TITLE 12
BUILDING, UTILITY, ETC. CODES

CHAPTER
1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. INTERNATIONAL ENERGY CONSERVATION CODE.
6. EXCAVATION, GRADING, AND CLEARING CODE.
7. MECHANICAL CODE.
8. PROPERTY MAINTENANCE CODE.
9. INTERNATIONAL RESIDENTIAL CODE.

CHAPTER 1
BUILDING CODE

SECTION
12-102. Exceptions.
12-103. Modifications.
12-104. Available in recorder’s office
12-105. Reserved.
12-107. Permit fees.

12-101. Building code adopted. Pursuant to authority granted by §§ 6-54-501 et seq. of Tennessee Code Annotated, and for the purpose of regulating the construction, alteration, repair, use and 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 2018 edition, with revisions and the appendices listed below, as prepared and adopted by the International Code Council, is

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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) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
hereby adopted and incorporated by reference and made a part of this code, and is hereinafter referred to as the building code.

In addition to the 2018 code, with revisions, the city hereby adopts the following appendices to that code:

- Appendix B "Board of Appeals," omitting sections B101.2, B101.2.1 and B101.2.2.
- Appendix F "Rodent Proofing"
- Appendix G "Flood-Resistant Construction"

12-102. **Exceptions.** (1) Chapter 27 (Electrical) of the building code is omitted.

(2) References to the following codes are omitted:

- International Electrical Code
- International Private Sewage Disposal Code

12-103. **Modifications.** Section 103 of the building code is hereby omitted. When the "building official" is named it shall, for the purposes of the building code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the building code. (1976 Code, § 4-103, as replaced by Ord. #2225, Nov. 2000, Ord. #2304, Nov. 2003, Ord. #2380, Dec. 2007, Ord. #2444, Nov. 2012, and Ord. #2556, Oct. 2020 Ch14_03-23-22)

12-104. **Available in recorder's office.** Pursuant to the requirements of § 6-54-502 of Tennessee Code Annotated, one (1) copy of the building code with the above modifications has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1976 Code, § 4-104, as replaced by Ord. #2225, Nov. 2000, Ord. #2304, Nov. 2003, Ord. #2380, Dec. 2007, Ord. #2444, Nov. 2012, and Ord. #2556, Oct. 2020 Ch14_03-23-22)


12-106. **Variance procedure for handicapped code.** The City of Gatlinburg hereby designates the Gatlinburg Board of Appeals to act as the responsible authority in place of the local building official to review and decide
requests for variances from the standards established by the "Tennessee Public Buildings Accessibility Act" as codified at Tennessee Code Annotated, §§ 68-120-201, et seq. Said board is hereby authorized to grant such variances as are authorized and upon the terms and conditions as provided in Tennessee Code Annotated, § 68-120-205. (1976 Code, § 4-106, as replaced by Ord. #2225, Nov. 2000, Ord. #2304, Nov. 2003, Ord. #2380, Dec. 2007, Ord. #2444, Nov. 2012, and Ord. #2556, Oct. 2020 Ch14_03-23-22)

12-107. Permit fees. (1) Permit fees for all structures other than one- and two-family dwellings:

<table>
<thead>
<tr>
<th>Total valuation</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100 and less</td>
<td>No fee, unless inspection required, in which case a $10.00 fee for each inspection shall be charged.</td>
</tr>
<tr>
<td>$101 to $2,000</td>
<td>$10.00 per thousand or fraction thereof.</td>
</tr>
<tr>
<td>$2,001 to $15,000</td>
<td>$20.00 for the first $2,000.00 plus $6.00 for each additional thousand or fraction thereof, to and including $15,000.00.</td>
</tr>
<tr>
<td>$15,001 to $50,000</td>
<td>$98.00 for the first $15,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00.</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>$273.00 for the first $50,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $100,000.00.</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$473.00 for the first $100,000.00 plus $2.50 for each additional thousand or fraction thereof, to and including $500,000.00.</td>
</tr>
<tr>
<td>$500,001 and up</td>
<td>$1,473.00 for the first $500,000.00 plus $2.00 for each additional thousand or fraction thereof.</td>
</tr>
</tbody>
</table>

(2) Plan-checking fees. When the valuation of the proposed construction exceeds one thousand dollars ($1,000.00) and a plan is required to be submitted, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee
shall be equal to one-half (1/2) of the building permit fee as set forth in this section.

(3) **Moving fee.** For the moving of any building or structure, the fee shall be one hundred dollars ($100.00.)

(4) **Demolition fee.** For the demolition of any building or structure, the fee shall be:

- (a) 0 - 100,000 cubic feet - $50.00
- (b) 100,000 cubic feet and over - $0.50 per 1,000 cubic feet.

12-108. **Membership qualifications of board appeals.** Section 112.3 of the International Building Code, 2018 edition, is hereby amended by deleting that paragraph in its entirety and substituting a new sentence in lieu thereof as follows: ‘Such board shall be composed of one architect, one member at large from the building industry, one building contractor, one member at large from the public, and either a second architect, a second building contractor, or a second member at large from the building industry.’ (1976 Code, § 4-108, as replaced by Ord. #2225, Nov. 2000, Ord. #2304, Nov. 2003, Ord. #2380, Dec. 2007, Ord. #2444, Nov. 2012, and Ord. #2556, Oct. 2020 *Ch14_03-23-22*)

12-109. **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. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. (1976 Code, § 4-109, as replaced by Ord. #2225, Nov. 2000, Ord. #2304, Nov. 2003, Ord. #2380, Dec. 2007, Ord. #2444, Nov. 2012, and Ord. #2556, Oct. 2020 *Ch14_03-23-22*)
CHAPTER 2

PLUMBING CODE

SECTION
12-201. Plumbing code adopted.
12-203. Available in recorder’s office.
12-204. Exceptions created for water fountain requirements.
12-205. Variance procedure for plumbing code.
12-206. Permit fees.
12-207. Violations.

12-201. Plumbing code adopted. Pursuant to authority granted by §§ 6-54-501 et seq. of the Tennessee Code Annotated, and for the purpose of regulating plumbing installations, including alterations and repairs, within or without the City of Gatlinburg, when such plumbing is or is to be connected with the city water or sewerage system, the International Plumbing Code, 2018 edition, with revisions and the below listed appendices, 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 plumbing code. (1976 Code, § 4-201, as replaced by Ord. #2229, Nov. 2000, Ord. #2381, Dec. 2007, Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)

12-202. Exception. (1) Section 109 is hereby omitted from the plumbing code.

(2) Section 103 of the plumbing code is hereby omitted. When the "plumbing official" is named it shall, for the purposes of the plumbing code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the plumbing code. (1976 Code, § 4-202, as replaced by Ord. #2229, Nov. 2000, Ord. #2381, Dec. 2007, Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)

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) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
12-203. Available in recorder's office. Pursuant to the requirements of § 6-54-502 of the Tennessee Code Annotated, one (1) copy of the International Plumbing Code with the above modifications has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1976 Code, § 4-203, as replaced by Ord. #2229, Nov. 2000, Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)

12-204. Exception created for water fountain requirements. Table 403.1 of the plumbing code is hereby amended by adding an additional footnote under the category of mercantile, said footnote being footnote h, as follows: 'h. The requirement for a drinking fountain may be eliminated when the building is one thousand (1,000) sq. ft. or less excluding fuel dispensing operations (i.e. service stations).' (1976 Code, § 4-204, as replaced by Ord. #2229, Nov. 2000, Ord. #2381, Dec. 2007, Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)

12-205. Variance procedure for plumbing code. The City of Gatlinburg hereby designates the Gatlinburg Board of Appeals to act as the responsible authority to review and decide requests for variances from the standards established by the plumbing code. Said board is hereby authorized to grant such variances as are authorized. (as added by Ord. #2229, Nov. 2000, and replaced by Ord. #2381, Dec. 2007, Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)

12-206. Permit fees.

Permit fees:
For issuing each permit. ................................. $10.00

Plus the following when provided:
For each plumbing fixture, floor drain or
trap (including water and drainage piping) ............ 2.50
For each house sewer ........................................ 5.00
For each house sewer having to be replaced or repaired. .... 5.00
For each cesspool ................................................. 5.00
For each septic tank and seepage pit or drainfield ....... 10.00
For each water heater and/or vent ............................. 2.50
For installation, alteration or repair of water
piping and/or water treating equipment .................... 5.00
For repair or alteration of drainage or vent piping ....... 5.00
For vacuum breakers or backflow protective
devices installed subsequent to the installation
of the piping or equipment served -
One to five ...................................................... 2.50
Over five, each .................................................. 1.50
4-207. 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. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. (as added by Ord. #2381, Dec. 2007, and replaced by Ord. #2449, Nov. 2012, and Ord. #2557, Oct. 2020 Ch14_03-23-22)
CHAPTER 3

ELECTRICAL CODE

SECTION

12-301. Electrical code. The electrical code, approval of plans and specifications, and inspections shall be under the direction of Sevier County Electric System and said electric system and the State of Tennessee are hereby authorized to adopt appropriate electrical codes and enforce same with the City of Gatlinburg. (1976 Code, § 4-301, as replaced by Ord. #2227, Nov. 2000, Ord. #2307, Nov. 2003, and Ord. #2451, Nov. 2012)

12-302. [Deleted.] (1976 Code, § 4-302, as replaced by Ord. #2227, Nov. 2000, Ord. #2307, Nov. 2003, and deleted by Ord. #2451, Nov. 2012)

12-303. [Deleted.] (1976 Code, § 4-303, as replaced by Ord. #2227, Nov. 2000, Ord. #2307, Nov. 2003, and deleted by Ord. #2451, Nov. 2012)

12-304. [Deleted.] (1976 Code, § 4-304, as replaced by Ord. #2227, Nov. 2000, Ord. #2307, Nov. 2003, and deleted by Ord. #2451, Nov. 2012)

12-305. [Deleted.] (1976 Code, § 4-305, as replaced by Ord. #2227, Nov. 2000, Ord. #2307, Nov. 2003, and deleted by Ord. #2451, Nov. 2012)


1Municipal code reference

Fire protection, fireworks and explosives: title 7.
CHAPTER 4

GAS CODE

SECTION
12-401. Gas code adopted.
12-402. Exceptions.
12-403. Inspections.
12-404. Violations and penalty.
12-405. [Deleted.]

12-401. Gas code adopted. Pursuant to authority granted by §§ 6-54-501 et seq. of the Tennessee Code Annotated, the International Fuel Gas Code,2 2018 edition, as published by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereby referred to as the gas code. (1976 Code, § 4-401, as replaced by Ord. #2306, Nov. 2003, Ord. #2367, Nov. 2006, Ord. #2450, Nov. 2012, and Ord. #2558, Oct. 2020 

12-402. Exceptions. (1) Section 109 is hereby omitted from the gas code.

(2) When the "gas official" is named it shall, for the purposes of the gas code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the gas code. (1976 Code, § 4-402, as replaced by Ord. #2306, Nov. 2003, and Ord. #2367, Nov. 2006, deleted by Ord. #2450 No. 2012, and replaced by Ord. #2558, Oct. 2020 Ch14_03-23-22)

12-403. Inspections. Sevier County Utility District, its agents and employees, are hereby authorized to inspect all gas construction and installation of consumer's gas piping pursuant to the provisions of the International Fuel Gas Code. Sevier County Utility District shall certify to the City of Gatlinburg the compliance or non-compliance with the International Fuel Gas Code of all projects within the city limits of the City of Gatlinburg. The findings and certifications provided to the city shall be used for the purpose of approving such

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

2Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
projects within the city limits without further inspections or certifications of
natural gas construction by city employees. (1976 Code, § 4-403, as replaced by
Ord. #2306, Nov. 2003, and Ord. #2367, Nov. 2006, deleted by Ord. #2450 Nov.
2012, and replaced by Ord. #2558, Oct. 2020 Ch14_03-23-22)

12-404. **Violations and penalty.** It shall be unlawful for any person to
violate or fail to comply with any of the provisions of the International Fuel Gas
Code as herein adopted by reference. Each day shall constitute a separate
violation of same. Upon conviction of any said violation, such persons shall be
punished by levying a fine not to exceed fifty dollars ($50.00). (1976 Code,
§ 4-404, as replaced by Ord. #2306, Nov. 2003, and Ord. #2367, Nov. 2006,
deleted by Ord. #2450 Nov. 2012, and replaced by Ord. #2558, Oct. 2020
Ch14_03-23-22)

12-405. [Deleted.] (as added by Ord. #2367, Nov. 2006, and deleted by
Ord. #2450 Nov. 2012)
CHAPTER 5

ENERGY CONSERVATION CODE

SECTION
12-502. Reserved.
12-503. Available in recorder’s office
12-504. Violations.


12-503. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Energy Conservation Code with the above modifications has been placed on file in the recorder's office for the use and inspection of the public. (1976 Code, § 4-703, as replaced by Ord. #2305, Nov. 2003, Ord. #2382, Dec. 2007, Ord. #2447, Nov. 2012, and Ord. #2559, Oct. 2020 Ch14_03-23-22)

12-504. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the International Energy Conservation Code as herein adopted by reference as modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be subject to a civil penalty of up to fifty dollars ($50.00). (1976 Code, § 4-704, as replaced by Ord. #2305, Nov. 2003, Ord. #2382, Dec. 2007, Ord. #2447, Nov. 2012, and Ord. #2559, Oct. 2020 Ch14_03-23-22)

¹Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
CHAPTER 6

EXCAVATION, GRADING, AND CLEARING CODE

SECTION
12-601. Creation
12-602. Permit required.
12-603. Purpose.
12-604. Definitions.
12-605. Hazards.
12-606. Application.
12-607. Plans and specifications.
12-608. Fees and bonds.
12-609. Cuts.
12-610. Fills.
12-611. Setbacks.
12-612. Subsurface drainage.
12-613. Erosion control.
12-614. Excavation, grading, site clearing provisions.
12-615. Exceptions.
12-616. Corrective action for failure of the approved plan.
12-617. Penalty.
12-618. Conflicts.

12-601. Creation. There is hereby created and established an excavation, grading, and clearing code for the City of Gatlinburg. (1976 Code, § 4-601, as replaced by Ord. #2209, June 2000)

12-602. Permit required. No person shall do any excavation, grading, or site clearing without obtaining a permit for said work with the exception of work being performed in conjunction with construction previously authorized by a building permit and set out in the building permit so obtained. (1976 Code, § 4-602, as replaced by Ord. #2209, June 2000)

12-603. Purpose. The purpose of this chapter is to substantially reduce existing and future erosion and sedimentation damage in the City of Gatlinburg. This chapter has the further purpose of attempting to minimize the danger of

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.
flood damage, to preserve and protect the natural beauty and aesthetics of the community and to decrease storm water runoff. The adoption of this chapter will also have the effect of preserving and protecting trees and vegetation which in turn will promote soil conservation and will reduce air pollution and noise. (As added by Ord. #2209, June 2000)

12-604. Definitions. (1) "Administrator." The building official and/or his/her designee.
(2) "Canopy." The outermost limit of a tree's branch tips.
(3) "Development." Any and all physical man-made changes or alterations to improved or unimproved land within the City of Gatlinburg which results in a land disturbance.
(4) "Diameter/diameter-breast-height (dbh)." The diameter of any tree trunk, measured at 4 ½ feet above the existing grade.
(5) "Disturbance." Any operation or occurrence by which the existing site surfaces and elevations are changed by cutting, filling, borrowing, stockpiling, stripping, trenching, clearing, or where any ground cover, natural or man-made, is removed, or any buildings or other structures are removed, or any watercourses or body of water, either natural or man-made, is relocated on any site, thereby creating unprotected area.
(6) "Dripline." An area encircling the base of a tree which is delineated by a vertical line extending from the outer limit of a tree's branch tips or tree canopy, down to the ground.
(7) "Essential root zone." The area encircling the base of a tree and located on the ground which is directly located under the canopy of the tree between the tree dripline and tree trunk.
(8) "Filling." The act of transporting or placing (by any manner or mechanism) material from, to, or on any soil surface or natural vegetation.
(9) "Grading." Any operation or occurrence by which the existing site surfaces and elevations are changed by cutting, filling, borrowing, stockpiling, stripping, trenching, clearing, or where any ground cover, natural or man-made, is removed, or any buildings or other structures are removed, or any watercourses or body of water, either natural or man-made, is altered and/or relocated on any site, thereby creating unprotected area. "Grading" shall be interchangeable with "land-disturbing activity."
(10) "Overstory." Those trees that compose the top layer or canopy of vegetation.
(11) "Protected tree/vegetation." A tree or area of understory vegetation to be retained, protected, or undisturbed during site clearing, construction, excavation, and/or grading.
(12) "Tree." Any self supporting woody plant usually having a single trunk but not limited to a single trunk with a dbh of two (2) inches or greater.
(13) "Tree crown." The uppermost portion of the tree consisting of the tree foliage.
(14) "Tree topping." The practice of severe cutting back of limbs within the tree's crown to stubs larger than three (3) inches in diameter to such a degree that the normal canopy is removed and the tree is disfigured.
(15) "Understory vegetation." Small trees, shrubs, and groundcover plants.
(16) "Undisturbed area." Areas of existing natural vegetation including but not limited to understory and overstory which has been undisturbed and maintained in a natural state. (As added by Ord. #2209, June 2000)

12-605. Hazards. Whenever the building official determines that any existing excavation, embankment or fill on private property has become a hazard to life or property, or adversely effects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located or such other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the time period specified thereon, repair or eliminate such hazard and to otherwise conform with the specifications and requirements of this code. (1976 Code, § 4-603, as replaced by Ord. #2209, June 2000)

12-606. Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the City of Gatlinburg for that purpose. Every application shall:
(1) Identify and describe the work to be covered by the permit for which application is made.
(2) Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or work;
(3) Be accompanied by plans and specifications as required in § 12-607 of this code. These plans and specifications shall depict the entire boundary of said property and shall show areas of proposed development, land disturbances and areas which are not to be disturbed.
(4) Give other information as reasonably required by the building official. (1976 Code, § 4-604, as replaced by Ord. #2209, June 2000)

12-607. Plans and specifications. When required by the building official, each application for a excavation, grading, and site clearing permit shall be accompanied by two sets of plans and specifications.
(1) The plans and specifications for all developments shall be prepared by a civil engineer. The building official shall have the authority to waive this requirement for single family residences unless the building official determines that unusual topography or other circumstances necessitate the need for such plans and specifications.
(2) Plans shall be in compliance with all provisions of this chapter and other applicable City of Gatlinburg ordinances and codes.
In all cases, when a subdivision plat, site plan, or Planned Unit Development (PUD) plan has been reviewed and approved by the Gatlinburg Municipal Planning Commission, the plan submitted for the excavation, grading, and site clearing permit shall be consistent with the approved subdivision plat, site plan, and PUD plan. (As added by Ord. #2209, June 2000)

12-608. Fees and bonds. (1) For any permit for excavation and/or fill, grading, and site clearing as regulated in this chapter, there shall be a ten dollar (10.00) fee.

(2) For any work done under an excavation/fill permit, grading, site clearing permit, a building permit or under any other authority, there shall be a responsibility to provide or to restore proper drainage, to correct any deficiencies in the existing drainage which is exacerbated by the work and to return the city streets to the condition found before the work was done and damaged thereby. This repair/restoration/improvement shall be done to the satisfaction of the building official. (1976 Code, § 4-606, as replaced by Ord. #2209, June 2000)

12-609. Cuts. The slope of cut surfaces shall be no steeper than is safe for the intended use, and under no circumstances shall cut slopes be any steeper than two horizontal to one vertical unless otherwise recommended and certified by a registered, licensed engineer. Further, cut areas shall be subject to the provisions of § 12-614 of this code. (1976 Code, § 4-607, as replaced by Ord. #2209, June 2000)

12-610. Fills. The slope of fill surfaces shall be no steeper than is safe for the intended use, and under no circumstances shall fill slopes be steeper than two horizontal to one vertical. Further fill slopes shall not be constructed on natural slopes steeper than two to one or where the fill slope toes out within twelve feet horizontally of the top of existing or planned cut slopes. No fill shall be placed until all trees, brush, hedge or other protruding obstructions are removed from the area upon which fill is to be placed. In all instances, the fill area shall be limited to the minimum area needed to accomplish the proposed development and shall not be placed within areas to remain as undisturbed. Further, fill areas shall be subject to the provisions of § 12-614 of this code. (1976 Code, § 4-608, as replaced by Ord. #2209, June 2000)

12-611. Setbacks. The tops and toes of cut and fill slopes shall be set back from the property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water run-off or erosion of the slopes. The tops and toes of cuts and fill slopes shall be set back from structures as far as necessary for adequacy of foundation support and to prevent damage as a result of water run-off or erosion of the slopes. (1976 Code, § 4-609, as replaced by Ord. #2209, June 2000)
12-612. **Subsurface drainage.** All drainage facilities shall be designed to carry water to the nearest practical drainage way approved by the building official and/or the city engineer as a safe place to deposit such water. If drainage facilities discharge onto natural ground, riprap may be required. At least two percent gradient toward approved drainage facilities from building pads will be required unless waived by the building official for non-hilly terrain. (1976 Code, § 4-610, as replaced by Ord. #2209, June 2000)

12-613. **Erosion control.** The faces of cut and fill surfaces shall be prepared and maintained to control erosion. This control may consist of effective planting or other means of erosion control approved by the building official. Where it has been determined that cut slopes are not subject to erosion due to the erosion resistant character of the materials, such protection may be omitted. (1976 Code, § 4-611, as replaced by Ord. #2209, June 2000)

12-614. **Excavation, grading, site clearing provisions.** The following provisions shall apply to all developments and properties located within the City of Gatlinburg. These provisions shall be in addition to all other applicable ordinances and codes of the City of Gatlinburg:

(1) Excavation, grading, and site clearing and other land disturbances shall be limited to the areas shown as such on the approved plans. All other areas including the essential root zone, shall remain as undisturbed areas unless otherwise permitted under these provisions. In the event areas outside the boundaries of identified development require disturbance, the applicant shall be required to show reason for the disturbance. The reason shall be submitted in writing to the building official and shall require the certification of the project architect and or engineer.

(2) In the event no development is planned for a parcel of property, the applicant shall be permitted to clear no more than 25 percent of the property within a 5 year period. A site clearing plan shall be submitted to the building official which bears the certification of a registered engineer showing proposed clearing areas and all methods of erosion control and site drainage management in order to stabilize and protect the disturbed area from erosion.

(3) In all instances, areas of disturbance shall be stabilized within seven (7) calendar days of the initial disturbance, by an approved method of erosion/sedimentation control, and/or ground cover. Grading commencement shall be limited to fifteen (15) days prior to the initiation of construction. In addition, areas of disturbance shall be included in a long range plan for permanent vegetation and shall have the approval of the building official and/or the planning commission through its site development review process.

(4) A protection plan shall be required for all areas adjoining an area of disturbance including any existing areas proposed to be retained on the site as natural vegetated areas, which have been previously shown and approved on the site plan. The protection plan shall indicate the methods by which the
natural vegetation will be protected from adjoining areas of disturbance. Prior
to commencement, tree fencing shall be provided around areas to remain
undisturbed and no filling or covering of tree root areas above the natural grade
will be permitted.

(5) Grading and benching shall be restricted so that no cut slopes be
any steeper than two (2) horizontal to one (1) vertical, except as provided in
subsection (6) below. There shall be a fifteen foot (15') maximum height for
un-terraced slope. Intense landscaping will be required for all terraced slopes.
The maximum height for terracing standards and engineered walls shall be
fifteen feet (15'). The minimum horizontal distance between any two (2) terraced
slope or wall sections shall be five feet (5'). Retaining walls shall be designed
and constructed parallel to pre-disturbed slopes and/or with the property
contour rather than across property contour.

(6) Certification by an approved professional shall be required for all
slope construction for slopes in excess of two (2) horizontal to one (1) vertical.

(7) A twenty-five foot (25') buffer from all permanent and intermittent
streams will be required with all fill and borrow.

(8) Mass grading is prohibited prior to construction. In addition, a
planting schedule for replanting of all artificial slopes is required with a
cashier's check for one hundred percent (100%) of all materials and labor costs
associated with the replanting activities. Any such amounts shall be deposited
into an escrow account. Interest earned, if any, on said account shall accrue to
the city to cover its cost of administration.

(9) Roadway (public or private) grades, including common driveways
and all other roadways that are components of any development vehicular
circulation system, shall not exceed a fifteen percent (15%) maximum grade,
unless a variance is granted by the Gatlinburg Municipal Planning Commission
in accordance with adopted variance procedures. All roadway and street
construction shall be done with the natural contour of the property and not
across the contour. All grading of roadways shall be done in a manner to limit
the area of disturbance to the minimum extent practical.

(10) The grading and clearing for pioneer roads shall be limited to no
more than ten feet (10') in width. Grading and clearing for property surveys
shall be limited to areas needed to conduct the survey. Grading and clearing for
soils testing shall be limited to selective patches with a minimum separation of
one hundred feet (100') between testing areas. All areas of grading and clearing
shall be limited to areas designated by a licensed civil engineer. (As added by
Ord. #2209, June 2000, and amended by Ord. #2407, April 2009)

12-615. Exceptions. (1) Emergencies. In case of emergency such as
windstorms, icestorms, floods, or other disasters, the requirements of these
provisions may be waived by the building official when he/she has determined
that strict adherence would constitute a danger to the public good and welfare.
(2) These provisions shall not apply to individuals wishing to removed overstory or understory from a parcel of property when the overstory and/or understory has become hazardous or diseased as such to create potential danger to private and/or public property. This shall be subject to the determination of the building official and/or a licensed arborist prior to removal. In the event it is determined that the vegetation has been intentionally diseased or damaged, the building official may require replacement vegetation in order to restore the site.

(3) Tree trimming for installation and/or protection of public utilities i.e., electric, water and sewer, gas, cable TV, or other public utilities, under the authorization of a governmental authority or its contractor, shall be exempt from the permit requirements of this code. (As added by Ord. #2209, June 2000)

12-616. Corrective action for failure of the approved plan. If the administrator determines that significant erosion/sedimentation or related problems are occurring on a graded site despite application and maintenance of the approved protective practices, he/she shall require the permit holder to take additional corrective actions to protect the adversely affected area. If at any time, the administrator determines that any portion of the approved excavation, grading, and site clearing plan or any other applicable provisions of city ordinances and codes have been violated, the permit may be revoked and a stop work order may be issued until corrective actions have been completed. After receipt of such stop work and/or revocation from the administrator, the land owner and/or applicants shall cease all excavation, grading, and site clearing and shall stabilize the site immediately. A new plan shall be prepared within ten (10) days to show a permanent plan of correction. (As added by Ord. #2209, June 2000)

12-617. Penalty. Any person, firm, or corporation or agent who shall violate a portion of the herein adopted code, or shall fail to comply therewith, or who shall cause excavation, grading, fills, or other land disturbances in violation of the plans and drawings approved by the City of Gatlinburg, shall be deemed guilty of a violation of this code and each day shall constitute a separate violation of same. Upon conviction of any said violation, such person shall be subject to a civil penalty of up to five hundred dollars ($500.00) per violation. (1976 Code, § 4-612, as replaced by Ord. #2209, June 2000)

12-618. Conflicts. All ordinances and parts of ordinances in conflict herewith are hereby repealed; however, nothing contained herein shall be construed to repeal the provisions of Title 16, Chapter 2, of the Gatlinburg Municipal Code. The provisions of Title 16, Chapter 2 are expressly in addition to this chapter and are not intended to be replaced or repealed. (1976 Code, § 4-613, as replaced by Ord. #2209, June 2000)
CHAPTER 7
MECHANICAL CODE

SECTION
12-701. Mechanical code adopted.
12-702. Exception.
12-703. Available in recorder’s office.
12-704. Permit fees.
12-706. Violations.

12-701. Mechanical code adopted. Pursuant to authority granted by §§ 6-54-501, et seq., of the Tennessee Code Annotated, the International Mechanical Code,\(^1\) 2018 edition, 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 mechanical code. (1976 Code, § 4-801, as replaced by Ord. #2228, Nov. 2000, Ord. #2383, Dec. 2007, Ord. #2448, Nov. 2012, and Ord. #2560, Oct. 2020 Ch14_03-23-22)

12-702. Exception. (1) Section 109 is hereby omitted from the mechanical code.
(2) Section 103 is hereby omitted from the mechanical code. (1976 Code, § 4-802, as replaced by Ord. #2228, Nov. 2000, Ord. #2383, Dec. 2007, Ord. #2448, Nov. 2012, and Ord. #2560, Oct. 2020 Ch14_03-23-22)

12-703. Available in recorder’s office. Pursuant to the requirements of § 6-54-502 of the Tennessee Code Annotated, one (1) copy of the mechanical code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public. (1976 Code, § 4-803, as replaced by Ord. #2228, Nov. 2000, Ord. #2383, Dec. 2007, Ord. #2448, Nov. 2012, and Ord. #2560, Oct. 2020 Ch14_03-23-22)

12-704. Permit fees. Mechanical permit fees are assessed on all new construction, renovation and remodeling which involve the installation, repair or replacement of heating, ventilating, ductwork, air conditioning and refrigeration systems.

For issuing each permit. ................................. $10.00
Plus the following:

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\(^1\)Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
First $1,000.00 of valuation or fraction thereof ........ $10.00
Each additional $1,000.00 valuation or fraction thereof ... $2.00
Fee for inspection repairs, alterations and additions to existing mechanical systems shall be five dollars ($5.00) plus two dollars ($2.00) for each one thousand dollars ($1,000.00) or fraction thereof. (as added by Ord. #2383, Dec. 2007, and replaced by Ord. #2448, Nov. 2012, and Ord. #2560, Oct. 2020 Ch14_03-23-22)

12-705. Variance procedure for mechanical code. The City of Gatlinburg hereby designates the Gatlinburg Board of Appeals to act as the responsible authority to review and decide requests for variances from the standards established by the mechanical code. (as added by Ord. #2383, Dec. 2007, and replaced by Ord. #2448, Nov. 2012, and Ord. #2560, Oct. 2020 Ch14_03-23-22)

12-706. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the mechanical code as hereinafter adopted by reference and modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00). (as added by Ord. #2448, Nov. 2012, and replaced by Ord. #2560, Oct. 2020 Ch14_03-23-22)
CHAPTER 8

PROPERTY MAINTENANCE CODE

SECTION
12-801. Property maintenance code.
12-802. Applicability.
12-804. Availability in recorder's office.
12-805. Inspection fee.
12-806. Violations.

12-801. **Property maintenance code.** Pursuant to authority granted by §§ 6-54-501 et seq. of the *Tennessee Code Annotated*, and for the purpose of regulating the maintenance of rental property, the *International Property Maintenance Code*,¹ 2018 edition, as prepared by the International Code Council, is hereby adopted and incorporated by reference and made a part of this code and is hereby referred to as the property maintenance code. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 *Ch14_03-23-22*)

12-802. **Applicability.** The property maintenance code, as adopted herein, shall apply to rental units not otherwise inspected by the City of Gatlinburg, through its overnight tourist rental program or inspected by the State of Tennessee, either as a bed and breakfast or as a hotel or motel. This code shall not apply to single family residences, duplexes, or other rental properties unless it is a rental property not originally intended for permanent residency, in which case it shall apply. For purposes of this section, "permanent residency" means a structure with separate bathroom and kitchen facilities apart from any sleeping quarters and containing more than two hundred twenty (220) square feet. The owner of units covered by this chapter shall be responsible for compliance with the property maintenance code. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 *Ch14_03-23-22*)

12-803. **Code official.** Section 103 of the property maintenance code is hereby omitted. The building official of the City of Gatlinburg is hereby designated as the code official for purposes of the property maintenance code. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 *Ch14_03-23-22*)

¹Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.
12-804. Available in recorder's office. Pursuant to the requirements of § 6-54-502 of Tennessee Code Annotated, one (1) copy of the property maintenance code has been placed on file in the recorder's office and shall be kept there for use and inspection of the public. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 Ch14_03-23-22)

12-805. Inspection fee. Rental units, as defined in § 12-802, shall be inspected at least once per year. There shall be a fee for each inspection. The fee shall be for the purpose of defraying the cost of the city in making said inspection. Said fee shall be in the amount of twenty-five dollars ($25.00) per unit. Any unit found to have deficiencies and requiring a second inspection to determine if the deficiency has been corrected, shall be charged a fee of seventy-five dollars ($75.00). Any subsequent re-inspections or complaints where violations of the code are found to have occurred, shall be charged an additional seventy-five dollars ($75.00) per unit found to be in violation. The fee called for herein shall be paid by the owner of the rental units. Any violation of the code not cured by the third inspection shall be vacated and not rented again until it has passed inspection. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2428, Dec. 2010, Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 Ch14_03-23-22)

12-806. Violations. It shall be unlawful for any person to violate or fail to comply with any provisions of the property maintenance code as herein adopted by reference. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such person shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. Said penalty shall be in addition to any inspection fee or cost of remediation of any deficiency found on the premises and shall be in addition to any actual out of pocket cost or expense incurred by the city in assuring compliance with this code. (as added by Ord. #2361, Sept. 2006, and replaced by Ord. #2452, Nov. 2012, and Ord. #2561, Oct. 2020 Ch14_03-23-22)
CHAPTER 9

RESIDENTIAL CODE

SECTION
12-901. Residential code adopted.
12-902. Exceptions.
12-903. Modifications.
12-904. Available in recorder's office.
12-906. Permit fees.
12-907. Violations.
12-908. [Deleted.]

12-901. Residential code adopted. Pursuant to authority granted by §§ 6-54-501 et seq. of Tennessee Code Annotated, and for the purpose of regulating the construction, alteration, repair, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Residential Code,1 2018 edition, with revisions and the appendices listed below, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference and made a part of this code, and is hereinafter referred to as the residential code.

In addition to the 2018 code, with revisions, the city hereby adopts the following appendices to that code:

Appendix H "Patio Covers"
Appendix J "Existing Buildings and Structures"
Appendix Q "Tiny Homes." (as added by Ord. #2384, Dec. 2007, and replaced by Ord. #2445, Nov. 2012, and Ord. #2562, Oct. 2020 Ch14_03-23-22)

12-902. Exceptions. (1) Chapters 34-43 (electrical provisions) are omitted.
(2) References to the following codes are omitted:
  International Electrical Code
  International Private Sewage Disposal Code
(3) Section 103 is omitted.
(4) Section R112 is omitted.

1Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
(5) Section R313.1 is hereby amended by substituting the following language: "Exception: An automatic residential fire sprinkler system shall not be required if a 2 hour fire resistance rated wall exists between units, if such walls do not contain plumbing and/or mechanical equipment, ducts, or vents in the common wall."

(6) Section R313.2 is hereby omitted from the code. (as added by Ord. #2384, Dec. 2007, replaced by Ord. #2445, Nov. 2012, amended by Ord. #2524, March 2015 Ch14_03-23-22, and replaced by Ord. #2562, Oct. 2020 Ch14_03-23-22)

12-903. Modifications. (1) When the "building official" is named it shall, for the purposes of the residential code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the residential code.

(2) Notwithstanding any provision of the residential code, the guard rail system for tourist residency structures, as defined in § 5-701 of the Gatlinburg Municipal Code, shall be a minimum of forty-two inches (42") in height.

(3) Every building permit shall expire two (2) years from the date of issue or upon the issuance of the certificate of occupancy unless:

(a) The building official, or designee, determines that substantial progress has been made in the work authorized by the permit; and

(b) The permit holder is granted an exception or extension after submitting a written request to the building official, or designee. (as added by Ord. #2384, Dec. 2007, and replaced by Ord. #2445, Nov. 2012, and Ord. #2562, Oct. 2020 Ch14_03-23-22)

12-904. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the residential code with the above modifications 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. #2384, Dec. 2007, and replaced by Ord. #2445, Nov. 2012, and Ord. #2562, Oct. 2020 Ch14_03-23-22)

12-905. Variance procedure for handicapped code. The City of Gatlinburg hereby designates the Gatlinburg Board of Appeals to act as the responsible authority in place of the local building official to review and decide requests for variances from the standards established by the "Tennessee Public Buildings Accessibility Act" as codified in Tennessee Code Annotated, §§ 68-120-201, et seq. Said board is hereby authorized and upon the terms and conditions as provided in Tennessee Code Annotated, § 68-120-205. (as added by Ord. #2384, Dec. 2007, and replaced by Ord. #2445, Nov. 2012, and Ord. #2562, Oct. 2020 Ch14_03-23-22)
12-906. Permit fees. (1) Permit fees for one- and two-family dwellings:

<table>
<thead>
<tr>
<th>Total valuation</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100 and less</td>
<td>No fee, unless inspection required, in which case a $10.00 fee for each inspection shall be charged.</td>
</tr>
<tr>
<td>$101 to $2,000</td>
<td>$10.00 per thousand or fraction thereof.</td>
</tr>
<tr>
<td>$2,001 to $15,000</td>
<td>$20.00 for the first $2,000.00 plus $6.00 for each additional thousand or fraction thereof, to and including $15,000.00.</td>
</tr>
<tr>
<td>$15,001 to $50,000</td>
<td>$98.00 for the first $15,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00.</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>$273.00 for the first $50,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $100,000.00.</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$473.00 for the first $100,000.00 plus $2.50 for each additional thousand or fraction thereof, to and including $500,000.00.</td>
</tr>
<tr>
<td>$500,001 and up</td>
<td>$1,473.00 for the first $500,000.00 plus $2.00 for each additional thousand or fraction thereof.</td>
</tr>
</tbody>
</table>

(2) Plan-checking fees. When the valuation of the proposed construction exceeds one thousand dollars ($1,000.00) and a plan is required to be submitted, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half (1/2) of the building permit fee as set forth in this section.

(3) Moving fee. For the moving of any building or structure, the fee shall be one hundred dollars ($100.00).

(4) Demolition fee. For the demolition of any building or structure, the fee shall be:

(a) 0 - 100,000 cubic feet - $50.00
12-907. **Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. (as added by Ord. #2384, Dec. 2007, and replaced by Ord. #2445, Nov. 2012, and Ord. #2562, Oct. 2020 **Ch14_03-23-22**)

12-908. [**Deleted.**] (as added by Ord. #2384, Dec. 2007, and deleted by Ord. #2445, Nov. 2012)
CHAPTER 10
EXISTING BUILDING CODE

SECTION
12-1001. Existing building code adopted.
12-1002. Modifications.
12-1003. Available in recorder's office.
12-1004. Permit fees.
12-1005. Board of appeals.
12-1006. Violations.

12-1001. **Existing building code adopted.** Pursuant to authority granted by §§ 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the repair, alteration, change of occupancy, addition to and relocation of existing buildings, the Existing Building Code,\(^1\) 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference and made a part of this code, and is hereinafter referred to as the existing building code. (as added by Ord. #2563, Oct. 2020 Ch14_03-23-22)

12-1002. **Modifications.** Section 103 of the existing building code is hereby deleted. The term "code official" as referenced in the existing building code shall mean that the building official or such person as appointed by the city manager to oversee and enforce the provisions of the existing building code. (as added by Ord. #2563, Oct. 2020 Ch14_03-23-22)

12-1003. **Available in recorder's office.** Pursuant to the requirements of § 6-54-502 of Tennessee Code Annotated, one (1) copy of the existing building code with the above modifications 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. #2563, Oct. 2020 Ch14_03-23-22)

12-1004. **Permit fees.**

(1) **Permit fees for all structures other than one- and two-family dwellings:**

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\(^1\)Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
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<tr>
<td>$101 to $2,000</td>
<td>$10.00 per thousand or fraction thereof.</td>
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<tr>
<td>$2,001 to $15,000</td>
<td>$20.00 for the first $2,000.00 plus $6.00 for each additional thousand or fraction thereof, to and including $15,000.00.</td>
</tr>
<tr>
<td>$15,001 to $50,000</td>
<td>$98.00 for the first $15,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00.</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>$273.00 for the first $50,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $100,000.00.</td>
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<td>$100,001 to $500,000</td>
<td>$473.00 for the first $100,000.00 plus $2.50 for each additional thousand or fraction thereof, to and including $500,000.00.</td>
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<td>$500,001 and up</td>
<td>$1,473.00 for the first $500,000.00 plus $2.00 for each additional thousand or fraction thereof.</td>
</tr>
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</table>

(2) Plan-checking fees. When the valuation of the proposed construction exceeds one thousand dollars ($1,000.00) and a plan is required to be submitted, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half (1/2) of the building permit fee as set forth in this section.

(3) Moving fee. For the moving of any building or structure, the fee shall be one hundred dollars ($100.00).

(4) Demolition fee. For the demolition of any building or structure, the fee shall be:

(a) 0 - 100,000 cubic feet - $50.00
(b) 100,000 cubic feet and over - $0.50 per 1,000 cubic feet. (as added by Ord. #2563, Oct. 2020 Ch14_03-23-22)
12-1005. **Board of appeals.** Section 112 of the existing building code is repealed and the Gatlinburg Board of Appeals is designated to hear and decide appeals of orders, decisions and determinations under this code. (as added by Ord. #2563, Oct. 2020  *Ch14_03-23-22*)

12-1006. **Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the existing building code as herein adopted by reference and modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. (as added by Ord. #2563, Oct. 2020  *Ch14_03-23-22*)
CHAPTER 11
SWIMMING POOL AND SPA CODE

SECTION
12-1101. Swimming pool and spa code adopted.
12-1102. Modifications.
12-1103. Available in recorder's office.
12-1004. Permit fees.
12-1005. Board of appeals.
12-1006. Violations.

12-1101. Swimming pool and spa code adopted. Pursuant to authority granted by §§ 6-54-501 et seq. of Tennessee Code Annotated, for the purpose of regulating the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas, the Swimming Pool and Spa Code,¹ 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference and made a part of this code, and is hereinafter referred to as the swimming pool and spa code. (as added by Ord. #2564, Oct. 2020 Ch14_03-23-22)

12-1102. Modifications. Section 103 of the swimming pool and spa code is hereby deleted. The term "code official" as referenced in the swimming pool and spa code shall mean that the building official or such person as appointed by the city manager to oversee and enforce the provisions of the swimming pool and spa code. (as added by Ord. #2564, Oct. 2020 Ch14_03-23-22)

12-1103. Available in recorder's office. Pursuant to the requirements of § 6-54-502 of Tennessee Code Annotated, one (1) copy of the swimming pool and spa code with the above modifications 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. #2564, Oct. 2020 Ch14_03-23-22)

12-1104. Permit fees.
(1) Permit fees for all structures other than one- and two-family dwellings:

¹Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213. The latest edition should be requested.
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<td>$15,001 to $50,000</td>
<td>$98.00 for the first $15,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00.</td>
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<tr>
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</tr>
<tr>
<td>$500,001 and up</td>
<td>$1,473.00 for the first $500,000.00 plus $2.00 for each additional thousand or fraction thereof.</td>
</tr>
</tbody>
</table>

(2) **Plan-checking fees.** When the valuation of the proposed construction exceeds one thousand dollars ($1,000.00) and a plan is required to be submitted, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half (1/2) of the building permit fee as set forth in this section.

(3) **Plumbing and mechanical fees.** Fees for plumbing and mechanical components are as set forth in the plumbing and mechanical codes adopted by the city. (as added by Ord. #2564, Oct. 2020 Ch14_03-23-22)

**12-1105. Board of appeals.** Section 108 of the swimming pool and spa code is repealed and the Gatlinburg Board of Appeals is designated to hear and decide appeals of orders, decisions and determinations under this code. (as added by Ord. #2564, Oct. 2020 Ch14_03-23-22)
12-1106. **Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the swimming pool and spa code as herein adopted by reference and modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such persons shall be punished by levying a fine not to exceed fifty dollars ($50.00) per violation. (as added by Ord. #2564, Oct. 2020 *Ch14_03-23-22*)