

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

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CHAPTER 1**CODES ENFORCEMENT****SECTION**

- 12-101. Department established.
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12-101. Department established. There is hereby established a department to be called the "Codes Enforcement Department" which shall be in charge of a codes enforcement officer. (1978 Code, § 4-101)

12-102. Duties of codes enforcement officer. The codes enforcement officer, to be designated by the board of mayor and aldermen, shall be responsible for the administration and enforcement of the following city codes and ordinances:

- (1) Standard Building Code.
- (2) Standard Housing Code.
- (3) Standard Plumbing Code.
- (4) Fire Prevention Code.
- (5) Sparta Municipal Zoning Ordinance.
- (6) National Electrical Code.
- (7) Standard Gas Code.
- (8) Standard Mechanical Code.
- (9) Standard Swimming Pool Code.
- (10) Standard Amusement Device Code.

Administration and enforcement of these codes and ordinances shall be in such manner as prescribed by each code or ordinance with modifications as may be deemed appropriate by the board of mayor and aldermen. (1978 Code, § 4-102)

12-103. Qualifications of codes enforcement officer. The codes enforcement officer shall possess: a knowledge of the principles and practices for enforcement of regulatory codes and ordinances pertaining to buildings, building construction and related activities; a broad knowledge of buildings and construction materials and systems and practical methods of building construction; the ability to read and interpret a wide variety of building material and construction standards; the ability to read and interpret complicated building plans and specifications; the ability to maintain adequate records of codes enforcement and related activities; and the ability to prepare or supervise the preparation of schedules, reports and correspondence. (1978 Code, § 4-103)

12-104. [Deleted.] (1978 Code, § 4-104, as deleted by Ord. #13-873, April 2013)

12-105. Board of codes appeals established; composition. There is hereby established a board to be called the board of codes appeals, which shall consist of five (5) members. (1978 Code, § 4-105, as replaced by Ord. #13-873, April 2013)

12-106. Term of office. Terms of membership shall be coterminous with each member's term on the board of zoning appeals. (1978 Code, § 4-106)

12-107. Proceedings of the board of codes appeals. The board of codes appeals shall adopt rules necessary to the conduct of its affairs, and in keeping with provisions of the housing, building, plumbing, and fire codes. Meetings shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The board of codes appeals shall keep minutes of its

proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the board. (1978 Code, § 4-107)

12-108. Hearings, appeals, notice. Appeals to the board of codes appeals concerning interpretation or administration of this title may be taken by any person aggrieved or by any officer or bureau of the governing body of the city affected by any decision of the codes enforcement officer. Such appeals shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the board, by filing with the codes enforcement officer and with the board of codes appeals a notice of appeal specifying the grounds thereof. The codes enforcement officer shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

The board of codes appeals shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

Notice of appeal shall be in writing and when filed, shall be accompanied by a fee of twenty-five dollars (\$25.00). (1978 Code, § 4-108)

12-109. Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed from unless the codes enforcement officer from whom the appeal is taken certifies to the board of codes appeals after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed, other than by a restraining order which may be granted by the board of codes appeals or by a court of record on application, on notice to the codes enforcement officer from whom the appeal is taken and on due cause shown. (1978 Code, § 4-109)

12-110. Variations and modifications. The board of codes appeals, when so appealed to and after a hearing, may vary the application of any provision of the above named codes to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the codes or public interest, or when in its opinion the interpretation of the codes enforcement official should be modified or reversed.

A decision of the board of codes appeals to vary the application of any provision of these codes or to modify an order of codes enforcement officer shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor. (1978 Code, § 4-110)

12-111. Decisions. Every decision of the board of codes appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the codes enforcement officer, and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the codes enforcement officer for two weeks after filing.

The board of codes appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

If a decision of the board of codes appeals reverses or modifies a refusal, order, or disallowance of the codes enforcement officer, or varies the application or any provision of the codes, the codes enforcement officer shall immediately take action in accordance with such decision. (1978 Code, § 4-111)

CHAPTER 2

BUILDING CODE¹

SECTION

- 12-201. Building code adopted.
- 12-202. Appendices to the building code adopted.
- 12-203. Terms modified.
- 12-204. Other modifications.
- 12-205. Available in recorder's office.
- 12-206. Violations.
- 12-207. Schedule of permit fees.
- 12-207(b). Valuation of the cost of construction for permit fee calculation purposes.
- 12-208. Penalties.

12-201. 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,² 2012 edition and developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code. (1978 Code, § 4-201, as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-202. Appendices to the building code adopted. The following appendices to the 2012 International Building Code are hereby adopted and incorporated as part of the Sparta Municipal Code by reference:

APPENDIX A	Employee Qualifications
APPENDIX C	Group-Agricultural Buildings
APPENDIX D	Fire Districts

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

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

APPENDIX E	Supplementary Accessibility Requirements
APPENDIX F	Rodentproofing
APPENDIX G	Flood-Resistant Construction
APPENDIX H	Signs
APPENDIX I	Patio Covers
APPENDIX J	Grading
APPENDIX K	Administrative Provisions

(Ord. #95-682, Jan. 1996, as amended by Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 **Ch13_12-18-18**)

12-203. Terms modified. 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 the codes enforcement officer. (1978 Code, § 4-202)

12-204. Other modifications. (1) The codes enforcement officer shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

- (a) Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
- (b) Use construction materials and utility equipment that are resistant to flood damage; and
- (c) Use construction methods and practices that will minimize flood damages.

(2) The provisions of section 113 of the 2012 International Building Code, Construction Board of Adjustment and Appeals, are excluded from adoption under the provisions of this chapter. (1978 Code, § 4-204, as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 **Ch13_12-18-18**)

12-205. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502(a), one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1978 Code, § 4-205)

12-206. 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. (1978 Code, § 4-206)

12-207. Schedule of permit fees.

Total Valuation	Fee
\$1000 and less	No fee, unless inspections required, in which case a \$15.00 fee for each inspection shall be charged.
\$1000 to \$50,000	\$15.00 for the first \$1000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.
\$50,000 to \$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00
\$100,000 to \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.
Moving Fee	For the moving of any building or structure, the fee shall be \$100.00
Demolition Fee	For the demolition of any building or structures, the fee shall be: 1 up to 100,000 cu ft - \$50.00 100,000 cu ft and over - \$0.50/1,000 cu ft

(as added by Ord. #05-796, Dec. 2005)

12-207(b). Valuation of the cost of construction for permit fee calculation purposes. For the purpose of determining the cost of construction for permit fee calculations for one and two family dwellings and townhouses, the current value per heated square foot of construction as specified by the Fire Prevention Division of the Tennessee Department of Commerce and Insurance shall be used. (as added by Ord. #13-873, April 2013)

12-208. Penalties. Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the

execution of the work nor from any other penalties prescribed herein. (as added by Ord. #05-796, Dec. 2005)

CHAPTER 3

PLUMBING CODE¹

SECTION

- 12-301. Plumbing code adopted.
- 12-302. Appendices to the plumbing code adopted.
- 12-303. Modifications.
- 12-304. Available in recorder's office.
- 12-305. 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 City of Sparta, when such plumbing is or is to be connected with the municipal water or sewerage system, the International Plumbing Code,² 2012 edition and developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code. (1978 Code, § 4-301, as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-302. Appendices to the plumbing code adopted. The following appendices to the 2012 International Plumbing Code are hereby adopted and incorporated as a part of the Sparta Municipal Code by reference:

APPENDIX A Plumbing Permit Fee Schedule

The following fees and amounts are applicable:

- Permit issuance
 - 1. For issuing each permit \$10.00
- Unit Fee Schedule
 - 1. For each plumbing fixture \$ 2.50
 - 2. For each building & trailer park sewer \$ 5.00

¹Municipal code references

- Cross connections: title 18.
- Street excavations: title 16.
- Wastewater treatment: title 18.
- Water and sewer system administration: title 18.

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

3.	Rainwater systems per drain inside	\$ 2.50
4.	Each cesspool	\$ 5.00
5.	Each private sewage disposal system	\$10.00
6.	Each water heater and/or vent	\$ 2.50
7.	Each industrial waste pretreatment interceptor . . .	\$ 2.50
8.	Installation, alteration or repair of water piping and/or water treating equipment, each	\$ 2.50
9.	Repair or alteration of drainage or vent piping, each	\$ 2.50
10.	Each lawn sprinkler system or any other meter . . .	\$ 2.50
11.	Atmospheric-type vacuum breakers not included in Item 2: 1-5	\$ 2.50
12.	Each backflow protective device other than	\$ 2.50
APPENDIX B Rates of Rainfall for Various Cities	
APPENDIX C Gray Water Recycling Systems	
APPENDIX D Degree Day & Design Temperatures for cities in the United States	
APPENDIX E Sizing of Water Piping System	
APPENDIX F Structural Safety	
APPENDIX G Vacuum Drainage System (Ord. #95-682, Jan. 1996, as amended by Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 <i>Ch13_12-18-18</i>)	

12-303. 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 of the City of Sparta.

Wherever "City Engineer," "Engineering Department," "Plumbing Official," or "Inspector" is named or referred to, it shall mean the codes enforcement officer. (1978 Code, § 4-302)

12-304. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502(a), one (1) copy of the plumbing code has been placed on file at city hall and shall be kept there for the use and inspection of the public. (1978 Code, § 4-303, as amended by Ord. #13-873, April 2013)

12-305. 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. (1978 Code, § 4-304)

CHAPTER 4¹

INTERNATIONAL RESIDENTIAL CODE

SECTION

- 12-401. Residential code adopted.
- 12-402. Appendices to the residential code adopted.
- 12-403. Code sections not included.
- 12-404. Fees.

12-401. Residential 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 residential structure, the International Residential Code,² 2012 edition developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the residential code. (as added by Ord. #13-873, April 2013, and amended by Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-402. Appendices to the residential code adopted. The following appendices to the 2012 International Residential Code are hereby adopted and incorporated as a part of the Sparta Municipal Code by reference:

- APPENDIX A Sizing and Capacities of Gas Piping
- APPENDIX B Sizing and Venting Systems Serving Appliances
Equipped With Draft Hoods, Category 1 Appliances,
And Appliances Listed for use with Type B Vents
- APPENDIX C Exit Terminals of Mechanical Draft and
Direct-Vent Venting Systems
- APPENDIX D Recommended Procedure for Safety Inspection of
An Existing Appliance Installation
- APPENDIX E Manufactured Housing Used as Dwellings
- APPENDIX F Radon Control Methods
- APPENDIX G Swimming Pools, Spas, and Hot Tubs
- APPENDIX H Patio Covers
- APPENDIX I Private Sewage Disposal
- APPENDIX J Existing Buildings and Structures

¹Title 12, chapter 4 "Electrical Code," as adopted in May 1999, was deleted by Ord. #13-873, April 2013.

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

APPENDIX K Sound Transmission
APPENDIX M Home Day Care - R3 Occupancy
APPENDIX N Venting Methods
APPENDIX P Size of Water Piping Systems
(as added by Ord. #13-873, April 2013, and replaced by Ord. #17-908, Oct. 2017
Ch13_12-18-18)

12-403. Code sections not included. Part II, Chapter R108, Fees and Chapter R112, Board of Appeals, and Part III, R313, Automatic Fire Sprinkler Systems are hereby excluded from adoption by this chapter. (as added by Ord. #13-873, April 2013, and replaced by Ord. #17-908, Oct. 2017 **Ch13_12-18-18**)

12-404. Fees. For new construction, the provision of § 12-207(b), Valuation of the cost of construction for permit fee calculation, are applicable. For remodel construction, § 12-207(b) is not applicable. Permit fees for residential remodeling projects shall be determined by the provisions of § 12-207, Schedule of fees. (as added by Ord. #13-873, April 2013)

CHAPTER 5

GAS CODE¹

SECTION

- 12-501. Gas code adopted.
- 12-502. Appendices to the gas code adopted.
- 12-503. Modifications.
- 12-504. Available at city hall.
- 12-505. Non-liability.

12-501. Gas code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-509, and for the purpose of securing the beneficial interests and purposes of the International Fuel Gas Code which are public safety, health, and general welfare by regulating the installation and maintenance of all gas piping and appliances; the International Fuel Gas Code,² 2012 edition and developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the gas code. (1978 Code, § 4-501, as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 ***Ch13_12-18-18***)

12-502. Appendices to the gas code adopted. The following appendices to the 2012 International Fuel Gas Code are hereby adopted and incorporated as a part of the Sparta Municipal Code by reference:

- APPENDIX A Sizing and Capacities of Gas Piping
- APPENDIX B Sizing and Venting Systems Serving Appliances
Equipped With Draft Hoods, Category 1 Appliances,
And Appliances Listed for use with Type B Vents (IFGS)
- APPENDIX C Exit Terminals of Mechanical Draft and
Direct-Vent Venting Systems(IFGS)
- APPENDIX D Recommended Procedure for Safety Inspection of
An Existing Appliance Installation

(Ord. #95-682, Jan. 1996, as deleted by Ord. #05-796, Dec. 2005, added by Ord. #13-873, April 2013, and amended by Ord. #17-908, Oct. 2017 ***Ch13_12-18-18***)

¹Municipal code reference
Gas system administration: title 19, chapter 2.

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

12-503. Modifications. Wherever the gas code refers to the "Gas Inspection Department," and the "Gas Official," it shall be deemed to be a reference to the codes enforcement department and codes enforcement officer of the City of Sparta. (1978 Code, § 4-502)

12-504. Available at city hall. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502(a), one (1) copy of the gas code has been placed on file at city hall and shall be kept there for the use and inspection of the public. (1978 Code, § 4-503)

12-505. Non-liability. This chapter shall not be construed as imposing upon the municipality 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 municipality, 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 codes enforcement officer. (1978 Code, § 4-512)

CHAPTER 6

INTERNATIONAL PROPERTY MAINTENANCE CODE

SECTION

12-601. Property maintenance code adopted.

12-602. Modifications.

12-603. Available in recorder's office.

12-604. Violations.

12-605. Appendix to the property maintenance code adopted.

12-601. Property maintenance code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the International Property Maintenance Code,¹ 2012 edition, developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (1978 Code, § 4-601, as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013 and Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-602. Modifications. Wherever the housing code refers to the "Building Official" it shall mean the codes enforcement officer. Wherever the "Department of Law" is referred to it shall mean the city attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the board of mayor and aldermen. Section 108 of the housing code is deleted. (1978 Code, § 4-602)

12-603. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the property maintenance code has been placed on file at city hall and shall be kept there for the use and inspection of the public. (1978 Code, § 4-603, as amended by Ord. #13-873, April 2013)

12-604. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the property maintenance code as herein adopted by reference and modified. (1978 Code, § 4-604, as amended by Ord. #13-873, April 2013)

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

12-605. Appendix to the property maintenance code adopted. The following appendix to the 2012 International Property Maintenance Code is hereby adopted and incorporated as a part of the Sparta Municipal Code by reference:

APPENDIX A Boarding Standards
(as added by Ord. #13-873, April 2013, and amended by Ord. #17-908, Oct. 2017
Ch13_12-18-18)

CHAPTER 7

MODEL ENERGY CODE¹

SECTION

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

12-701. 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 International Energy Conservation Code,² 2009 edition developed and published by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code. (as amended by Ord. #05-796, Dec. 2005, and Ord. #13-873, April 2013)

12-702. Modifications. Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the City of Sparta. 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.

¹State law reference

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

Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

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

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

12-704. Violation and penalty. It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 8

INTERNATIONAL EXISTING BUILDING CODE

SECTION

- 12-801. Existing building code adopted.
- 12-802. Modifications.
- 12-803. Appendix to the existing building code adopted.

12-801. Existing 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 existing buildings or structures, the International Existing Building Code,¹ 2012 edition developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the existing building code. (1978 Code, § 4-801(3), as replaced by Ord. #13-873, April 2013, and amended by Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-802. Modifications. Chapter 1, part 2(112), Board of Appeals, is hereby excluded from adoption by the provisions of this chapter. (as added by Ord. #13-873, April 2013)

12-803. Appendix to the existing building code adopted. The following appendix to the 2012 International Existing Building Code is hereby adopted and incorporated as a part of the Sparta Municipal Code by reference:

- APPENDIX A Reference Standards
- APPENDIX B Supplementary Accessibility Requirements
For Existing Buildings and Facilities

(as added by Ord. #13-873, April 2013, and amended by Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

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

CHAPTER 9

[DELETED]

(1978 Code, §§ 4-1001--4-1004, as deleted by Ord. #13-873, April 2013)

CHAPTER 10**SWIMMING POOL AND SPA CODE¹****SECTION**

12-1001. Swimming pool and spa code adopted.

12-1001. Swimming pool and spa code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-516, and for the purpose of setting standards for the design, construction, or installation, alteration, repair or alterations of swimming pools, public or private and equipment related thereto. The 2012 International Swimming Pool and Spa Code,² as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the swimming pool and spa code. (1978 Code, § 4-801(2), as amended by Ord. #95-682, Jan. 1996, and Ord. #13-873, April 2013)

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

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

CHAPTER 11

MECHANICAL CODE¹

SECTION

- 12-1101. Mechanical code adopted.
 12-1102. Appendices to the mechanical code adopted.
 12-1103. Modifications to the mechanical code.

12-1101. Mechanical code adopted. Pursuant to authority granted by Tennessee Code Annotated §§ 6-54-501 through 6-54-516 and for the purpose of regulating the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning, and refrigeration systems, incinerators, and other energy-related systems, the International Mechanical Code,² 2012 edition, as developed and published by International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the mechanical code. (1978 Code, § 4-801(1), as amended by Ord. #95-682, Jan. 1996, Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-1102. Appendices to the mechanical code adopted. The following appendices to the 2012 International Mechanical Code are hereby adopted and incorporated by reference as part of this code:

- APPENDIX A . . . Combustion Air Openings and Chimney Connector Pass-Throughs
 APPENDIX B . . . Schedule of Permit Fees
 (Ord. #95-682, Jan. 1996, as amended by Ord. #05-796, Dec. 2005, Ord. #13-873, April 2013, and Ord. #17-908, Oct. 2017 *Ch13_12-18-18*)

12-1103. Modifications to the mechanical code. (1) Wherever the mechanical code refers to the "Mechanical Department," and the "Mechanical Official," it shall be deemed to be a reference to the Codes Enforcement Department and Codes Enforcement Officer of the City of Sparta.

¹Municipal code references

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

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

(2) The provisions of section 109 of the International Mechanical Code 2003 edition, Means of Appeals, are excluded from adoption under the provisions of this chapter. (1978 Code, § 4-803, as amended by Ord. #95-682, Jan. 1996, and Ord. #05-796, Dec. 2005)

CHAPTER 12

DANGEROUS BUILDINGS

SECTION

- 12-1201. Dangerous buildings defined.
- 12-1202. Standards for repair, vacation or demolition.
- 12-1203. Dangerous buildings--nuisances.
- 12-1204. Duties of the building inspector.
- 12-1205. Duties of the board of mayor and aldermen.
- 12-1206. Violations--penalty for disregarding notices or orders.
- 12-1207. Duties of the city attorney.
- 12-1208. Emergency cases.
- 12-1209. When the owner is absent from the city.
- 12-1210. Administrative liability.
- 12-1211. Duties of the fire and police departments.

12-1201. Dangerous buildings defined. All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings":

(1) Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

(2) Those which, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.

(3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(4) Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the City of Sparta, Tennessee.

(5) Those which have become or are so dilapidated, decayed, unsafe, unsanitary, or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety, or general welfare of those living within.

(6) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

(7) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of rapid and orderly movement of human beings in an emergency situation.

(8) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

(9) Those which because of their conditions are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of the City of Sparta, Tennessee.

(10) Those buildings existing in violation of any provision of the building code of this city, or any provision of the fire prevention code, or any other ordinance of the city. (1978 Code, § 4-901)

12-1202. Standards for repair, vacation or demolition. The following standards shall be followed in substance by the building inspector and/or the board of mayor and aldermen in ordering repair, vacation, or demolition:

(1) If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of the terms of this chapter it shall be ordered repaired.

(2) If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants it shall be ordered to be vacated.

(3) In any case where a "dangerous building" is fifty percent (50%) damaged, destroyed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it shall no longer exist in violation of the terms of this chapter it shall be demolished. In all cases where a "dangerous building" is a fire hazard existing or erected in violation of the terms of this chapter or any other ordinance of the City of Sparta or statute of the State of Tennessee, it shall be demolished. (1978 Code, § 4-902)

12-1203. Dangerous buildings–nuisances. All "dangerous buildings" within the terms of § 12-1201 are hereby declared to be public nuisances, and shall be repaired, vacated, or demolished as hereinbefore and hereinafter provided. (1978 Code, § 4-903)

12-1204. Duties of the building inspector. The building inspector shall:

(1) When in his opinion he considers it reasonably necessary and at reasonable intervals, inspect or cause to be inspected all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial, manufacturing, or loft buildings for the purpose of determining whether any conditions exist which render such places a "dangerous building" within the terms of § 12-1201.

(2) Inspect any building, wall or structure reported (as hereinafter provided) by the fire or police departments of the city as probably existing in violation of the terms of this chapter.

(3) At reasonable times, inspect any building known to him or believed by him to be in a dangerous condition and he may at all reasonable times inspect any or all buildings in any section of this city to determine whether they are "dangerous buildings" within the terms of § 12-1201.

(4) Notify in writing the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in said building as shown by the tax records in the assessor's office of this city and the land records of the register of deeds of White County, Tennessee, and any building found by him to be a "dangerous building" within the standards set forth in § 12-1201, that:

(a) The owner must vacate, or repair, or demolish said building in accordance with the terms of the notice and this chapter;

(b) The occupant or lessee must vacate said building or may have it repaired in accordance with the notice and remain in possession;

(c) The mortgagee, agent, or other person having an interest in said building as shown by the land records of the register of deeds of White County, Tennessee and/or the tax records in the tax assessor's office for the City of Sparta, Tennessee, may at his own risk repair, vacate, or demolish said building or have such work or act done; provided, that any person notified under this subsection to repair, vacate, or demolish any building shall be given such reasonable time, not exceeding sixty (60) days, as may be necessary to do, or have done, the work or act required by the notice provided for herein.

(5) Set forth, in the notice provided for in subsection (4) hereinabove, a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a "dangerous building," and an order requiring the same to be put in such condition as to comply with the terms of this chapter within such length of time, not exceeding sixty (60) days, as is reasonable.

(6) Report to the board of mayor and aldermen any non-compliance with the "notice" provided for in subsections (4) and (5) hereinabove.

(7) Appear at all hearings conducted by the board of mayor and aldermen and testify as to the condition of the "dangerous building."

(8) Place a notice on all "dangerous buildings" reading as follows: "This building has been found to be a dangerous building by the codes enforcement officer. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given to the owner, occupant, lessee, mortgagee, or agent of this building, and all other persons having an interest in this building as shown by the records in the tax assessor's office of this city and the land records in the register's office of White County, Tennessee. It is unlawful to remove this notice until such notice is complied with." (1978 Code, § 4-904)

12-1205. Duties of board of mayor and aldermen. The board of mayor and aldermen shall:

(1) Upon receipt of a report of the building inspector as provided for in § 12-1204(6) herein, give written notice to the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in said building as shown by the land records of the register of deeds of White County, Tennessee, and/or the tax records in the tax assessor's office of the city, to appear before the board upon the date specified in the notice to show cause why any building or structure reported to be a "dangerous building" should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the building inspector's notice provided for herein by § 12-1204(5).

(2) Hold a hearing and hear such testimony as the building inspector, owner, occupant, mortgagee, lessee, or other person or persons interested therein shall offer relative to the "dangerous building."

(3) Make written findings of fact from the testimony offered pursuant to subsection (2) as to whether or not the building in question is a "dangerous building" within the terms of § 12-1201.

(4) Issue an order, based upon the findings of fact made pursuant to subsection (3), commanding the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in said building as shown by the land records of the register of deeds of White County, Tennessee, and/or the tax records of the tax assessor's office of this city, to repair, vacate, or demolish any building found to be a "dangerous building" within the terms of this chapter and provided that any person so notified, shall have the privilege of either vacating or repairing said "dangerous building" or any person having an interest in said building, may demolish said "dangerous building" at his own risk to prevent the acquiring of a lien against the land upon which said "dangerous building" stands.

(5) If the owner, occupant, mortgagee or lessee fails to comply with the order provided for in subsection (4) hereof within a time period designated by the board, the board may cause such building or structure to be repaired, vacated or demolished, as the facts may warrant, under the standards hereinbefore provided for in § 12-1202, and may with the assistance of the city attorney cause the costs of such repair, vacation or demolition to be charged against the land on which the building existed as a municipal lien or cause such costs to be added to the tax rolls as an assessment, or to be levied as a special tax against the land upon which the building stands or did stand, or to be recovered in an action or suit at law or in equity against the owner; provided, that in cases where such procedure is desirable and any delay caused thereby will not be dangerous to the health, morals, safety or general welfare of the people of this city, the board may notify the city attorney to take such legal action as is necessary to force the owner to make all necessary repairs or demolish the building.

(6) Report to the city attorney the names of all persons not complying with the terms of the order provided for in § 12-1205(4) hereof, together with

appropriate instructions to the city attorney as to the procedure desired by the board to obtain compliance. (1978 Code, § 4-905)

12-1206. Violations--penalty for disregarding notices or orders.

The owner of any "dangerous building" who shall fail to comply with any notice or order to repair, vacate, or demolish said building when such notice or order is given by any person authorized by this chapter to give such notice or order shall be guilty of a misdemeanor and upon conviction thereof shall be fined under the general penalty clause of this code.

Any occupant or lessee in possession who fails to comply with any notice to vacate and who fails to repair said building in accordance with any notice given as provided for in this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined under the general penalty clause of this code.

Any person removing the notices provided for in § 12-1204(8) hereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined under the general penalty clause of this code. (1978 Code, § 4-906)

12-1207. Duties of the city attorney. The city attorney shall:

(1) Prosecute all persons failing to comply with the terms of the notices provided for herein in § 12-1204(4) and (5) and the order provided for in § 12-1205(4).

(2) Appear at all hearings before the board in regard to "dangerous buildings" when requested to do so.

(3) Bring suit to collect all municipal liens, assessments, or costs incurred by the board in repairing or causing to be vacated or demolished any "dangerous buildings."

(4) Take such other legal action as is necessary to directed by the board. (1978 Code, § 4-907)

12-1208. Emergency cases. In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a "dangerous building" as defined herein is immediately repaired, vacated, or demolished, the building inspector shall report such facts to the board and the board may and shall have the right to cause the immediate repair, vacation, or demolition of such "dangerous building." The costs of such emergency repair, vacation or demolition of such "dangerous building" shall be collected in the manner provided in § 12-1205(5) hereof. (1978 Code, § 4-908)

12-1209. When the owner is absent from the city. In cases, except in emergency cases, where the owner, occupant, lessee, or mortgagee is absent from the city all notices or orders provided for herein shall be sent by registered mail to the owner, occupant, mortgagee, lessee, or to any other persons having an interest in said building or lands as shown by the land records in the register's office of White County, Tennessee, and/or the tax records in the tax

assessor's office of the city, to the last known address of each and a copy of such notice shall be posted in a conspicuous place on the "dangerous building" to which it relates. Such mailing and posting shall be deemed adequate service. In cases where desirable the notices and order provided for herein may be served on said parties in the same manner as a summons is served in the courts of general jurisdiction. (1978 Code, § 4-909)

12-1210. Administrative liability. No officer, agent or employee of the City of Sparta, Tennessee, shall render himself/herself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his/her duties under this chapter. Any suit brought against any officer, agent or employee of the City of Sparta, as a result of any act required or permitted in the discharge of his/her duties hereunder shall be defended by the city attorney as necessary until the final determination of the proceeding therein. (1978 Code, § 4-910)

12-1211. Duties of the fire and police departments. The employees of the fire and police departments shall make a report in writing to the building inspector of all buildings or structures which are or may be, or are suspected to be "dangerous buildings" within the terms of this chapter. Such reports must be delivered to the building inspector and/or the board within twenty-four (24) hours of the discovery of such buildings by any employee of the fire or police department. (1978 Code, § 4-911)

CHAPTER 13

ELECTRICAL CODE¹

SECTION

- 12-1301. Electrical code adopted.
- 12-1302. Available in recorder's office.
- 12-1303. Permit required for doing electrical work.
- 12-1304. Violations.
- 12-1305. Enforcement.
- 12-1306. Disconnecting dangerous conditions.
- 12-1307. Fees.

12-1301. Electrical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 6-54-506 and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code,² 2008 edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. All electrical work performed shall conform to the standards, requirements, and provisions of the State of Tennessee which relate to such work. (as added by Ord. #15-891, Dec. 2015)

12-1302. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502(a), one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as added by Ord. #15-891, Dec. 2015)

12-1303. Permit required for doing electrical work. No electrical work shall be done within this municipality until a permit therefor has been issued by the municipality. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (as added by Ord. #15-891, Dec. 2015)

¹Municipal code reference

Fire protection and fireworks: title 7.

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

12-1304. 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. (as added by Ord. #15-891, Dec. 2015)

12-1305. Enforcement. The codes enforcement officer or any electrical inspector appointed by the State of Tennessee Fire Marshal's office shall 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. (as added by Ord. #15-891, Dec. 2015)

12-1306. Disconnecting dangerous conditions. The codes enforcement officer shall have the right to disconnect all dangerous and/or defective wiring systems, in or upon any building, structure, or premises, from its source of current, and it shall be unlawful for any individual, firm or corporation to reconnect the same until such systems shall have been made safe and been approved by the codes enforcement officer or his designated representatives. (as added by Ord. #15-891, Dec. 2015)

12-1307. Fees. The codes enforcement officer shall collect the same fees as are authorized in Tennessee Code Annotated, § 68-102-143 for electrical inspections by deputy inspectors of the state fire marshal. (as added by Ord. #15-891, Dec. 2015)