)

**12-903. Exception for certain religions.** Nothing in this chapter shall prohibit a religious organization, association, or society, or any non-profit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society from limiting the sale, rental, or occupancy of dwellings which it owns or operates for other than commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in the religion is restricted on account of race, color, sex, or national origin. (1986 Code, § 4-903)

**12-904. Access to real estate services.** It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation on account of race, color, sex, religion, or national origin. (1986 Code, § 4-904)

**12-905. Educational and conciliatory activities.** The human relations subcommittee of the citizen's advisory committee of Rogersville, is authorized and directed to undertake such educational and conciliatory activities as in its judgment will further the purposes of this chapter. It may call a conference of persons in the housing industry and other interested parties to acquaint them with the provisions hereof and the committee's suggested means of implementing it. The subcommittee shall further endeavor, with the advice of the housing industry and other interested parties, to work out programs of voluntary compliance and may advise appropriate city officials on matters of enforcement. The subcommittee may issue reports on such conferences and consultation as it deems appropriate. (1986 Code, § 4-905)

**12-906. Complaints and prosecutions of violations.** Any person who claims to have been injured by an act made unlawful by this chapter or who claims that he will be injured by such an act, may file a complaint with the chairman of the subcommittee. A complaint shall be filed within 180 days after the alleged unlawful act occurred. Complaints shall be in writing and shall contain such information and be in such form as required by the human relations subcommittee. Upon receipt of a complaint, the subcommittee shall

promptly investigate it and shall complete its investigation within fifteen (15) days. If a majority of the human relations subcommittee finds reasonable cause to believe that a violation of the chapter has occurred, or if a person charged with violation of this chapter refused to furnish information to the subcommittee, the subcommittee may request the city attorney to prosecute an action in the recorder's court against the person charged in the complaint. The request shall be in writing.

Upon receiving the written request and with the assistance of the aggrieved person and the subcommittee, within fifteen days after receiving the request, the city attorney shall be prepared to prosecute an action in the recorder's court, provided a warrant is sworn out by the aggrieved person and served upon the person or persons charged with the offense. (1986 Code, § 4-906)

**12-907. Exhaustion of remedies.** Nothing in this chapter requires any person claiming to have been injured by an act made unlawful by this chapter to exhaust the remedies provided herein nor prevents any such person from seeking relief at any time under the Federal Civil Rights Acts or other applicable legal provisions. (1986 Code, § 4-907)

## CHAPTER 10

### MODEL ENERGY CODE

#### SECTION

12-1001. Model energy code adopted.

12-1002. Modifications.

12-1003. Available in recorder's office.

12-1004. Violations and penalty.

**12-1001. 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 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.

**12-1002. Modifications.** Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the Town of Rogersville. 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.

**12-1003. 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.

**12-1004. Violations 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 fifty dollars (\$50) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.