

## Rejecting Specific Amendments

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee  
Municipal Technical Advisory Service  
1610 University Avenue  
Knoxville, TN 37921-6741  
865-974-0411 phone  
865-974-0423 fax  
[www.mtas.tennessee.edu](https://www.mtas.tennessee.edu)

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## Rejecting Specific Amendments

**Reference Number:** MTAS-1772

If a city decides not to adopt a certain published amendment, and amendments to building codes are not adopted administratively by the building official, it must reject the amendment by at least a two-thirds vote of the total membership of the governing body. <sup>[14]</sup> This must be done every time a new amendment is published to the code. Each amendment rejected must be identified by "date and source." <sup>[15]</sup> The ICC and other organizations, when publishing building codes or amendments, specify the date of the code or amendment by year, e.g. "2012 edition with 2014 revisions." The "source" is the particular code being adopted.

The statute does not specify that rejection of amendments must be by written instrument. However, a written resolution is an effective way to keep a record of the votes on each amendment considered and what action was taken on each. See Sample 3, "Resolution rejecting specific amendments to building codes." <sup>[1]</sup> If the rejection is not by written instrument, the meeting minutes should contain an accurate reference to the specific amendment considered and either a roll call vote or a notation that the vote to reject was effected by at least a two-thirds majority of the total membership of the board.

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[14] T.C.A. § 6-54-502(b).

[15] *Id.*

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### Links:

[1] <https://www.mtas.tennessee.edu/reference/sample-resolution-rejecting-amendments>

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