

TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
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6. SWIMMING POOL CODE.
7. AMUSEMENT DEVICE CODE.
8. EXCAVATION AND GRADING CODE.
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CHAPTER 1

BUILDING CODE¹

SECTION

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

12-101. Building code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the Standard Building Code,² 1994 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by

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.

reference as a part of this code, and is hereinafter referred to as the building code. (1989 Code, § 4-101, as amended by Ord. #91-06-05, May 1991, modified)

12-102. Modifications. (1) Definitions. Whenever the building code refers to the "Chief Appointing Authority" or the "Chief Administrator," it shall be deemed to be a reference to the town council. When the "Building Official" or "Director of Public Works" is named it shall, for the purposes of the building code, mean such person as the town council shall have appointed or designated to administer and enforce the provisions of the building code. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

(2) Permit fees. The recommended schedule of permit fees set forth in Appendix "B" of the building code is adopted as the town's permit schedule. (1989 Code, § 4-102, as amended by Ord. #91-06-05, May 1991)

12-103. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, 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. (1989 Code, § 4-103, modified)

12-104. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. (1989 Code, § 4-104)

CHAPTER 2

PLUMBING CODE¹

SECTION

- 12-201. Plumbing code adopted.
- 12-202. Modifications.
- 12-203. Available in recorder's office.
- 12-204. Violations.
- 12-205. Requirement for commercial grease interceptors.

12-201. Plumbing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the town, when such plumbing is or is to be connected with the town water or sewerage system, the Standard Plumbing Code,² 1994 edition with 1995 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code. (1989 Code, § 4-201, as amended by Ord. #91-06-05, May 1991, modified)

12-202. Modifications. Definitions. 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 town council.

Wherever "Town Engineer," "Engineering Department," "Plumbing Official," or "Inspector" is named or referred to, it shall mean the person appointed or designated by the town council to administer and enforce the provisions of the plumbing code.

When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (1989 Code, § 4-202, as amended by Ord. #91-06-05, May 1991)

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.

12-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1989 Code, § 4-203, modified)

12-204. 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. (1989 Code, § 4-204)

12-205. Requirement for commercial grease interceptors. (1) A grease interceptor shall/will be installed in accordance with Section 1004.4¹ of the Standard Plumbing Code.

(2) The penalty for each and every violation of the aforesaid requirement shall be (in addition to any other penalties required by law) a fifty dollar (\$50.00) per day fine for each occurrence, plus court costs, attorneys fees, inspection fees, expenses, or other costs to the city, that shall be assessed against each offender per day, and further that a lawsuit for injunctive relief and other damages and penalties may be filed in a court of competent jurisdiction for mandatory relief, other relief, or damages and penalties, with the offender required to pay all attorneys fees, court costs, inspection fees, and other expenses of the city, in addition to the fines. (Ord. #95-15-06, June 1995)

¹Section 1004.4 of the Standard Plumbing Code requires a grease interceptor to be installed in the waste line leading from sinks, drains, or other fixtures in the following establishments: Restaurants, hotel kitchens, or bars, factory cafeterias or restaurants, clubs, or other uses where grease can be introduced into the drainage system that can affect line stoppage or hinder sewage disposal.

CHAPTER 3

ELECTRICAL CODE¹

SECTION

- 12-301. Electrical code adopted.
- 12-302. Available in recorder's office.
- 12-303. Permit required for doing electrical work.
- 12-304. Violations.
- 12-305. Enforcement.
- 12-306. Modifications.

12-301. Electrical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code,² 1993 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. (1989 Code, § 4-301, as amended by Ord. #91-06-05, May 1991, modified)

12-302. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, 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. (1989 Code, § 4-302, modified)

12-303. Permit required for doing electrical work. No electrical work shall be done within this town until a permit therefor has been issued by the Clinton Utility Board. 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. (1989 Code, § 4-303)

12-304. 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

¹Municipal code references

Fire protection, fireworks and explosives: title 7.

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

such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1989 Code, § 4-304)

12-305. Enforcement. The electrical inspector shall be such person as the town council shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code. (1989 Code, § 4-305)

12-306. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

CHAPTER 4**GAS CODE¹****SECTION**

- 12-401. Title and definitions.
- 12-402. Purpose and scope.
- 12-403. Use of existing piping and appliances.
- 12-404. Bond and license.
- 12-405. Gas inspector and assistants.
- 12-406. Powers and duties of inspector.
- 12-407. Permits.
- 12-408. Inspections.
- 12-409. Certificates.
- 12-410. Fees.
- 12-411. Violations and penalties.
- 12-412. Nonliability.
- 12-413. Modifications.

12-401. Title and definitions. This chapter and the code herein adopted by reference shall be known as the gas code of the town. The following definitions are provided for the purpose of interpretation and administration of the gas code.

(1) "Inspector" means the person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting as such under this chapter by appointment of the mayor.

(2) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

(3) "Gas company" means any person distributing gas within the corporate limits or authorized and proposing to so engage.

(4) "Certificate of approval" means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.

(5) "Certain appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers.

12-402. Purpose and scope. The purpose of the gas code is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All gas piping and gas appliances

¹Municipal code reference

Gas system administration: title 19, chapter 2.

installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of this chapter and to the Standard Gas Code,¹ 1994 edition, which is hereby incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of the gas code shall be kept on file in the office of the city recorder for the use and inspection of the public. (Ord. #91-06-05, May 1991)

12-403. Use of existing piping and appliances. Notwithstanding any provision in the gas code to the contrary, consumer's piping installed prior to the adoption of the gas code or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of the gas code.

12-404. Bond and license. (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the mayor a good and sufficient bond in the penal sum of \$10,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of the gas code. The bond herein required shall expire on the first day of January next following its approval by the city recorder, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of said bond, the person desiring to do such work shall secure from the city recorder a nontransferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay any applicable license fees to the city recorder.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees.

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

12-405. Gas inspector and assistants. To provide for the administration and enforcement of the gas code, the office of gas inspector is hereby created. The inspector, and such assistants as may be necessary in the proper performance of the duties of the office, shall be appointed or designated by the town council.

12-406. Powers and duties of inspector. (1) The inspector is authorized and directed to enforce all of the provisions of the gas code. Upon presentation of proper credentials, he may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of the gas code.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, which notice shall state that the same has been disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(3) It shall be the duty of the inspector to confer from time to time with representatives of the local health department, the local fire department, and the gas company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate officials from time to time for their consideration.

12-407. Permits. (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the mayor; however, permits will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(2) When only temporary use of gas is desired, the recorder may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the consumer's gas piping to be used is given a test equal to that required for a final piping inspection.

(3) Except when work in a public street or other public way is involved the gas company shall not be required to obtain permits to set meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system.

12-408. Inspections. (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the test shall be furnished by the installer of such piping.

12-409. Certificates. The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of the gas code. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service.

12-410. Fees. The permit fee schedule as recommended in Appendix "B" of the gas code is hereby adopted.

12-411. Violations and penalties. Any person who shall violate or fail to comply with any of the provisions of the gas code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed.

12-412. Nonliability. 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 inspector.

12-413. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

CHAPTER 5

HOUSING CODE

SECTION

- 12-501. Housing code adopted.
- 12-502. Modifications.
- 12-503. Available in recorder's office.
- 12-504. Violations.

12-501. Housing 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 Standard Housing Code,¹ 1991 edition with 1992/1994 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (1989 Code, § 4-401, as amended by Ord. #91-06-05, May 1991, modified)

12-502. Modifications. (1) Definitions. Wherever the housing code refers to the "Housing Official" it shall mean the person appointed or designated by the town council to administer and enforce the provisions of the housing code. Wherever the "Department of Law" is referred to it shall mean the town attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the town council.

When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

(2) Penalty clause deleted. Section 108 of the housing code is deleted. (1989 Code, § 4-402, as amended by Ord. #91-06-05, May 1991)

12-503. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the housing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1989 Code, § 4-403, modified)

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

12-504. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the housing code as herein adopted by reference and modified. (1989 Code, § 4-404)

CHAPTER 6

SWIMMING POOL CODE

SECTION

- 12-601. Swimming pool code adopted.
- 12-602. Definitions.
- 12-603. Modifications.
- 12-604. Available in recorder's office.
- 12-605. Permit required.
- 12-606. Fence required.
- 12-607. Gates and doors to be self-closing.
- 12-608. Application of enclosure requirements.
- 12-609. Modifications.
- 12-610. Application of chapter.
- 12-611. Violations.

12-601. Swimming pool 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 Standard Swimming Pool Code,¹ 1991 edition with 1993/1994 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the swimming pool code. (Ord. #91-06-05, May 1991)

12-602. Definitions. For the purpose of this chapter, the following terms shall have the meanings herein ascribed to them:

(1) "Swimming pool." A body of water in an artificial or semi-artificial receptacle or other container at least 24 inches deep and at least 22 feet in perimeter, located indoors or outdoors, above or below the surface of the ground, and designed or used for wading, swimming, or bathing. This definition includes any child's pool or solid molded plastic or inflated rubber that meets with the above dimensions.

(2) "Pool depth." Pool depth is the distance between the floor of the pool and the maximum operating level when the pool is in use.

(3) "Fence." A structure of metal or masonry of required height continuous with or without gaps or holes. (1989 Code, § 4-501)

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

12-603. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

12-604. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated § 6-54-502 one (1) copy of the swimming pool code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-605. Permit required. Before beginning construction, alteration, addition, or remodeling of any type swimming pool, private or public, the owner must obtain a building permit from the building inspector.

Upon making application, the following information must be provided for the building inspector:

- (1) A plot plan showing the location of the swimming pool within the lot. Setbacks to property lines on three sides must be indicated.
- (2) Proposed dimensions of pool.
- (3) Scaled plans and specifications of said pool providing layout, equipment, and other pertinent data to explain how the pool will be constructed and how it will comply with requirements stipulated in § 12-605.
- (4) Name, address, and business license of the contractor. (1989 Code, § 4-502)

12-606. Fence required. Every outdoor swimming pool or family private pool within the Town of Oliver Springs shall be completely surrounded by a fence or wall not less than five (5) feet in height, which shall be so constructed as not to have openings, holes, or gaps larger than four (4) inches in any dimension except for doors and gates. A dwelling house or accessory building may be used as a part of such enclosure. (1989 Code, § 4-503)

12-607. Gates and doors to be self-closing. All gates or doors opening into such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except the door of any building which forms a part of the enclosure need not be so equipped. Latches shall be placed a minimum of 4 1/2 feet above the underlying ground or otherwise made inaccessible from the outside to small children. (1989 Code, § 4-504)

12-608. Application of enclosure requirements. The requirement for enclosure of swimming pools shall be applicable to all municipal pools or private family pools hereafter constructed, other than indoor pools, and shall apply to all existing pools which have the depth of at least 18 inches of water.

No person in possession of land within the town, either as owner, purchaser, lessee, tenant, or licensee, upon which is situated a swimming pool or private family pool having a depth of at least 18 inches of water shall fail to provide and maintain such fence or wall as herein provided. (1989 Code, § 4-505)

12-609. Modifications. The building inspector may make modifications in individual cases, upon a showing of good cause, with respect to the height, nature, or location of the fence, wall, gates, or latches, provided the protection of small children is not reduced thereby. The building inspector of Oliver Springs may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate, and latches described herein. The building inspector shall allow a reasonable period within which to comply with the requirements of this chapter. (1989 Code, § 4-506)

12-610. Application of chapter. The requirements of this chapter are applicable to all types of swimming pools. (1989 Code, § 4-507)

12-611. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the swimming pool code as herein adopted by reference and modified.

CHAPTER 7

AMUSEMENT DEVICE CODE¹

SECTION

12-701. Amusement device code adopted.

12-702. Modifications.

12-703. Available in recorder's office.

12-704. Violations.

12-701. Amusement device 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, construction, alteration, repair, removal, operation and use of amusement rides and devices. The Standard Amusement Device Code,² 1985 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the amusement device code. (Ord. #91-06-05, May 1991)

12-702. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

12-703. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated § 6-54-502 one (1) copy of the amusement device 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. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the amusement device code as herein adopted by reference and modified.

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 8

EXCAVATION AND GRADING CODE¹

SECTION

- 12-801. Excavation and grading code adopted.
- 12-802. Modifications.
- 12-803. Application.
- 12-804. Plans and specifications.
- 12-805. Issuance of permit.
- 12-806. Engineering review fees.
- 12-807. Available in recorder's office.
- 12-808. Violations.

12-801. Excavation and grading code adopted. Pursuant to authority granted by Tennessee Code Annotated §§ 6-54-501 through 6-54-516, and for the purpose of setting forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments, the Standard Excavation and Grading Code,² 1985 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the excavation and grading code. (Ord. #91-06-05, May 1991)

12-802. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

12-803. Application. (1) To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every application shall:

- (a) Identify and describe the work to be covered by the permit for which application is made;

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.

(b) 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;

(c) Be accompanied by plans and specifications as required in this code;

(d) State the estimated quantities of work involved;

(e) Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

(f) Give such other information as reasonably may be required by the building official which may include:

(i) Temporary cover during the grading and development period.

(ii) Permanent grass and vegetative cover for the area.

(iii) Stabilization by means of mulching (non-vegetative materials).

(iv) Sodding the area subject to erosion

(v) Use of low-growing plants, vines, shrubs or other ground covers to stabilize sediment-producing areas.

(vi) Constructing diversionary channels and terraces across the slope.

(vii) Construction of structures that will stabilize the grade in water channels.

(viii) Sediment basins constructed in such manner that failure of the structure would not result in loss of life or interruption of use or service of public utilities.

(ix) Use of grassed waterways for the safe disposal of run-off water.

(x) Staging development to avoid having large areas in an erosive condition at one time.

(xi) Utilization of existing topography in planning development to minimize erosion, such as planning roadways parallel to contours.

(xii) Leaving critical areas in an undisturbed condition or correction of critical areas which cause erosion hazard.

(2) Information on plans. Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared.

The plans shall include the following information:

(a) General vicinity of the proposed site.

(b) Property limits and accurate contours of existing ground and details of terrain and area drainage.

(c) Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and relating construction.

(d) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work together with a map showing the drainage area and the estimated run-off of the area served by any drains. Upstream drainage must be considered and explained in any adverse effect is possible. Plans for removal, recontouring or other final disposition of sediment basins or other structural improvements or devices included in the plan. If a sediment basin is required, it should be designed by registered engineers in accordance with property guidelines.

(e) Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within 15 feet of the property or which may be affected by the proposed grading operations.

Specifications shall contain information covering construction and material requirements.

(f) All elevations must be stated in mean sea level datum and this fact indicated in a note on the plan sheet.

(g) Location of areas of proposed paving.

(h) Limits of vegetative clearing.

(i) Estimates of exposed time of denuded land.

(j) Plans for vegetation reestablishment.

(k) A schedule for performance of all earthwork, earth stabilization, and reclamation activities.

(l) A soil erosion control plan which shall consider the following items:

(i) Minimize grading - The plan should relate to the specific site conditions, and should keep land grading and land disturbance to a minimum under the circumstances.

(ii) Storm drainage - Both surface and underground storm water drainage systems should be integrated to accommodate the increased runoff incurred during land grading.

(iii) Cover - Existing and future protective vegetative cover should be emphasized, and grading operations and sediment control measures should minimize land exposure to erosion.

(iv) Sediment basins - Sediment basins for high sediment producing areas should be planned, installed, and maintained as safety devices to catch and trap excessive sediment from the development site.

- (v) Use of low-growing plants, vines, shrubs or other ground covers to stabilize sediment-producing areas.
- (vi) Constructing diversionary channels and terraces across the slope.
- (vii) Construction of structures that will stabilize the grade in water channels.
- (viii) Sediment basins shall be designed and constructed in such manner that failure of the structure would not result in loss of life or interruption of use or service of public utilities.
- (ix) Use of grassed waterways for the safe disposal of run-off water.
- (x) Staging development to avoid having large areas in an erosive condition at one time.
- (xi) Utilization of existing topography in planning development to minimize erosion, such as planning roadways parallel to contours.
- (xii) Leaving critical areas in an undisturbed condition or correction of critical areas which cause erosion hazard.
- (xiii) Within any sinkhole, no fill shall be used without approval of the city engineer.

12-804. Plans and specifications. When required by the building official, each application for a grading permit shall be accompanied by two sets of plans and specifications, and supporting data consisting of a soil engineering report and engineering geology report. The plans and specifications shall be prepared and signed by a civil engineer when required by the building official. The building official shall obtain recommendations from the city's consulting engineer, prior to approving such plans and issuing a cut and fill permit.

12-805. Issuance of permit. The application, plans and specification filed by an applicant for a permit shall be checked by the building official. Such plans shall be reviewed by the city's consulting engineer to check compliance with all applicable laws and ordinances. If the building official is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees have been paid, he shall issue a permit therefor to the applicant.

When the building official issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

12-806. Engineering review fees. The building official shall submit the application, plans, and specifications filed by the applicant to the city's, consulting engineer for evaluation and recommendations. The city's consulting engineer shall also make the necessary site inspection(s) and make appropriate recommendations thereof, prior to the issuance of a cut and fill permit. All costs engendered by the city's consulting engineer in the performance of the duties specified herein shall be borne by the project applicant. The building official shall act as the agent through which all engineering fees are collected.

12-807. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated § 6-54-502 one (1) copy of the standard excavation and grading code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-808. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the standard excavation and grading code as herein adopted by reference and modified.

CHAPTER 9

MECHANICAL CODE¹

SECTION

- 12-901. Mechanical code adopted.
- 12-902. Modifications.
- 12-903. Available in recorder's office.
- 12-904. Violations.

12-901. 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 Standard Mechanical Code,² 1994 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the mechanical code. (Ord. #91-06-05, May 1991)

12-902. Modifications. When reference is made to the duties of certain officials named therein that designated officials of the Town of Oliver Springs who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (Ord. #91-06-05, May 1991)

12-903. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated § 6-54-502 one (1) copy of the mechanical code has been placed on file in the city recorder's office and shall be kept there for the use and inspection of the public.

12-904. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the mechanical code as herein adopted by reference and modified.

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.

CHAPTER 10

MODEL ENERGY CODE¹

SECTION

- 12-1001. Model energy code adopted.
- 12-1002. Modifications.
- 12-1003. Available in recorder's office.
- 12-1004. Violations and penalty.

12-1001. Model energy code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the Model Energy Code,² 1992 edition, as prepared and maintained by The Council of American Building Officials, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code.

12-1002. Modifications. Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the Town of Oliver Springs. When the "building official" is named it shall, for the purposes of the energy code, mean such person as the town council 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.

²Municipal code references

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

12-1003. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the energy code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-1004. Violations and penalty. It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.