



Adopting New Codes When a Code was Previously Adopted

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

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,

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Usually every three years, the publishers of building codes will issue a completely new edition of a code. The new code should not be treated as an amendment to an existing code and adopted administratively by the building official. ^[35] In such cases, an ordinance must be passed by the governing body to adopt the new code. ^[36] The administrative procedures apply only to "changes and amendments" to codes adopted by reference, ^[37] and not to complete codes, which must be adopted by ordinance. ^[38] The ordinance should amend the ordinance that originally adopted the code, as amended, unless the original ordinance was codified. If the original ordinance was codified in a municipal code, the ordinance should be written to amend the municipal code. See Sample 8, "Ordinance adopting new editions to building codes—amending an existing ordinance," [1] and Sample 9, "Ordinance adopting new editions to building codes—amending a municipal code," [2] for sample ordinances adopting new codes where a code was adopted by reference previously.

[35] See *City of Bluff City v. Morrell*, 764 S.W.2d at 202.

[36] *Id.*

[37] T.C.A. § 6-54-502(c).

[38] T.C.A. § 6-54-502(a).

Links:

[1] <https://www.mtas.tennessee.edu/reference/sample-ordinance-adopting-new-editions-existing-ordinance>

[2] <https://www.mtas.tennessee.edu/reference/sample-ordinance-adopting-new-editions-municipal-code>

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