

TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

1. BUILDING ACCESSIBILITY BY PHYSICALLY DISABLED PERSONS.
2. BUILDING CODE.
3. TRADE LICENSING BOARD.
4. ELECTRICAL CODE.
5. LICENSES FOR ELECTRICAL CONTRACTORS AND ELECTRICIANS.
6. ELECTRICAL WORK PERMIT.
7. PLUMBING CODE--GENERALLY.
8. PLUMBER'S LICENSE.
9. PLUMBER'S WORK PERMIT.
10. FIRE CODE.
11. RESIDENTIAL CODE.
12. ENERGY CONSERVATION CODE.
13. MECHANICAL CODE.
14. LICENSES FOR MECHANICAL CONTRACTORS.
15. MECHANICAL WORK PERMIT.
16. CITATIONS AND ORDINANCE SUMMONSES.

CHAPTER 1

**BUILDING ACCESSIBILITY BY PHYSICALLY
DISABLED PERSONS**

SECTION

- 12-101. Definitions.
- 12-102. Declaration of policy.
- 12-103. Minimum specifications.
- 12-104. Enforcement.
- 12-105. Compliance with provisions.

12-101. Definitions. For the purpose of this chapter the following definitions shall apply:

(1) "Public building" means any building, structure or improved area owned or leased by the city and any building, structure or improved area used primarily by the general public as a place of gathering or amusement; including but not limited to: theatres, restaurants, hotels, factories, office buildings, stadiums, hospitals, churches, voting areas, convention centers and all other places of public accommodation.

(2) "Physically disabled" means disabled on account of sight disabilities, hearing disabilities, disabilities of incoordination, disabilities of

aging, and any other disability that significantly reduces mobility, flexibility, coordination or perceptiveness.

(3) "Responsible authority" means the city manager or the city manager's duly authorized representative.

(4) "Renovation," "modification" or "alteration" means with respect to an existing public building to construct an addition, make substantial repair or substantially alter the appearance, design or layout. (1969 Code, § 9-12.1)

12-102. Declaration of policy. It is declared to be the policy of the City of Oak Ridge to make all public buildings accessible to and functional for persons who are physically disabled. (1969 Code, § 9-12.2)

12-103. Minimum specifications. (1) Any public building which is constructed, enlarged or substantially altered or repaired after the effective date of the ordinance comprising this section, shall be designed and constructed pursuant to specifications, approved by the responsible authority, making such building accessible to and usable by persons with disabilities. The minimum specifications shall be the Accessible and Usable Buildings and Facilities ICC A117.1-2009 Code thereto, which is hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, except as such code may be in conflict with other provisions of this chapter, in which event such other provisions of this chapter shall prevail.

(2) The minimum specifications for a project shall be those in effect at the time the project is submitted to the responsible authority for final approval of the construction, enlargement, alteration or repair.

(3) All auditoriums, theaters, gymnasiums, stadiums and other public entertainment facilities must provide accommodations in level or nearly level locations from which persons confined in wheelchairs may see and hear the offered entertainment as well as persons regularly seated in the facility. (Ord. #19-00, Aug. 2000, as replaced by Ord. #1-08, Jan. 2008, and Ord. #15-2012, Oct. 2012)

12-104. Enforcement. The building official shall be responsible for the enforcement of this chapter and the minimum specifications shall be complied with as to buildings under construction as of February 1, 1975. (1969 Code, § 9-12.4, as replaced by Ord. #1-08, Jan. 2008)

12-105. Compliance with provisions. It shall be unlawful to design or construct any public building without complying with the provisions of this chapter and the city may seek injunctive relief to prevent any such violation. (1969 Code, § 9-12.5)

CHAPTER 2

BUILDING CODE¹

SECTION

- 12-201. Building code adopted.
- 12-202. Amendments.
- 12-203. Manufactured homes.

12-201. Building code adopted. The International Building Code, 2012 edition, including appendices A, C, F, G, H and K, are hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, except as such code may be in conflict with other provisions of this chapter, in which event such other provisions of this chapter shall prevail. (Ord. #14-00, Aug. 2000, § 1, as replaced by Ord. #3-08, Jan. 2008, and Ord. #18-2012, Oct. 2012)

12-202. Amendments. (1) Generally. The building code and the appendices adopted by § 12-201 are hereby amended as set out in this section. All references to section numbers in the text of this section shall be considered as if followed by the words "of the building code," unless clearly indicated to the contrary. In all places where the building code requires the insertion of the jurisdiction name, the City of Oak Ridge, Tennessee, shall be inserted.

(2) Titles and designations. Titles and designations used in the building code shall be changed to conform with the proper city titles and departments as follows:

- (a) "Building official" shall mean the city manager or the city manager's designee.
- (b) "Board of appeals" shall mean the city's board of building and housing code appeals.
- (c) "Chief appointing authority" shall mean city manager.
- (d) "Department of law" shall mean city attorney.

(3) Appendix H. Appendix H is hereby amended as follows:

- (a) Section H101.2, Signs exempt from permits. Delete subsection 1 in its entirety.
- (b) Section H102.1, General. Delete the definitions for "ground sign" and "roof sign" in their entirety.

¹Municipal code reference

Fire protection: title 7.

Planning and zoning: title 14.

Water and sewers: title 18.

- (c) Section H104, Identification. Section H104 is hereby deleted in its entirety.
- (d) Section H105.2 Permits, drawings and specifications. In the first sentence, delete the word "shall" and replace with "may."
- (e) Section H110, Roof Signs. Section H110 is hereby deleted in its entirety.
- (f) Section H114.1, General. In the first sentence, delete the word "roof."
- (4) Section 103.1, Creation of enforcement agency. Section 103.1 is hereby deleted in its entirety and is replaced with the following:
 - (a) Section 103.1, Building Official. The provisions of this code shall be enforced by the Building Official.
 - (5) Section 105.2, Work exempt from permit. This section is hereby amended by deleting all items listed under the heading "Building," except for items numbered 7, 11 and 13, which shall remain in their entirety.
 - (6) Section 105, Permits. Section 105 is hereby amended by adding the following new subsections:
 - (a) Section 105.8, Contractor License. It shall be the duty of every contractor or builder who shall make contracts for the erection or construction or repair of buildings for which a permit is required in the city and every contractor or builder making such contracts, and subletting the same, or any part thereof, to pay a privilege license tax as provided by ordinance and to register his or her name in a book provided for the purpose with the code enforcement administrator, giving full name, residence, and place of business, and in case of removal from one place to another in the city to have made corresponding change in said register accordingly.
 - (b) Section 105.9, Liability Insurance. Any contractor doing work requiring a city building permit shall present evidence of liability insurance with coverage in an amount acceptable to the city manager.
 - (c) Section 105.10, Workers' Compensation Insurance. Any contractor doing work requiring a city building permit shall present evidence of workers' compensation insurance in compliance with state regulations.
 - (7) Section 107.2.5, Site plan. Section 107.2.5 is hereby amended by inserting the following sentence in between the first and second sentences:

The building official may require a boundary line survey prepared by a licensed land surveyor. Such boundary line survey may be required after the footers or foundation is in place, in which case it shall show the location of the footers or foundation in relation to required setback requirements.
 - (8) Section 113.1, Generally. Section 113.1 is hereby deleted in its entirety and replaced with the following:

The board of appeals shall hear all appeals provided for in this chapter in accordance with rules and regulations established by such board for such appeals, which rules and regulations shall not be inconsistent with the provisions of this code. The board shall meet at such regular intervals as determined necessary by the board, but shall meet within fifteen (15) days after a notice of appeal under this chapter has been received. Every decision shall be promptly filed in writing in the office of the code enforcement administrator, and shall be open to public inspection, and a copy shall be mailed to the appellant at the address contained in the notice of appeal.

The provisions of this section shall become effective August 1, 1991.

(9) Section 113.2. Limitations on authority. Section 113.2 is hereby amended by adding the following to the end of the section:

Notice of appeal shall be in writing and filed within sixty (60) days after the decision is rendered by the building official and/or the fire official. The required fee established by city policy shall accompany such notice of appeal.

(10) Section 113. Board of appeals. Section 113 is hereby amended by adding the following new subsections:

(a) Section 113.4. Unsafe or dangerous building. In case of a building or structure which, in the opinion of the building official, is unsafe or dangerous, the board may on request of the building official shorten the time for appeal.

(b) Section 113.5. Appeals from fire, plumbing, electrical, residential, mechanical and property maintenance inspectors' decision. The board of appeals shall act as the board which hears appeals from the decisions of the fire inspector on interpretations of the fire code, the electrical inspector on interpretations of the electric code, the plumbing inspector on interpretations of the plumbing code, the building inspector on interpretations of the residential code, the mechanical inspector on interpretations of the mechanical code and the property maintenance inspector on interpretations of the property maintenance code, as well as acting as the appeals board under this code.

(c) Section 113.6. Variances. The board of appeals, when appealed to and after a hearing, may vary the application of any provision of the fire code, electrical code, plumbing code, residential code, mechanical code, property maintenance code, and this code to any particular case when, in its opinion, the enforcement there would do manifest injustice and would be contrary to the spirit and purpose of that particular code, or when the interpretation of the building official, the fire official, the electrical inspector, the mechanical inspector, the property maintenance inspector, or the plumbing inspector should be modified or

reversed, provided, however, the board of appeals also finds all of the following:

(i) That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

(ii) That the special conditions and circumstances do not result from the action or inaction of the applicant.

(iii) That granting the variance requested will not confer on the applicant any special privilege that is denied to other buildings, structures or service systems.

(iv) That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.

(v) That the grant of the variance will be in harmony with the general intent and purpose of the adopted code and will not be detrimental to the public health, safety and general welfare.

(d) Section 113.7. Action. The board of appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. If the decision be to vary or modify the application of the building, fire, electric, plumbing or property maintenance code, or if it varies or modifies an order of the building official, fire official, or the plumbing, electrical, or property maintenance inspector, the board's decision shall indicate how the variation or modification is made and any condition on which it is made. All decisions shall indicate the reasons therefor.

(e) Section 113.8. Decisions are final. Every decision of the board of appeals shall be final, subject, however, to such remedy as any aggrieved party might have in law or at equity.

(11) Section 114.4. Violation penalties. Section 114.4 is hereby deleted in its entirety and replaced with the following:

Any person, firm, corporation, or agent who shall violate any provisions of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, or who shall fail to comply with such an order as affirmed or modified by the city court or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in § 1-107 of this code of ordinances. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When

not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

(12) Section 903. Automatic sprinkler systems. This section is hereby amended as follows:

(a) The square footage amounts referred to in certain sections of section 903 are hereby deleted and replaced as follows:

(i) In Sections 903.2.1.1, 903.2.1.3, 903.2.1.4, 903.2.9.1, and 903.2.9.2 (requiring sprinkler systems to be installed at a square footage threshold), replace the number 12,000 with the number 10,000.

(ii) In Sections 903.2.4, 903.2.7, and 903.2.9 (requiring sprinkler systems to be installed at a square footage threshold), replace the number 12,000 with the number 10,000, and replace the number 24,000 with the number 20,000.

(iii) In Section 903.2.3 (requiring sprinkler systems to be installed at a square footage threshold in Educational Occupancies), replace the number 12,000 with the number 10,000.

(b) Section 903.2.13. Additional sprinkler requirements.

(i) Sprinkler system in new construction. Except where more stringent requirements are stipulated elsewhere in the building code, all new commercial and residential buildings of ten thousand (10,000) square feet or more shall be equipped with an approved automatic sprinkler system.

(ii) Sprinkler system in large additions to buildings. Any new addition, which is more than ten thousand (10,000) square feet, connected to an existing building of any size, shall be equipped with an approved automatic fire sprinkler system. The new addition shall either:

(A) Be separated from the existing building by two-hour or greater construction; or

(B) Have the sprinkler system extend to cover the existing construction as well as the new addition.

(iii) Sprinkler system in small additions to buildings. Any new addition of more than five thousand (5,000) square feet but less than ten thousand (10,000) square feet that does not increase the size of the complete facility (existing plus new addition) to more than ten thousand (10,000) square feet shall be equipped with a complete automatic fire detection system or fire sprinkler system. The new addition with the automatic fire detection or fire sprinkler system installed shall either:

(A) Be separated from the existing building by two-hour or greater construction; or

(B) Have the fire detection or fire sprinkler system extend to cover the existing construction as well as the new addition.

(iv) Sprinkler system in additions to unsprinklered buildings. Any new addition that will increase the size of the complete facility (existing building plus new addition) to more than ten thousand (10,000) square feet shall either:

(A) Be separated from the existing construction by a non-penetrated, four-hour fire wall and have an automatic fire detection system installed in the new addition and the existing building; or

(B) Be separated from the existing construction by a two-hour or greater fire wall, and have an automatic fire detection system installed in both the new addition and the existing building; or

(C) Be separated from the existing construction by a two-hour or greater fire wall, and have an automatic fire sprinkler system installed in the new addition; or

(D) Have an automatic fire sprinkler system installed in the entire facility, both the new addition and the existing building.

The term "automatic fire sprinkler system" means a system meeting the requirements of the latest edition of the application National Fire Protection Association standard for the installation of sprinkler systems.

(v) Fire sprinkler systems shall be installed when required by the City of Oak Ridge Standard Construction Requirements and Details, specifically section 602(2), Adequate Fire Protection, which is reprinted here:

In any one or more of the conditions listed below, the developer or builder shall provide a means for adequate fire protection including but not limited to the installation of a domestic sprinkler system complying with applicable codes, the installation of an additional fire hydrant capable of supplying adequate flow, or the installation of a booster pump to increase flow to an acceptable level at the structure.

(A) Any part of the building is more than five hundred feet (500') from a hydrant measured along an accessible roadway; or

(B) The nearest hydrant provides a water supply of less than five hundred (500) gpm in residential areas of one-thousand (1,000) gpm in non-residential areas at twenty

(20) pounds per square inch residual pressure at periods of peak demand.

(C) The elevation difference between the highest floor of the referenced structure and the nearest hydrant prevents adequate water flow and pressure for fire protection at that structure.

(vi) Detection system or sprinkler system for smaller buildings. Except where more stringent requirements are stipulated in the building code, all buildings of greater than five thousand (5,000) square feet hereafter constructed shall be equipped with an automatic fire detection system, approved by the fire chief, using UL listed equipment, and monitored through an approved central station facility, or an approved automatic sprinkler system monitored as outlined above, except where four-hour non-penetrated fire walls divide the building into units of less than five thousand (5,000) square feet.

(vii) Open parking garages, exception to sprinkler requirement.

(A) Open parking garage shall mean a structure, or portion thereof, that is used for the parking or storage of private motor vehicles with openings described as follows:

(1) For natural ventilation purposes, the exterior side of the structure shall have uniformly distributed openings on two (2) or more sides. The area of such openings in exterior walls on a tier must be at least twenty percent (20%) of the total perimeter wall area of each tier. The aggregate length of the openings considered to be providing natural ventilation shall constitute a minimum of forty percent (40%) of the perimeter of the tier. Interior walls shall be at least twenty percent (20%) open with uniformly distributed openings.

(2) Exception. Openings are not required to be distributed over forty percent (40%) of the building perimeter where the required openings are uniformly distributed over two (2) opposing sides of the building.

(B) An open parking garage shall not be required to be equipped with an approved automatic fire sprinkler system provided the following requirements are met:

(1) The open parking garage is above ground;

(2) No space for human occupancy shall be located below, within or above the open parking

garage except as ancillary to the operation of the open parking garage;

(3) Two (2) or more sides of the open parking garage shall be open and accessible to aerial fire apparatus;

(4) Attached structure(s) shall be separated from the open parking garage by a wall with a minimum of a two-hour fire rating certified by a competent engineer;

(5) A standpipe system, meeting the requirements of NFPA 14, shall be provided with outlets no more than one hundred thirty feet (130') from any point within the open parking garage;

(6) A fire hydrant shall be provided within one hundred feet (100') of the fire department supply connection to the standpipe system; and

(7) The open parking garage shall comply with all applicable requirements of the model codes adopted by the city.

(C) Exception. If a model code adopted by the city requires the open parking garage to be equipped with an approved automatic sprinkler system, the provisions of this section shall not apply and the open parking garage shall be equipped with an approved automatic sprinkler system.

(13) Section 1013.2. Where required. Section 1013.2 is amended by deleting the first sentence and replacing it with the following sentence:

Guards shall be located along open-sided walking surfaces or ground surfaces, mezzanines, industrial equipment platforms, retaining walls, stairways, ramps, landings and any other locations that are located more than thirty inches (30") (762mm) above the floor or grade below.

(14) Chapter 11 Accessibility is hereby deleted in its entirety.

(15) Section 1612.3. Establishment of flood hazard areas. Section 1612.3 is hereby amended to specify the city has two (2) flood insurance studies which are as follows: Flood Insurance Study for Anderson County, Tennessee, and Incorporated Areas, effective January 17, 2007, and Flood Insurance Study for Roane County, Tennessee, and Incorporated Areas, effective September 28, 2007.

(16) Section 3410.2. Applicability. Section 3410.2 is hereby amended by inserting the required date as "the date of the adoption of the first building code regulations in the City of Oak Ridge, Tennessee." (1969 Code, §§ 9-19--9-31, as amended by Ord. #14-95, Aug. 1995, Ord. #14-00, Aug. 2000, Ord. #22-00, Aug. 2000, Ord. #14-03, July 2003, Ord. #21-04, Nov. 2004, and replaced by Ord. #3-08, Jan. 2008, and Ord. #18-2012, Oct. 2012)

12-203. Manufactured homes. (1) Defined. A manufactured home is a residential dwelling unit which:

- (a) Contains one thousand (1,000) or more square feet of living space;
- (b) Is composed of one (1) or more components, each of which was substantially assembled in a manufacturing plant;
- (c) Is transported to the homesite on its own chassis;
- (d) Was constructed after June 1, 1976 and meets or exceeds construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction;
- (e) Has a length not exceeding four (4) times its width; and
- (f) Has a width of at least twenty feet (20').

(2) Standards. Manufactured homes shall comply with the federal "Manufactured Home Construction and Safety Standards" dated August 11, 1987, including any subsequent revisions or amendments thereto, and shall comply with the following provisions:

(a) The pitch of the roof shall have a minimum vertical rise of two and two-tenths (2.2) feet for each twelve feet (12') of horizontal run and the finish shall be with a type of shingle commonly used in standard residential construction.

(b) The exterior siding shall consist predominantly of vinyl or aluminum lap siding, wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction.

(c) The home shall be installed on a permanent foundation system in accordance with all applicable requirements of the building code.

(d) Stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in accordance with the building code.

(e) The moving hitch, wheels and axles, and transporting lights shall be removed.

(f) All utilities shall be permanently connected to a public utility system in accordance with all applicable city codes, provided an approved septic tank is acceptable where public sewer is not available.

(g) A manufactured home unit shall bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by an agency approved by the Secretary of the Department of Housing and Urban Development. (1969 Code, §§ 9-35 and 9-36, as replaced by Ord. #18-2012, Oct. 2012)

CHAPTER 3

TRADE LICENSING BOARD

SECTION

- 12-301. Established; composition.
- 12-302. Appointment of members.
- 12-303. Members not to own or be employed by same firm.
- 12-304. Terms of members; filling of vacancies; removal of members.
- 12-305. Chairperson.
- 12-306. Secretary.
- 12-307. Rules of procedure; meetings.
- 12-308. General powers and duties.
- 12-309. Records open to public inspection.
- 12-310. Examination of applicants.
- 12-311. [Deleted.]
- 12-312. [Deleted.]
- 12-313. [Deleted.]
- 12-314. [Deleted.]
- 12-315. [Deleted.]
- 12-316. [Deleted.]
- 12-317. [Deleted.]
- 12-318. [Deleted.]

12-301. Established; composition. There is hereby established in the city a trade licensing board, which shall consist of seven (7) members. Effective January 1, 2013, such board shall be composed of two (2) members holding a current and valid Class I or II electrical license from the City of Oak Ridge, two (2) members holding a current and valid plumber's license from the City of Oak Ridge, two (2) members holding a current and valid mechanical license from the City of Oak Ridge, if such qualified applicants are available, and the remaining member from the public at large, including persons who possess current and valid electrical, plumbing, and mechanical licenses.

In order to stagger the membership for the mechanical license holders, one (1) member's term shall expire on December 31, 2015, and the other member's term shall expire on December 31, 2013. Thereafter, the terms of office shall be for three (3) year terms as set forth in § 12-304. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011, and Ord. #21-2012, Oct. 2012)

12-302. Appointment of members. Members of the board shall be appointed by city council. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-303. Members not to own or be employed by same firm. Board members shall not own or be employees of the same contracting corporation, firm, partnership or individual employer. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-304. Terms of members; filling of vacancies; removal of members. Of the members first appointed to the board, three (3) members shall serve through December 31, 2014, two (2) members shall serve through December 31, 2013, and two (2) members shall serve through December 31, 2012. Thereafter, the term of office for board members shall be three (3) years commencing on January 1. In case of resignation, death, or removal from office, another appointment will be made to finish out the unexpired term of office of the former member. Members of the board may be removed for good cause by the city council at any time. Removal of members due to absences shall be governed by the attendance policy established by city council for all boards and commissions. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-305. Chairperson. The chairperson of the board shall be elected by the board from members serving on the board. The chairperson shall preside at meetings and shall have such other duties as designated by the board. In the absence of the chairperson, the board shall elect a chairperson pro tem. (Ord. #16-00, Aug. 2000, as replaced by Ord. #2-08, Jan. 2008, Ord. #6-09, April 2009, and Ord. #4-11, March 2011)

12-306. Secretary. A secretary shall be elected by the board from the members of the board. The secretary shall prepare or have prepared minutes of all meetings, and shall have such other responsibilities as assigned by the board. In the absence of the secretary, the board shall elect a secretary pro tem. Copies of all minutes shall be filed with and kept in the custody of the city clerk, and shall be available for public inspection. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-307. Rules of procedures; meetings. The board shall establish written rules and regulations for its own procedure consistent with the provisions of the electrical and plumbing codes of the City of Oak Ridge. Such rules, or any changes thereto, shall be approved by city council and shall be filed with the city clerk. The board shall meet at regular intervals at the call of the chairperson of the board or the city manager. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-308. General powers and duties. The board shall set standards and procedures for the qualification, examination, and licensing of Class I Electrical Contractors, Class II Residential Electrical Contractors, Master

Electrician Certifications, Master Plumbers, and Journeyman certifications under the provisions of the electrical and plumbing codes of the City of Oak Ridge. Such standards and procedures shall be approved by city council. The board shall exercise the powers and perform the duties provided for in the electrical and plumbing codes of the City of Oak Ridge and shall have such other duties and powers as are necessary to carry out the intent and provisions of the electrical and plumbing codes of the City of Oak Ridge. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-309. Records open to public inspection. All records of the board shall be maintained by the city manager or the city manager's designee and shall be open to inspection by the public. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-310. Examination of applicants. The board shall use only board-approved testing agencies for the electrical and plumbing construction industry, which shall include the State of Tennessee Licensing Board's approved test designed to measure competency in the electrical and plumbing professions. The test grade shall be current within two (2) years of an applicant appearing before the board. All examinations shall be proctored by a qualified person. (Ord. #14-03, July 2003, as replaced by Ord. #4-11, March 2011)

12-311. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-312. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-313. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-314. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-315. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-316. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

12-317. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

Change 4, December 10, 2012

12-15

12-318. [Deleted]. (Ord. #14-95, Aug. 1995, § 12, as deleted by Ord. #4-11, March 2011)

CHAPTER 4

ELECTRICAL CODE¹

- 12-401. Short title.
- 12-402. Definitions.
- 12-403. Provisions remedial; construction of provisions.
- 12-404. Application of provisions.
- 12-405. Electrical code adopted.
- 12-406. Appointment of inspectors, etc., to administer and enforce provisions.
- 12-407. Duty of city manager or the city manager's designee to enforce provisions.
- 12-408. Records.
- 12-409. Restrictions on city employees engaging in electrical business.
- 12-410. Liability insurance; workers' compensation.
- 12-411. Inspection of new work generally.
- 12-412. Roughing-in inspection of new work.
- 12-413. Final inspection of new work.
- 12-414. Certificate of approval for new work--generally.
- 12-415. Certificate of approval for new work--temporary work.
- 12-416. Stop work order.
- 12-417. Periodic inspection of existing installation; repair or demolition of unsafe installations.
- 12-418. Appeals from decisions of city manager or the city manager's designee.

12-401. Short title. The provisions embraced within chapters 3, 4, 5 and 6 shall constitute, be known as, and may be cited as "The Electrical Code of the City of Oak Ridge." (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-402. Definitions. In the enforcement of chapters 3, 4, 5 and 6, the following definitions shall apply, unless clearly indicated to the contrary:

(1) "Apprentice" or "helper" is an individual not holding any type of electrical license, employed by a Class I Electrical Contractor, Class II Residential Electrical Contractor, Class IV Appliance Electrician, or journeyman electrician to assist in the performance of electrical work for which the electrical contractor, appliance electrician, journeyman or residential electrical contractor is licensed.

(2) "Board." The term "board" shall mean the Trade Licensing Board created by § 12-301.

¹Municipal code reference
Electric utility: title 19.

(3) "Class I: Electrical Contractor." The words "Class I Electrical Contractor" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge.

(4) "Class II: Residential Electrical Contractor." The words "Class II Residential Electrical Contractor" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge.

(5) "Class III: Maintenance Electrician." The words "Class III Maintenance Electrician" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge.

(6) "Class IV: Appliance Electrical Contractor." The term "Class IV Appliance Electrical Contractor" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge.

(7) "Electrical appliance." An "electrical appliance" is utilization equipment, generally other than industrial, normally built in standard sizes or types, which is installed or connected as a unit to perform one or more functions, such as clothes washing, air conditioning, food mixing, deep frying, etc., and may be either fixed, portable, or stationary.

(8) "Electrical permit" is the required authorization for work to proceed at the location and under the conditions described in the permit.

(9) "Journeyman electrician." The words "journeyman electrician" shall mean a person, firm or corporation who has been issued such a certificate by the City of Oak Ridge.

(10) "Maintenance" and "repair." The words "maintenance" and "repair" are hereby defined as the repair of existing wiring devices, motors, and equipment.

(11) "Master electrician" shall mean a person who has been issued such a certificate by the City of Oak Ridge.

(12) "On-site representative" is either the qualifying party or his or her on-site designee who is the on-site authorized company representative.

(13) "Qualified person" is an individual who has taken and passed the required electrical examination from the appropriate examining authority and shall be responsible for all work performed under the license. (Ord. #14-95, Aug. 1995, § 12, as replaced and amended by Ord. #4-11, March 2011)

12-403. Provisions remedial; construction of provisions. The provisions of The Electrical Code of the City of Oak Ridge are hereby declared to be remedial, and shall be construed to secure the beneficial interest and purposes, which are general public safety and welfare, by regulating the installation and maintenance of all electrical work in the city. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-404. Application of provisions. The provisions of chapters 3, 4, 5 and 6 shall apply to every electrical installation, including alterations, repairs,

equipment, wiring, construction and/or appurtenances thereto, within the city. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-405. Electrical code adopted. The National Electrical Code, 2011 edition, is hereby adopted by reference and shall become a part of The Electrical Code of the City of Oak Ridge as if copied herein verbatim, except as such code may be in conflict with other provisions of The Electrical Code of the City of Oak Ridge, in which event such other provisions shall prevail. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011, and amended by Ord. #12-2012, Oct. 2012)

12-406. Appointment of inspectors, etc., to administer and enforce provisions. The city manager shall appoint such number of officers, inspectors, assistants and other employees as shall be authorized from time to time in order to promote the public safety and to administer and enforce the provisions and intent of The Electrical Code of the City of Oak Ridge. All persons so appointed shall be experienced in the electrical craft and fully qualified to perform their assigned duties. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-407. Duty of city manager or the city manager's designee to enforce provisions. The city manager or the city manager's designee shall enforce the provisions of The Electrical Code of the City of Oak Ridge, and such persons, consistent with any constitutional limitations, may enter any building, structure or premises in the city to perform any duty imposed by chapters 3, 4, 5 and 6 of this title. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-408. Records. The city manager or the city manager's designee shall keep or cause to be kept records of the administration and enforcement of The Electrical Code of the City of Oak Ridge. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-409. Restrictions on city employees engaging in electrical business. No officer or employee of the city charged with the duty of enforcing The Electrical Code of the City of Oak Ridge, except one whose connection is as a member of the board of electrical examiners, shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration or maintenance of electrical installations or in the making of plans or of specifications therefor, unless he or she is owner of the building involved. No such officer or employee shall engage in any work which is inconsistent with his or her duties or with the interest of the city. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-410. Liability insurance; workers' compensation. All electrical contractors who have been issued a Class I, II, or IV license must meet the following requirements:

(1) Liability insurance required for electrical contracting business. Every person, firm or corporation engaged in the business of electrical contracting in the city shall present evidence of liability insurance and/or assurance with coverage in an amount acceptable to the city manager.

(2) Workers' compensation insurance. Every person, firm or corporation engaged in the business of electrical contracting in the city shall present evidence of workers' compensation insurance in compliance with state regulations. (Ord. #14-95, Aug. 1995, § 12, as replaced by Ord. #4-11, March 2011)

12-411. Inspection of new work generally. All new electrical work and such portions of existing systems as may be affected by new work or any changes shall be inspected to ensure compliance with all of the requirements of The Electrical Code of the City of Oak Ridge. (as added by Ord. #4-11, March 2011)

12-412. Roughing-in inspection of new work. When any part of a wiring installation is to be hidden from view by the permanent placement of parts of the building, the person installing the wiring shall notify the city manager or his or her designee and such parts of the wiring installation shall not be concealed until they have been inspected and approved by the city manager or his or her designee. On large installations where concealment of parts of wiring proceeds continuously, the person installing the wiring shall notify the city manager or his or her designee so that he or she can make inspections periodically during the progress of the work. (as added by Ord. #4-11, March 2011)

12-413. Final inspection of new work. Upon the completion of the work which has been authorized by issuance of a permit under The Electrical Code of the City of Oak Ridge, it shall be the duty of the person installing the same to notify the city manager or the city manager's designee who shall inspect the completed installation. (as added by Ord. #4-11, March 2011)

12-414. Certificate of approval for new work--generally. If the completed electrical installation inspected pursuant to this chapter is found to be fully in compliance with the provisions of The Electrical Code of the City of Oak Ridge, the city manager or the city manager's designee shall issue a certificate of approval authorizing connection to the electrical service, the turning on of the current and the use of the installation. (as added by Ord. #4-11, March 2011)

12-415. Certificate of approval for new work--temporary work.

When a certificate of approval is issued authorizing the connection and use of temporary work, such certificate shall be issued to expire at a time to be stated therein and shall be revocable by the city manager or the city manager's designee for cause. (as added by Ord. #4-11, March 2011)

12-416. Stop work order. Upon notice from the city manager or the city manager's designee that work or any electrical installation is being done contrary to the provisions of The Electrical Code of the City of Oak Ridge or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of such property, or to his or her agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, oral notice given by the city manager or the city manager's designee shall be sufficient, but it shall be immediately followed by written notice. (as added by Ord. #4-11, March 2011)

12-417. Periodic inspections of existing installation; repair or demolition of unsafe installations.

(1) The city manager or the city manager's designee, at his or her discretion, shall periodically make a thorough reinspection of the installation of all electric wiring, devices, appliances, and equipment now installed or that may hereafter be installed within the city and within the scope of The Electrical Code of the City of Oak Ridge, and when the installation of any such wiring, devices, appliances or equipment is found to be in a dangerous or unsafe condition, the person owning, using, or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, devices, and equipment in safe condition and have such work completed with fifteen (15) days or any longer period specified by the city manager or his or her designee in such notice.

(2) All electrical installations, regardless of type, which are unsafe, or which constitute a hazard to human life, health or welfare, are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition as the city manager or the city manager's designee directs in compliance with the provisions of this section, provided where such dangerous or defective condition constitutes an immediate hazard to human health, safety, or welfare, immediate repair or abatement may be required. (as added by Ord. #4-11, March 2011)

12-418. Appeals from decisions of city manager or the city manager's designee.

(1) Whenever the city manager or the city manager's designee shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used, or when it is claimed that the provisions of The Electrical Code of the City of Oak Ridge do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and

meaning of The Electrical Code of the City of Oak Ridge or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his or her duly authorized agent, may appeal from the decision of the city manager or his or her designee to the board of building code appeals. Notice of appeal shall be in writing and filed within sixty (60) days after the decision is rendered by the city manager or his or her designee. Fees for appeals shall be established by the city manager.

(2) In case of a condition which, in the opinion of the city manager or the city manager's designee is unsafe or dangerous, the city manager or the city manager's designee may, in his or her order, limit the time for such appeal to a shorter period.

(3) Appeals under this section shall be on forms provided by the city manager or his or her designee. (as added by Ord. #4-11, March 2011)

CHAPTER 5

LICENSES FOR ELECTRICAL CONTRACTORS AND ELECTRICIANS

SECTION

- 12-501. Required--generally.
- 12-502. Exceptions.
- 12-503. Application.
- 12-504. Qualifications of applicant.
- 12-505. Public hearing on application for Class I, II and IV licenses and Master Electrician Certificate and Journeyman Electrician's Certificate.
- 12-506. License to be obtained thirty days after meeting minimum licensing requirements; exception.
- 12-507. Fees.
- 12-508. Issuance generally.
- 12-509. Issuance by reciprocity.
- 12-510. License contents.
- 12-511. Work authorized.
- 12-512. Display.
- 12-513. Expiration and renewal.
- 12-514. Disciplinary action.

12-501. Required--generally. (1) Except as otherwise provided in § 12-502, no person shall engage in the business of installing, altering or repairing, within the city, any electric wiring, electric devices, electric equipment or electric appliances, unless such person shall have received a Class I Electrical Contractor's license, or a Class II Residential Electrical Contractor's license, or a Class IV Appliance Electrical Contractor's license, as the case may be depending upon the type of electrical work contracted for or engaged in, issued in accord with this chapter.

(2) Any firm, corporation, or other such person engaged in the electrical business shall have employed a qualified person having a Class I Electrical Contractor's license, a Class II Residential Contractor's license, or a Class IV Appliance Electrical Contractor's license, depending upon the type of work being engaged in by such firm or corporation, and everyone who does any actual electrical work for such firm or corporation must be licensed or supervised as set forth in this chapter.

When the qualified person providing technical expertise for electrical contract work for a firm or corporation leaves the firm or corporation, the firm or corporation shall have 90 days to employ another qualified person.

(3) Any regularly employed individual performing electrical maintenance incidental to and in connection with work on the premises of the business in which he or she is employed shall be required to have a Class III

Maintenance Electrician license under this chapter. (Ord. #14-95, Aug. 1995, § 12)

12-502. Exceptions. The following persons shall not be required to have the license required by § 12-501:

(1) Any person doing his or her own work personally, in a single-family dwelling used exclusively for living purposes, and who is the bona fide owner of and occupies or will occupy such dwelling, and who personally purchases all materials and performs all labor in connection therewith, shall not be required to have a license under The Electrical Code of the City of Oak Ridge. Such privilege does not convey the right to violate any of the provisions of this chapter, nor is it to be construed as exempting any such owner from obtaining a permit, except for minor repairs, and paying the required fees therefor.

(2) Apprentice electricians or electrical helpers are not required to have a license under this section. However, they will only be allowed to work for a person, firm or corporation that holds a valid Class I Electrical Contractor's license, a Class II Residential Electrical Contractor's license or Class IV Appliance Electrical Contractor's license as the case may be depending upon the type of electrical work authorized to be done by such license holder.

(3) Any employee of the city or city school system employed after June 1, 1988, to do electrical work for the city or school system shall have a Journeyman's Certificate. (Ord. #14-95, Aug. 1995, § 12)

12-503. Application. Any person, firm or corporation desiring a license or certificate required by this chapter shall apply therefor to the board, in writing, using the forms provided by the city. The application must be filled out completely, legibly, and be dated and signed. Obtaining the verifiable references required by § 12-504 is the responsibility of the applicant. The applicant's references shall show broad electrical experience. (Ord. #14-95, Aug. 1995, § 12)

12-504. Qualifications of applicant. Subject to the authority of the board to set higher standards with city council approval, the following minimum standards and qualifications shall be met before the board grants a license required by this chapter.

(1) **Class I: Electrical Contractor's License.** The applicant must establish a regular ongoing place of business, obtain a current city business license, supervise or perform electrical work, have a minimum of five (5) years' total full-time experience in the electrical craft, have demonstrated competency, honesty, and integrity in the performance of electrical work, have obtained a passing score on the written examination required by § 12-410 and must evidence honesty and integrity in former dealings with the public as demonstrated by at least three (3) favorable work references from employers or clients starting with most recent employers or clients and progressing back to

cover a five-year period. The applicant must have and keep current the bond and insurance specified in § 12-310.

(2) Class II: Residential Electrical Contractors License. The applicant must establish a regular ongoing place of business, obtain a current city business license, be a person, firm or corporation, other than a Class I Electrical Contractor, who engages in the actual installation of electrical wiring and fixtures in residential dwellings not exceeding three (3) stories, who has at least four (4) years' total full-time experience in the electrical craft, has obtained a passing score on the written examination required by § 12-410, and must evidence honesty and integrity in former dealings with the public by at least three (3) favorable work references from former employers or clients, starting with most recent employers or clients and progressing back to cover a four-year period. The applicant must have and keep current the bond and insurance specified in § 12-310.

(3) Class III: Maintenance Electrician. The applicant must be any individual other than a licensed Class I, II or IV Electrical Contractor, who engages in the actual electrical maintenance and/or repair at his or her place of employment, who has at least 2 years' total full time experience in repairing and maintaining the types of electrical equipment at his or her place of employment, has demonstrated competency, honesty, and integrity in the performance of electrical work, has obtained a passing score on the written examination required by § 12-410, and must evidence competency and experience with the particular equipment at his or her place of employment by furnishing training certificates on the equipment to be maintained, reference letter(s) from supervisor(s) indicating such knowledge and experience, and/or appearing before the board for an interview.

(4) Class IV: Appliance Electrical Contractor. The applicant must be any individual other than a licensed electrical contractor or licensed journeyman electrician, who engages in the actual installation, maintenance and/or repair of electrical appliances, has at least two (2) years' total full-time experience in the installation, maintenance, and repair of appliances, has demonstrated competency, honesty, and integrity in the performance of such work, and has obtained a passing score on the written examination § 12-410, and must evidence honesty and integrity in his or her former dealings with the public as demonstrated by at least three (3) favorable work references from former clients or employers, starting with most recent employers or clients and progressing back to cover a two-year period. The applicant must have and keep current the bond and insurance specified by § 12-310.

(5) Master Electrician Certificate. The applicant must have a minimum of five (5) years' total full time experience in the electrical craft, have demonstrated competency, honesty, and integrity in the performance of electrical work, have obtained a passing score on the written examination required by § 12-410, and must evidence honesty and integrity in his or her former dealings with the public as demonstrated by at least three (3) favorable

work references from former employers or clients, starting with most recent employers or clients and progressing back to cover a two-year period.

A Master Electrician Certificate may be converted to a Class I license by compliance with § 12-310.

(6) Journeyman Electrician's Certificate. The applicant must be an individual, other than a Master Electrician Certificate holder, who engages in the actual installation, alteration, repair or renovation of electrical work, who has at least four (4) years' total full-time experience in the electrical craft, has demonstrated competency, honesty, and integrity in the performance of electrical work, has obtained a passing score on the written examination required by § 12-410, and must evidence honesty and integrity in work dealings as demonstrated by at least three (3) favorable references from current and former employers starting with most recent employers or clients and progressing back to cover a four-year period.

A Journeyman Electrician Certificate may be converted to a Class I license by compliance with § 12-310. (Ord. #14-95, Aug. 1995, § 12)

12-505. Public hearing on application for Class I, II and IV licenses and Master Electrician Certificate and Journeyman Electrician's Certificate. The board shall conduct a public hearing before a license is issued under this chapter to a Class I Electrical Contractor, Class II Residential Electrical Contractor, Class IV Appliance Electrical Contractor, and before a certificate is issued under this chapter to a Master or Journeyman Electrician. Such hearing shall be announced in a newspaper of general circulation at least ten (10) days prior to the date of the scheduled hearing. The announcement shall state the time, date, and place of hearing, and the name of the contractor as follows:

"On (Date and Location) there will be a hearing before the Board of Electrical Examiners of the City of Oak Ridge on a petition by (Applicant's Name) for a license to operate as a (Class I Electrical Contractor, Class II Residential Electrical Contractor, Class IV Appliance Electrical Contractor or to obtain a Master or Journeyman's Electrical Certification) in the City of Oak Ridge. Any person who as a result of former dealings with (Applicant's Name) has reason to doubt his/her integrity or honesty or has a complaint about workmanship is urged to come forward at the above time and place and announce such information. Evidence reviewed in the public hearing will be considered in determining the competency, integrity, and honesty of applicants." (Ord. #95-14, Aug. 1995, § 12, as amended by Ord. #14-06, Aug. 2006)

12-506. License to be obtained thirty days after meeting minimum licensing requirements; exception. An applicant for a license under this chapter must obtain the license within thirty (30) days after successfully meeting all licensing requirements or this application will be null and void;

provided, however, in the event of possible extenuating circumstances affecting an individual, a maximum period of ninety (90) days may be allowed for compliance with this section. (Ord. #95-14, Aug. 1995, § 12)

12-507. Fees. Fees for electrical examinations shall be established by the city manager. Fees for licenses and certificates granted or renewed under this chapter shall be established by the city manager. No examination shall be given or license granted until such fees have been paid. (Ord. #95-14, Aug. 1995, § 12)

12-508. Issuance generally. The city manager shall issue an appropriate license or certificate under this chapter to each person, firm, or corporation who:

- (1) Meets the qualifications therefor, pays the necessary fees, and who successfully passes the examination given by the board, or
- (2) Holds a current and valid State of Tennessee Electrical Contractors license issued after May 11, 1992.

The board shall notify the city manager of all persons, firms or corporations who are eligible for issuance of a license or certificate. (Ord. #95-14, Aug. 1995, § 12)

12-509. Issuance by reciprocity. Any person not licensed under this chapter who exhibits a valid and effective license issued by a lawfully organized board of electrical examiners or similar licensing body of another city in the United States having a standard of requirements equal or superior to that of this city which board or body grants reciprocity to persons issued licenses by this city, shall be issued a license under this chapter without an examination, if such person otherwise meets the requirements of this chapter, for which the city shall collect a fee as established by the city manager for Class I Electrical Contractors, Class II Residential Electrical Contractors, Class IV Electrical Appliance Contractors and for Master and Journeyman certificates. The renewal fees for licenses issued under this section shall be as provided in § 12-513. The board may waive the requirement that the licensing body from another jurisdiction grant reciprocity to persons issued licenses by the City of Oak Ridge where such other jurisdiction is outside a 100-mile radius from the city. (Ord. #95-14, Aug. 1995, § 12)

12-510. License contents. Each certificate for a license issued in accordance with the provisions of this chapter shall specify the name of the person who has passed the examination, and, in the case of Class I Electrical Contractors, Class II Residential Electrical Contractors, and Class IV Electrical Appliance Contractors, the name of the person, firm or corporation the qualified person is employed by. Class III Maintenance Electrician license certificates shall be issued only to individuals. (Ord. #95-14, Aug. 1995, § 12)

12-511. Work authorized. (1) Class I Electrical Contractor's License. A Class I Electrical Contractor's License shall entitle the person, firm or corporation to whom it is issued to contract for, supervise, and engage in any type of electrical work within the city.

(2) Class II Residential Electrical Contractor's License. A Class II Residential Electrical Contractor's License shall entitle the person, firm or corporation to whom it is issued to contract for and to engage in the business of electrical work for residential dwellings not exceeding three (3) stories in height and four (4) dwelling units. For the purpose of this section, residential dwellings shall not include motels, hotels, health care facilities, retirement centers, and other such similar facilities.

(3) Class III Maintenance Electrician's License. A Class III Maintenance Electrician's License shall entitle the individual to whom it is issued to be able to engage in the maintenance and repair of the following existing building electrical systems: light fixture components, convenience outlets, switches, cords and plugs on portable electrical equipment, and water heater electrical components.

Additional building electrical systems may be included by showing certification, experience and/or interview with the electrical board. Examples of additional electrical systems include, but are not limited to, the following HVAC, and installed unique and standardized industrial systems such as machine tools.

A Class III Maintenance Electrician License is issued to an individual employed at a specific company to perform electrical maintenance work at that company and as such is not transferable.

(4) Class IV Appliance Electrical Contractor. A Class IV Appliance Electrical Contractor shall be able to engage in the installation, maintenance, repair and electrical hookup of electrical appliances, making all required connections thereto, including the installation of any new circuit that may be required between the appliance and main panel having adequate capacity. (Ord. #14-95, Aug. 1995, § 12)

12-512. Display. Every holder of a license under this chapter shall keep his or her license certificate displayed in a conspicuous place in his or her principal place of business or employment. (Ord. #14-95, Aug. 1995, § 12)

12-513. Expiration and renewal. All licenses and certificates issued by the board under this chapter shall be issued for a period of twelve (12) months beginning July 1st of each year and shall expire on June 30th of the following year. Licenses and certificates may be renewed upon payment of the fee established by the city manager. If the license or certificate has not been renewed within one year following the date of expiration, the complete application process must be repeated, including repeating and passing the

examination. The license or certificate must be renewed by the person, firm or corporation in whose name it was issued. (Ord. #14-95, Aug. 1995, § 12)

12-514. Disciplinary action. (1) The board is hereby authorized to reprimand, suspend for up to one year, or to revoke any license issued under this chapter:

(a) If the license was obtained through nondisclosure, misstatement, or misrepresentation of a material fact;

(b) For conviction of a violation of The Electrical Code of the City of Oak Ridge where the conduct in such violation constituted a serious threat to the public safety;

(c) For repeated violations of The Electrical Code of the City of Oak Ridge; provided a reprimand or suspension of up to ninety (90) days may be issued for any violation of The Electrical Code;

(d) For civil fraud or intentional misrepresentation in the performance of work for which a license was issued under The Electrical Code of the City of Oak Ridge;

(e) For allowing another to use the licensee's name to obtain permits;

(f) For doing business or work under the license of another or allowing a license to be used by another to do business; or

(g) For the licensed permit holder who has not provided an on-site representative at the job site during the performance of electrical work for which the permit was issued.

(2) Before any disciplinary action is taken against a licensee or certificate holder under this section, the licensee or certificate holder shall have notice in writing, enumerating the charges against him or her and be entitled to a hearing by the board no sooner than ten (10) days from receipt of this notice. The licensee or certificate holder shall be given an opportunity to present relevant testimony, oral or written, and shall have the right to cross-examination, and the right to be represented by an attorney. All testimony shall be given under oath. The board shall have the power to administer oaths, issue subpoenas, and compel the attendance of witnesses for the purpose of hearings on licenses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof.

(3) Any person may bring a complaint before the board against a licensee or certificate holder for the purpose set forth in subsection (1). If the board finds a complaint provides a reasonable basis to indicate a reason for disciplinary action under this section, a hearing on the licensee or certificate holder shall be scheduled as set forth in subsection (2) hereof.

(4) A person, firm or corporation whose license or certificate has been revoked under this section shall not be permitted to reapply within one (1) year from the date of revocation, provided the board may waive any or all of such waiting period. (Ord. #14-95, Aug. 1995, § 12)

CHAPTER 6

ELECTRICAL WORK PERMIT

SECTION

12-601. When required.

12-602. When not required.

12-603. Who is entitled to receive.

12-604. Fees.

12-605. Issuance.

12-606. Effect.

12-607. Invalidity if work not commenced or is abandoned.

12-608. Revocation.

12-601. When required. Except as otherwise provided in § 12-602, all electrical work done in the city, including installing, altering, or repairing any wiring, electric devices and equipment, shall be undertaken only after the issuance of a permit therefor by the city manager or the city manager's designee; provided, however, that emergency repairs and replacements may be made under the condition that a permit therefor shall be obtained within the next five (5) days. (Ord. #14-95, Aug. 1995, § 12)

12-602. When not required. (1) For the purposes of this section, minor "maintenance and repair" is defined as the replacement or repair of existing wiring devices, motors, and equipment.

(2) No permit shall be required under this chapter for work authorized to be performed by a Class III Maintenance Electrician.

(3) No permit shall be required for minor electrical maintenance and repairs.

(4) No permit shall be required for the installation, maintenance or alteration of electric wiring devices, appliances or equipment to be installed by or for an electric public service corporation, for the use of such corporation in the generation, transmission, distribution, or metering of electrical energy, or for the use of such a corporation in the operation of signals or data transmission. (Ord. #14-95, Aug. 1995, § 12)

12-603. Who is entitled to receive. Permits required by this chapter shall be issued only to:

(1) Class I Electrical Contractors.

(2) Class II Residential Electrical Contractors.

(3) Class IV Appliance Electrical Contractors.

(4) Homeowners doing their own work as authorized by § 12-502(1).

(Ord. #14-95, Aug. 1995, § 12)

12-604. Fees. The fees for permits required for inspection of new construction shall be established by the city manager. No permit or amendment to a permit shall be valid until such fees have been paid. (Ord. #14-95, Aug. 1995, § 12)

12-605. Issuance. Before issuing a permit under this chapter, the city manager or his or her designee shall determine that the applicant has a current license, or in the case of a homeowner, that he or she has the knowledge and qualifications prescribed by The Electrical Code of the City of Oak Ridge for electrical installation and repair shall collect all fees due, shall see to it that a responsible person is designated as the license holder's on-site representative who is authorized to represent the company for the work to be done under the permit, and shall require plans of the proposed electrical work if necessary. A change in the on-site representative shall require written notification to the city manager or his or her designee. (Ord. #14-95, Aug. 1995, § 12)

12-606. Effect. A permit issued under this chapter shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of The Electrical Code of the City of Oak Ridge, nor shall such issuance of a permit prevent the city manager or his or her designee from thereafter requiring correction of errors in construction, or of violations of The Electrical Code of the City of Oak Ridge. (Ord. #14-95, Aug. 1995, § 12)

12-607. Invalidity if work not commenced or is abandoned. A permit issued under this chapter shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced; provided that, for cause, one or more extensions of time, for periods not exceeding ninety (90) days each may be allowed in writing by the city manager or his or her designee. (Ord. #14-95, Aug. 1995, § 12)

12-608. Revocation. The city manager may revoke a permit issued under the provisions of this chapter, where there has been any false statement or misrepresentation as to a material fact upon which the permit was based, or when the permit has been otherwise erroneously issued. In all such cases, no permit fees shall be refunded. (Ord. #14-95, Aug. 1995, § 12)

CHAPTER 7

PLUMBING CODE--GENERALLY

SECTION

- 12-701. Short title.
- 12-702. Definitions.
- 12-703. Provisions remedial; construction of provisions.
- 12-704. Application of provisions.
- 12-705. Plumbing code adopted.
- 12-706. Plumbing code--amendments.
- 12-707. Appointment of officers, inspectors and employees to administer and enforce code.
- 12-708. Duty of city manager to enforce code; right of entry.
- 12-709. Records.
- 12-710. Restrictions on city employees engaging in plumbing business.
- 12-711. Liability insurance and worker's compensation insurance required for plumbing business.
- 12-712. Connection point for building sewers and water service pipes.
- 12-713. Inspection of new work generally.
- 12-714. Testing drainage and vent systems.
- 12-715. Testing water supply system.
- 12-716. Testing interior leaders or downspouts.
- 12-717. Roughing in inspection of new work.
- 12-718. Final inspection of new work.
- 12-719. Certificate of approval for new work.
- 12-720. Stop work orders.
- 12-721. Periodic inspections of existing installations; notification to repair.
- 12-722. Repair or demolition of defective installations.
- 12-723. Appeals from decisions of city manager.

12-701. Short title. The provisions embraced within chapters 7, 8, 9 and 10 of title 12 of this municipal code shall constitute and be known as, and may be cited as, "The Plumbing Code of the City of Oak Ridge," hereinafter referred to as the "plumbing code." (1969 Code, § 9-119)

12-702. Definitions. For the purposes of the plumbing code, the following definitions shall apply:

(1) "Apprentice" or "helper" is an individual not holding any type of plumbing license employed by a master plumber to assist in plumbing work.

(2) "Board." The term "board" shall mean the Trade Licensing Board created by § 12-301.

(3) "Journeyperson plumber." The words "journeyperson plumber" shall mean any person, other than a master plumber, who is engaged in the

practical installation of plumbing, and who is employed to supervise an individual plumbing job for a master plumber, and who has been issued such a license.

(4) "Maintenance" and "repair." The words "maintenance" and "repair" mean the repair or replacement of existing waste and vent lines and appurtenances thereto.

(5) "Master plumber." The words "master plumber" shall mean a person who has been issued such a license by the city.

(6) "Minor repairs." The words "minor repairs" shall mean only the repairing of faucets, bibs or cocks, and repairs to water pipes and shall not, under any circumstances, include installation of new work or repairs to waste and vent lines. (1969 code, § 9-120, as amended by Ord. #4-11, March 2011)

12-703. Provisions remedial; construction of provisions. The provisions of the plumbing code are hereby declared to be remedial, and shall be construed to secure the beneficial interest and purposes thereof, which are health, sanitation and general public safety and welfare, by regulating the installation and maintenance of all plumbing work in the city. (1969 Code, § 9-121)

12-704. Application of provisions. The provisions of the plumbing code shall apply to and govern plumbing, as defined in the plumbing code, including the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: sanitary drainage of storm drainage facilities, the venting system, and the public or private water supply systems within or adjacent to any building or other structure or conveyance; also the practice and materials used in the installation, maintenance, extension, or alteration of the storm, water or sewerage system of any premises in their connection with any point of public disposal or other terminal. (1969 Code, § 9-122)

12-705. Plumbing code adopted. The International Plumbing Code, 2012 edition, is hereby adopted by reference and shall become a part of the plumbing code as if copied herein verbatim, except as such code may be in conflict with other provisions of the plumbing code, in which event such other provisions shall prevail. (Ord. #15-00, Aug. 2000, § 1, as replaced by Ord. #6-08, Jan. 2008, and Ord. #13-2012, Oct. 2012)

12-706. Plumbing code--amendments. The International Plumbing Code as adopted by § 12-705 is amended as set out in this section.

All references to section numbers in the text of this section shall be construed as if followed by the words "of the International Plumbing Code," unless the context clearly indicates otherwise.

Section 101.1 Title.

Insert "City of Oak Ridge, Tennessee" for name of jurisdiction.

Section 305.4.1 Sewer depth.

Insert "twelve" in both places for the number of inches, and delete all references to "(mm)."

Section 903.1 Roof extension.

Insert "twelve" in place of the number of inches, and delete the first reference to "(mm)." (Ord. #15-00, Aug. 2000, § 2, as replaced by Ord. #6-08, Jan. 2008, and Ord. #13-2012, Oct. 2012)

12-707. Appointment of officers, inspectors and employees to administer and enforce code. The city manager shall appoint such number of officers, inspectors, assistants, and other employees as shall be authorized from time to time in order to promote the public safety and to administer and enforce the provisions and intent of the plumbing code. All persons so appointed shall be experienced in the plumbing craft and fully qualified to perform the assigned duties. (1969 Code, § 9-124)

12-708. Duty of city manager to enforce code; right of entry. The city manager or his or her designee shall enforce the provisions of the plumbing code and such persons, consistent with any constitutional limitations, may enter any building, structure or premises in the city to perform any duty imposed by the plumbing code. (1969 Code, § 9-125)

12-709. Records. The city manager or his or her designee shall keep or cause to be kept records of the administration and enforcement of the plumbing code. (1969 Code, § 9-126)

12-710. Restrictions on city employees engaging in plumbing business. No officer or employee of the city charged with the duty of enforcing the plumbing code, except one whose connection is as a member of the board of plumbing examiners established by the plumbing code, shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration or maintenance of plumbing installations or in the making of plans or of specifications therefor, unless he or she is owner of the building involved. No such officer or employee shall engage in any work which is inconsistent with his or her duties or with the interests of the city. (1969 Code, § 9-127)

12-711. Liability insurance and worker's compensation insurance required for plumbing business. (1) Every person engaged in the business of plumbing in the city shall present evidence of liability insurance and/or assurance with coverage in an amount acceptable to the city manager.

(2) Every person engaged in the business of plumbing in the city shall present evidence of workers' compensation insurance in compliance with state regulations. (Ord. #14-03, July 2003)

12-712. Connection point for building sewers and water service pipes. Building sewers and water service pipes shall connect to the public sewer and water main at a point designated by the proper municipal authority. (1969 Code, § 9-131)

12-713. Inspection of new work generally. All new plumbing work and such portions of existing systems as may be affected by new work or any changes shall be inspected by the city manager or his or her designee to ensure compliance with all of the requirements of the plumbing code. (1969 Code, § 9-132)

12-714. Testing drainage and vent systems. (3) Generally. All the piping of the plumbing system for which a permit has been issued under the plumbing code shall be tested with water or air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage systems shall be submitted to final tests. The city manager or his or her designee may require the removal of any cleanouts, to ascertain if the pressure has reached all parts of the system.

(4) Water test. The water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and if the system is tested in sections, each opening shall be tightly plugged, except the highest opening of the section under test, and each section shall be filled with water, but no section shall be tested with less than a ten-foot head of water. In testing successive sections, at least the upper ten (10) feet of the next preceding section shall be tested, so that no joint or pipe in the building (except the uppermost ten (10) feet of the system) shall have been submitted to a test of less than a ten-foot head of water. The water shall be kept in the system, or in the portion under test, for at least fifteen (15) minutes before inspection starts. The system shall then be tight at all points.

(5) Air test. The air test shall be made by attaching an air compressor or testing apparatus to any suitable opening and, after closing all other inlets and outlets to the system, forcing air into the system until there is a uniform gauge pressure of five (5) pounds per square inch or sufficient to balance a column of mercury ten (10) inches in height. This pressure shall be held without introduction of additional air for a period of at least fifteen (15) minutes.

(6) Final testing methods. The final test of the completed drainage and vent system shall be visual and in sufficient detail to ensure that the provisions of the plumbing code have been complied with; provided, however, for cause, the plumber may be required to subject the plumbing to either a smoke

or peppermint test. Where the smoke test is preferred, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When the smoke appears at stack openings on the roof they shall be closed and a pressure equivalent to a one-inch water column shall be built and maintained for fifteen (15) minutes before inspection starts. When the peppermint test is preferred, two (2) ounces of oil of peppermint shall be introduced for each line or stack. (1969 Code, § 9-133)

12-715. Testing water supply system. Upon completion of a section or of the entire water supply system, it shall be tested and proved tight under air or water pressure test. The water used for tests shall be obtained from a potable source of supply. (1969 Code, § 9-134)

12-716. Testing interior leaders or downspouts. Leaders or downspouts and branches within a building shall be tested by water or air in accordance with § 12-715. (1969 Code, § 9-136)

12-717. Roughing-in inspection of new work. When any part of a plumbing installation is to be hidden from view by the permanent placement of parts of the building, the person installing the plumbing installation shall notify the city manager or his or her designee and such parts of the plumbing installation shall not be concealed until they have been inspected and tested by the city manager or his or her designee. On large installations where the concealment of parts of plumbing proceeds continuously, the person installing the plumbing shall notify the city manager or his or her designee so that he or she can make inspections and tests periodically during the progress of the work. (1969 Code, § 9-137)

12-718. Final inspection of new work. Upon satisfactory completion of the work authorized by a permit issued under the plumbing code, it shall be the duty of the person installing the same to notify the city manager or his or her designee who shall inspect the completed installation. (1969 Code, § 9-138)

12-719. Certificate of approval of new work. If the completed plumbing installation inspected and tested in accord with the plumbing code is found to be fully in compliance with the provisions of the plumbing code, the city manager or his or her designee shall issue a certificate of approval for the installation. (1969 Code, § 9-139)

12-720. Stop work orders. Upon notice from the city manager or his or her designee that work on any plumbing installation is being done contrary to the provisions of the plumbing code or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be

given to the owner of such property, or to his or her agent, or the person doing the work, and shall state the conditions under which work may be resumed. Where any emergency exists, oral notice given by the city manager or his or her designee shall be sufficient, but it shall be immediately followed by a written notice. (1969 Code, § 9-140)

12-721. Periodic inspections of existing installations; notification to repair. The city manager or his or her designee, at his or her discretion, shall periodically make a thorough reinspection of plumbing installations now installed or that may hereafter be installed within the city and within the scope of the plumbing code, and when the installation of any such plumbing is found to be in a dangerous or unsafe condition which may adversely affect public health, the person owning, using, or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such pipe, devices, and equipment in safe condition and have such work completed within fifteen (15) days or any longer period specified by the city manager or his or her designee in such notice. (1969 Code, § 9-141)

12-722. Repair or demolition of defective installations. Any plumbing installations, regardless of type, which are unsafe, or which constitute a hazard to human life, health, or welfare are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition as the city manager or his or her designee directs in compliance with the provisions of this section, provided where such dangerous or defective condition constitutes an immediate hazard to human health, safety, or welfare, immediate repair or abatement may be required. (1969 Code, § 9-142)

12-723. Appeals from decisions of city manager. (1) Whenever the city manager or his or her designee shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used, or when it is claimed that the provisions of the plumbing code do not apply, or than an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of the plumbing code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his or her duly authorized agent, may appeal from the decision of the city manager or his or her designee to the board of building code appeals. Notice of appeal shall be in writing and filed within sixty (60) days after the decision is rendered by the city manager or his or her designee. A fee of twenty dollars (\$20.00) shall accompany such notice of appeal, which shall be returned to the appellant if successful.

(2) In case of a condition which, in the opinion of the city manager or his or her designee, is unsafe or dangerous, the city manager or his or her

designee may, in his or her order, limit the time for such appeal to a shorter period.

(3) Appeals under this section shall be on forms provided by the city manager or his or her designee. (1969 Code, § 9-143)

CHAPTER 8

PLUMBER'S LICENSE¹

SECTION

- 12-801. Required; exceptions.
- 12-802. Application.
- 12-803. Qualifications of applicant; master's license.
- 12-804. Qualifications of applicant; journey person's license.
- 12-805. Public hearing on application for master's license.
- 12-806. To be obtained with thirty days after meeting minimum licensing requirements; exception.
- 12-807. Fees.
- 12-808. Issuance.
- 12-809. Issuance by reciprocity.
- 12-810. Contents.
- 12-811. Work authorized.
- 12-812. Display.
- 12-813. Expiration and renewal.
- 12-814. Disciplinary action.

12-801. Required; exceptions. (1) No person shall engage in the business of installing, altering or repairing plumbing within the city unless such person shall have received a master plumber's license and a certificate therefor, or a journey person plumber's license and a certificate therefor, issued in accord with this chapter.

(2) Any firm, corporation, or legal entity engaged in the plumbing business shall have employed, to supervise the work being engaged in, an employee with a master plumber's license. The employee of such firm or corporation shall be examined and shall obtain a certificate as a master plumber, and anyone who does plumbing work for such firm or corporation, either as a master plumber or as a journey person plumber, must be licensed as set forth in this chapter, and any apprentice or helper doing plumbing work must be supervised as set forth in this chapter.

When the person supervising plumbing contract work for a firm or corporation leaves the firm or corporation, the firm or corporation shall engage in no more plumbing work until an examination has been passed by another

¹The section numbers comprising the former chapter 8 "Board of Plumbing Examiners" (1969 Code, §§ 9-151--9-159, as deleted by Ord. #4-11, March 2011), as well as an amendment to § 12-808 (replaced by Ord. #3-10), was deleted in its entirety and the remaining chapters 9-13 were moved up and renumbered.

eligible employee or the owner, or until another person possessing the necessary license is employed by the firm or corporation to supervise the work.

(3) Any regularly employed individual acting as a maintenance person incidental to and in connection with work on the premises of the business in which he or she is employed, and who is not engaged in the occupation of plumbing contracting for the general public, shall be required to have a master plumber's or journeyman plumber's license.

(4) Any person doing his or her own work personally, in a single-family dwelling used exclusively for living purposes, and who is the bona fide owner of and occupies or will occupy such dwelling, and who personally purchases all material and performs all labor in connection therewith, shall not be required to have a license under this chapter. Such privilege does not convey the right to violate any of the provisions of the plumbing code, nor is it to be construed as exempting any such owner from obtaining a permit, except for minor repairs, and paying the required fees therefor.

(5) Apprentice plumbers or plumber helpers are not required to have a license under this chapter. However, they will only be allowed to work under the "on the job" supervision of a licensed master plumber or journeyman plumber.

(a) "On the job supervision" means the master plumber or journeyman plumber must be physically upon the premises of the job site at all times the apprentice or helper is performing plumbing work.

(b) For purposes of this subsection, "upon the job site" means upon the parcel for which the permit was issued, or upon an adjoining or contiguous parcel if the master plumber is also performing work under permit on such adjacent or adjoining parcel.

(6) Any employee of the city or city school system employed after June 1, 1988, to do plumbing work for the city or school system shall have a master plumber's or journeyman plumber's license. (1969 Code, § 9-165, as renumbered by Ord. #4-11, March 2011)

12-802. Application. Any person desiring a license required by this chapter shall apply therefor to the board, in writing, stating the type of license applied for, his or her name and place of business, and the name of the supervisor of work to be done under the license. (1969 Code, § 9-166, as renumbered by Ord. #4-11, March 2011)

12-803. Qualifications of applicant—master's license. Subject to the authority of the board to set higher standards with city council approval, the following minimum standards and qualifications shall be met before the board grants a license to a master plumber: the applicant must be an individual who has a regular place of business; has supervised or performed plumbing work; has a minimum of five (5) years of total fulltime experience in the plumbing craft; has demonstrated competency, honesty and integrity in the performance of

plumbing work; has passed the written examination prescribed in § 12-808; and has evidenced honesty and integrity in his or her former dealings with the public as demonstrated by at least three (3) favorable work references from former employers or persons for whom the applicant has performed plumbing work, such persons or employers to be selected at random by the board from a list submitted by the applicant. (1969 Code, § 9-167, as renumbered by Ord. #4-11, March 2011)

12-804. Qualifications of applicant-journeyperson's license.

Subject to the authority of the board to set higher standards with city council approval, an applicant for a journeyperson plumber's license must be an individual other than a licensed master plumber, who engages in the actual installation, alteration, repair or renovation of plumbing work; who has at least three (3) years of total fulltime experience in the plumbing craft; who has demonstrated competency, honesty and integrity in the performance of plumbing work; who has passed the written examination prescribed in § 12-808; and who must evidence honesty and integrity in his or her work dealings as demonstrated by favorable references from current and former employers.

All plumbing licenses issued and in effect or approved to be issued prior to June 1, 1988 are valid and shall remain effective subject to the other provisions of the plumbing code. (1969 Code, § 9-168, as renumbered by Ord. #4-11, March 2011)

12-805. Public hearing on application for master's license. The board shall conduct a public hearing before a license is issued under this chapter to a master plumber. Such hearing shall be announced in a newspaper of general circulation at least ten (10) days prior to the date of the scheduled hearing. The announcement shall state the time, date and place of hearing, and the name of the applicant in words as follows:

"On _____ at _____ there will be a hearing before the Board of Plumbing Examiners of the City of Oak Ridge on a petition by _____ for a license to operate as a Master Plumber in the City of Oak Ridge. Any person who as a result of former dealings with _____ has reason to doubt his or her integrity or honesty or has a complaint about workmanship is urged to come forward at the above time and place and announce such information. Evidence reviewed in the public hearing will be considered in determining the competency, integrity and honesty of applicants." (1969 Code, § 9-169, as amended by Ord. #14-06, Aug. 2006, and renumbered by Ord. #4-11, March 2011)

12-806. To be obtained within thirty days after meeting minimum licensing requirements; exception. An applicant for a license under this chapter must obtain the license within thirty (30) days after successfully meeting all licensing requirements or this application will be null and void; provided, however, in the event of possible extenuating circumstances affecting

an individual, a maximum period of ninety (90) days may be allowed for compliance with this section. (1969 Code, § 9-169.1, as renumbered by Ord. #4-11, March 2011)

12-807. Fees. Fees for plumbing examinations and licenses granted or renewed under this chapter shall be established by the city manager as provided for under § 1-203 of this municipal code. No examination shall be given or license granted until such fees have been paid. (1969 Code, § 9-170, as renumbered by Ord. #4-11, March 2011)

12-808. Issuance. The city manager shall issue an appropriate license under this chapter to each person who meets the qualifications therefor, pays the necessary fees, and who successfully passes the examination given by the board. The board shall notify the city manager of all persons passing the exam and eligible for issuance of a license. (1969 Code, § 9-171, as renumbered by Ord. #4-11, March 2011)

12-809. Issuance by reciprocity. Any person not licensed under this chapter who exhibits a valid and effective license issued by a lawfully organized board of plumbing examiners or similar licensing body of another city in the United States having a standard of requirements equal or superior to that of this city, and which board or body grants reciprocity to persons issued licenses by this city, shall be issued a license under this chapter without an examination, if such other person otherwise meets the requirements of this chapter, for which the board shall collect a fee of fifty dollars (\$50.00) for master plumbers and twenty-five dollars (\$25.00) for journeyman plumbers. Such fees shall be prorated or not prorated in accord with the provisions of § 12-807. The renewal fees for licenses issued under this section shall be as provided in § 12-907. The board may waive the requirement that the licensing body from another jurisdiction grant reciprocity to persons issued licenses by the City of Oak Ridge where such other jurisdiction is outside a one hundred (100) mile radius from the city. (1969 Code, § 9-171.1, as renumbered by Ord. #4-11, March 2011)

12-810. Contents. Each certificate for a license issued in accordance with the provisions of this chapter shall specify the name of the person who has passed the examination and, in the case of a master plumber, such person shall be designated in the certificate as the supervisor of all work done under the license. (1969 Code, § 9-172, as renumbered by Ord. #4-11, March 2011)

12-811. Work authorized. (1) A master plumber's license shall entitle the person to whom issued to contract for, supervise and to engage in the business of plumbing work.

(2) A journey person plumber's license shall entitle the person to whom issued to engage in and supervise plumbing work only for a licensed master plumber. (1969 Code, § 9-173, as renumbered by Ord. #4-11, March 2011)

12-812. Display. Every holder of a license issued under this chapter shall keep his or her certificate of license displayed in a conspicuous place in his or her principal place of business. (1969 Code, § 9-174, as renumbered by Ord. #4-11, March 2011)

12-813. Expiration and renewal. All licenses issued by the board under this chapter shall expire on December 31 of the year in which issued, but may be renewed upon payment of fees in the amount prescribed in § 12-807. If the license has not been renewed within one year following the date of expiration, the examination must be taken again. The license must be renewed by the person in whose name it is listed. (1969 Code, § 9-175, as renumbered by Ord. #4-11, March 2011)

12-814. Disciplinary action. (1) The board is hereby authorized to reprimand, suspend for up to one year, or to revoke any license issued under this chapter:

(a) If the license was obtained through nondisclosure, misstatement, or misrepresentation of a material fact;

(b) For conviction of a violation of the plumbing code where the conduct in such violation constituted a serious threat to the public safety;

(c) For repeated separate violations of the plumbing code; provided a reprimand or suspension of up to ninety (90) days may be issued for any violation of the plumbing code.

(d) For civil fraud or intentional misrepresentation in the performance of work for which a license was issued under the plumbing code.

(e) For allowing another to use the licensee's name to obtain permits;

(f) For doing business or work under the license of another or allowing a license to be used by another to do business; or

(g) For the licensed permit holder who has not provided "on the job supervision" at all times for an apprentice or helper who is performing plumbing work at the job site for which the permit was issued under the plumbing code, provided that a first offense under this subsection shall be subject to a reprimand or suspension not to exceed seven (7) days.

(2) Before any disciplinary action is taken against a licensee under this section, the licensee shall have notice in writing, enumerating the charges against him or her, and be entitled to a hearing by the board not sooner than ten (10) days from receipt of this notice. The licensee shall be given an opportunity to present relevant testimony, oral or written, and shall have the right to cross

examination and the right to be represented by an attorney. All testimony shall be given under oath. The board shall have the power to administer oaths, issue subpoenas, and compel the attendance of witnesses for the purpose of hearings on licenses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof.

(3) Any person may bring complaint before the board against a licensee for the purpose set forth in subsection (1) of this section. If the board finds a complaint provides a reasonable basis to indicate a reason for disciplinary action under this section, a hearing on the license shall be scheduled as set forth in subsection (2) hereof.

(4) A person whose license has been revoked under this section shall not be permitted to reapply within one (1) year from the date of revocation. (1969 Code, § 9-176, as renumbered by Ord. #4-11, March 2011)

CHAPTER 9

PLUMBER'S WORK PERMIT

SECTION

12-901. Required; exceptions.

12-902. Application.

12-903. Who entitled to receive.

12-904. Issuance.

12-905. Effect.

12-906. Invalidity if work not commenced or is abandoned.

12-907. Revocation.

12-908. Fees.

12-901. Required; exceptions. (1) No person shall connect any plumbing work with any sewer of the city, sanitary or storm, septic tank or sewage disposal system of any kind, or private connection, or install fixtures or appliances in new or existing plumbing, without first obtaining a permit so to do in accord with this chapter.

(2) Emergency repairs and replacements may be made by a person's authorized to obtain a permit under this chapter, without such permit, under the condition that a permit therefor shall be obtained within the next five (5) days.

(3) No permit shall be required for maintenance and repair work on the premises of a person regularly employing one or more licensed plumbers for the purpose, nor shall a permit be required for "minor repairs" as defined in the plumbing code. (1969 Code, § 9-182, as renumbered by Ord. #4-11, March 2011)

12-902. Application. Application for a permit required by this chapter shall be filed with the city's manager or his or her designee on forms provided for that purpose. The city manager or his or her designee may require such application to be accompanied by plans of the proposed work, if he or she deems it necessary. (1969 Code, § 9-183, as renumbered by Ord. #4-11, March 2011)

12-903. Who entitled to receive. Permits required by this chapter shall be issued only to a master plumber licensed as provided in the plumbing code or to a homeowner doing his or her own work under the conditions prescribed in § 12-801(4). (1969 Code, § 9-184, as renumbered by Ord. #4-11, March 2011)

12-904. Issuance. Before issuing a permit under this chapter, the city manager or his or her designee shall see that the applicant has a current master plumber's license or, in the case of a homeowner, that he or she has the knowledge and qualifications prescribed by the plumbing code for installing and

repairing plumbing work, collect all fees due, and see to it that the person who takes out the permit will supervise the work to be done under the permit. (1969 Code, § 9-185, as renumbered by Ord. #4-11, March 2011)

12-905. Effects. A permit issued under this chapter shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of the plumbing code, nor shall such issuance of a permit prevent the city manager or his or her designee from thereafter requiring correction of errors in construction, or of violations of the plumbing code. (1969 Code, § 9-186, as renumbered by Ord. #4-11, March 2011)

12-906. Invalidity if work not commenced or is abandoned. Any permit issued under this chapter shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance or if the work authorized by such permit is suspended or abandoned for a period of one year after the time the work is commenced, provided that, for cause, one or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed in writing by the city manager or his or her designee. (1969 Code, § 9-187, as renumbered by Ord. #4-11, March 2011)

12-907. Revocation. The city manager may revoke a permit issued under the provisions of this chapter, in case there has been any false statement or misrepresentation as to a material fact on which the permit was based, or if it has been otherwise erroneously issued. In all such cases no permit fees shall be refunded. (1969 Code, § 9-188, as renumbered by Ord. #4-11, March 2011)

12-908. Fees. The fees for permits required for inspection of new construction shall be determined by the city manager as provided under § 1-203 of this municipal code. No permit or amendments to a permit shall be valid until such fees have been paid. (1969 Code, § 9-189, as renumbered by Ord. #4-11, March 2011)

CHAPTER 10

FIRE CODE

SECTION

12-1001. Fire code.

12-1001. Fire code. The fire code is set forth in title 7 of the Code of Ordinances, City of Oak Ridge. (Ord. #17-00, Aug. 2000, as replaced by Ord. #4-08, Jan. 2008, and renumbered by Ord. #4-11, March 2011)

CHAPTER 11**RESIDENTIAL CODE****SECTION**

12-1101. Residential code adopted.

12-1102. Amendments.

12-1101. Residential code adopted. The International Residential Code, 2012 edition, is hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, except as such code may be in conflict with other provisions of this chapter, in which event such other provisions of this chapter shall prevail. This code shall apply to one- and two-family dwellings as outlined in section R101.2 after adoption of the ordinance comprising this chapter. (Ord. #20-00, Aug. 2000, as replaced by Ord. #8-08, Jan. 2008, renumbered by Ord. #4-11, 2011, and replaced by Ord. #19-2012, Oct. 2012)

12-1102. Amendments. (1) Generally. The International Residential Code is hereby amended as set out in this section. All references to section numbers in the text of this section shall be considered as if followed by the words of the International Residential Code, unless clearly indicated to the contrary. In all places where the International Residential Code requires the insertion of the jurisdiction name, the City of Oak Ridge, Tennessee, shall be inserted.

(2) Titles and designations. Titles and designations used in the International Residential Code shall be changed to conform with the proper city titles and departments as follows:

(a) "Building official" shall mean the city manager or the city manager's designee.

(b) "Board of appeals" shall mean the city's board of building and housing code appeals.

(c) "Chief appointing authority" shall mean city manager.

(d) "Department of law" shall mean city attorney.

(3) Section R103.1. Creation of enforcement agency. Section R103.1 is hereby deleted in its entirety.

(4) Section R105.2. Work exempt from permit. Section R104.2 is hereby amended by deleting all items listed under the heading "building," except for items numbered 6, 7, 8 and 9, which shall remain in their entirety.

(5) Section R106.3.1. Approval of construction documents. Section R106.3.1 is hereby amended by changing the word "approval" to "review" and the word "approved" to "reviewed."

(6) Section R106.3.2. Previous approvals. Section R106.3.2. is hereby amended by changing the word "approvals" to "reviews."

(7) Section R106.3.3. Phased approval. Section R106.3.3. is hereby amended by changing the word "approval" to "review."

(8) Section R106.4. Amended construction documents. Section R106.4 is hereby amended by changing the word "approval" to "review" and the word "approved" to "reviewed."

(9) Section R112. Board of appeals. Section R112 is hereby deleted in its entirety.

(10) Table R301.2(1). Climatic and geographic design criteria.

Insert "10 PSF" in the table for Ground Snow Load.

Insert "90" in the table for Wind Speed.

Insert "C" in the table for Seismic Design Category.

Insert "Severe" in the table for Weathering.

Insert "12 inches" in the table for Frost Line Depth.

Insert "Moderate to heavy" in the chart for Termite.

Insert "19 degrees Fahrenheit" in the table for Winter Design Temp.

Insert "No" in the table for Ice Barrier Underlayment Required.

Insert "Anderson County, Tennessee and incorporated areas effective 01-17-07 and

Roane County, Tennessee and incorporated areas effective 09-28-07" in the table for

Flood Hazards.

Insert "250" in the table for Air Freezing Index.

Insert "60" in the table for Mean Annual Temp.

(11) Section R302.2. Townhouses. In the exception change the 1-hour to 2-hour.

(12) Section R302.6 Dwelling/garage fire separation. In table 302.6 change 5/8" type X to 1/2".

(13) Section R302.5.1. Opening protection. In the last sentence put a period after fire-rated doors and delete the remaining text.

(14) Section R311.7.9. Illumination. Change the section number referenced to R303.7.

(15) Section R313. Automatic fire sprinkler systems. Section R313 is hereby deleted in its entirety.

(16) Section R905.2.8.5. Drip edge is hereby deleted in its entirety.

(17) Chapter 11 is hereby deleted in its entirety.

(18) Chapter 24 is hereby deleted in its entirety.

(19) Section P2603.6.1. Sewer depth. Section P2603.6.1 is hereby amended by inserting the number "twelve inches" in two places for the missing number. (as added by Ord. #8-08, Jan. 2008, renumbered by Ord. #4-11, March 2011, and replaced by Ord. #19-2012, Oct. 2012)

CHAPTER 12

ENERGY CONSERVATION CODE

SECTION

12-1201. Energy conservation code adopted.

12-1202. Amendments.

1201. Energy conservation code adopted. The International Energy Conservation Code, 2018 edition, is hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, and shall be known as the "Energy Conservation Code." (as added by Ord. #14-2012, Oct. 2012, and replaced by Ord. #4-2018, March 2018)

12-1202. Amendments.

- (1) Table R402.1.2 Insulation and Fenestration Requirements by Component.
In the row for Climate Zone 4 except Marine, change the following: Ceiling R-Value from "49" to "38"; Wood Frame Wall R-Value from "20 or 13+5" to "13"; and Mass Wall R-Value "8/13" to "5/10."
- (2) Table R402.1.4 Equivalent U-Factors.
In the row for Climate Zone 4 except Marine, change the following: Ceiling U-Factor from "0.026" to "0.030"; Frame Wall U-Factor from "0.060" to "0.082"; and Mass Wall U-Factor from "0.098" to "0.141."
- (3) Section R402.4 .1.2 Testing.
Delete in its entirety without replacement.
- (4) Section R403 .3 .3 Duct Testing (Mandatory).
Delete in its entirety without replacement. (as added by Ord. #4-2018, March 2018)

CHAPTER 13

MECHANICAL CODE

SECTION

- 12-1301. Mechanical code adopted.
- 12-1302. Amendments.
- 12-1303. Short title.
- 12-1304. Definitions.
- 12-1305. Provisions remedial; construction of provisions.
- 12-1306. Application of provisions.
- 12-1307. Appointment of inspectors, etc., to administer and enforce provisions.
- 12-1308. Duty of city manager to enforce provisions.
- 12-1309. Records.
- 12-1310. Restrictions on city employees engaging in mechanical business.
- 12-1311. Liability insurance; workers' compensation.
- 12-1312. Inspection of new work generally.
- 12-1313. Roughing-in inspection of new work.
- 12-1314. Final inspection of new work.
- 12-1315. Certificate of approval for new work--generally.
- 12-1316. Certificate of approval for new work--temporary work.
- 12-1317. Stop work order.
- 12-1318. Periodic inspections of existing installation; repair or demolition of unsafe installations.
- 12-1319. Appeals from decisions of city manager.

12-1301. Mechanical code adopted. The International Mechanical Code, 2012 edition, is hereby adopted by reference and shall become a part of the mechanical code as if copied herein verbatim, except as such code may be in conflict with other provisions of the mechanical code, in which event such other provisions shall prevail. (as added by Ord. #20-2012, Oct. 2012, and replaced by Ord. #15-2014, Dec. 2014)

12-1302. Amendments. (1) The International Mechanical Code, as adopted by ordinance, is amended as set out in this section.

(2) In Section 101.1, "Title," of the International Mechanical Code, insert "City of Oak Ridge, Tennessee" for name of jurisdiction. (as added by Ord. #20-2012, Oct. 2012, and replaced by Ord. #15-2014, Dec. 2014)

12-1303. Short title. The provisions embraced within chapters 3, 13, 14 and 15 of this title shall constitute, be known as, and may be cited as "the mechanical code of the City of Oak Ridge." (as added by Ord. #15-2014, Dec. 2014)

12-1304. Definitions. In the enforcement of chapters 3, 13, 14 and 15 of this title, the following definitions shall apply, unless clearly indicated to the contrary:

(1) "Apprentice" or "helper" is an individual not holding any type of mechanical license, employed by a Class I mechanical contractor, and/or Class II residential mechanical contractor to assist in the performance of mechanical work for which the mechanical contractor is licensed.

(2) "Board." The term "board" shall mean the trade licensing board created by city code § 12-301.

(3) "City manager" means the City Manager for the City of Oak Ridge, Tennessee, or the city manager's duly authorized designee.

(4) "Class I: mechanical contractor." The words "Class I mechanical contractor" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge. A Class I mechanical contractor can engage in mechanical work on commercial and residential buildings with a job cost not exceeding twenty-five thousand dollars (\$25,000.00).

(5) "Class II: residential mechanical contractor." The words "Class II residential mechanical contractor" shall mean a person, firm or corporation who has been issued such a license and certificate by the City of Oak Ridge. A Class II mechanical contractor can engage in mechanical work on residential buildings with up to four units and a job cost not exceeding twenty-five thousand dollars (\$25,000.00).

(6) "On-site representative" is either the qualifying party or his or her on-site designee who is the on-site authorized company representative.

(7) "Qualified person" is an individual who has taken and passed the required mechanical examination from the appropriate examining authority and shall be responsible for all work performed under the license. (as added by Ord. #15-2014, Dec. 2014)

12-1305. Provisions remedial; construction of provisions. The provisions of the mechanical code of the City of Oak Ridge are hereby declared to be remedial, and shall be construed to secure the beneficial interest and purposes, which are general public safety and welfare, by regulating the installation and maintenance of all mechanical work in the city. (as added by Ord. #15-2014, Dec. 2014)

12-1306. Application of provisions. The provisions of chapters 3, 13, 14 and 15 of this title, shall apply to every mechanical installation, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems, within the city. (as added by Ord. #15-2014, Dec. 2014)

12-1307. Appointment of inspectors, etc., to administer and enforce provisions. The city manager shall appoint such number of officers, inspectors, assistants and other employees as shall be authorized from time to time in order to promote the public safety and to administer and enforce the provisions and intent of the mechanical code of the City of Oak Ridge. All persons so appointed shall be experienced in the mechanical craft and fully qualified to perform their assigned duties. (as added by Ord. #15-2014, Dec. 2014)

12-1308. Duty of city manager to enforce provisions. The city manager shall enforce the provisions of the mechanical code of the City of Oak Ridge, and such persons, consistent with any constitutional limitations, may enter any building to perform his or her official duties. (as added by Ord. #15-2014, Dec. 2014)

12-1309. Records. The city manager shall keep or cause to be kept records of the administration and enforcement of the mechanical code of the City of Oak Ridge. (as added by Ord. #15-2014, Dec. 2014)

12-1310. Restrictions on city employees engaging in mechanical business. No officer or employee of the City charged with the duty of enforcing the mechanical code of the City of Oak Ridge shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration or maintenance of mechanical installations or in the making of plans or of specifications therefor, unless he or she is owner of the building involved. No such officer or employee shall engage in any work which is inconsistent with his or her duties or with the interest of the city. (as added by Ord. #15-2014, Dec. 2014)

12-1311. Liability insurance; workers' compensation. All mechanical contractors who have been issued a Class I or II license must meet the following requirements:

(1) Liability insurance required for mechanical contracting business. Every person, firm or corporation engaged in the business of mechanical contracting in the city shall present evidence of liability insurance and/or assurance with coverage in an amount acceptable to the city manager.

(2) Workers' compensation insurance. Every person, firm or corporation engaged in the business of mechanical contracting in the city shall present evidence of workers' compensation insurance in compliance with state regulations. (as added by Ord. #15-2014, Dec. 2014)

12-1312. Inspection of new work generally. All new mechanical work and such portions of existing systems as may be affected by new work or any changes shall be inspected to ensure compliance with all of the requirements of

the mechanical code of the City of Oak Ridge. (as added by Ord. #15-2014, Dec. 2014)

12-1313. Roughing-in inspection of new work. When any part of a mechanical system installation is to be hidden from view by the permanent placement of parts of the building, the person installing the mechanical system shall notify the city manager and such parts of the mechanical system installation shall not be concealed until they have been inspected and approved by the city manager. On large installations where concealment of parts of mechanical system proceeds continuously, the person installing the mechanical system shall notify the city manager so that he or she can make inspections periodically during the progress of the work. (as added by Ord. #15-2014, Dec. 2014)

12-1314. Final inspection of new work. Upon the completion of the work which has been authorized by issuance of a permit under the mechanical code of the City of Oak Ridge, It shall be the duty of the person installing the same to notify the city manager who shall inspect the completed installation. (as added by Ord. #15-2014, Dec. 2014)

12-1315. Certificate of approval for new work--generally. If the completed mechanical installation inspected pursuant to this chapter is found to be fully in compliance with the provisions of the mechanical code of the City of Oak Ridge, the city manager shall issue a certificate of approval. (as added by Ord. #15-2014, Dec. 2014)

12-1316. Certificate of approval for new work--temporary work. When a certificate of approval is issued authorizing the connection and use of temporary work, such certificate shall be issued to expire at a time to be stated therein and shall be revocable by the city manager for cause. (as added by Ord. #15-2014, Dec. 2014)

12-1317. Stop work order. Upon notice from the city manager that work or any mechanical installation is being done contrary to the provisions of the mechanical code of the City of Oak Ridge or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of such property, or to his or her agent or to the person doing the work, and shall state the conditions under which work may be resumed. Where an emergency exists, oral notice given by the city manager shall be sufficient but it shall be immediately followed by written notice. (as added by Ord. #15-2014, Dec. 2014)

12-1318. Periodic inspections of existing installation; repair or demolition of unsafe installations. (1) The city manager, at his or her

discretion, shall periodically make a thorough re-inspection of the installation of all mechanical systems including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems now installed or that may hereafter be installed within the city and within the scope of the mechanical code of the City of Oak Ridge, and when the installation of any such mechanical system is found to be in a dangerous or unsafe condition, the person owning, using, or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such mechanical system in safe condition and have such work completed with fifteen (15) days or any longer period specified by the city manager in such notice.

(2) All mechanical installations, regardless of type, which are unsafe, or which constitute a hazard to human life, health or welfare, are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition as the city manager directs in compliance with the provisions of this section, provided where such dangerous or defective condition constitutes an immediate hazard to human health, safety, or welfare, immediate repair or abatement may be required. (as added by Ord. #15-2014, Dec. 2014)

12-1319. Appeals from decisions of city manager. (1) Whenever the city manager shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used, or when It is claimed that the provisions of the mechanical code of the City of Oak Ridge do not apply, or that an equally good or more desirable fonn of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of the mechanical code of the City of Oak Ridge or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his or her duly authorized agent, may appeal from the decision of the city manager or his or her designee to the board of building code appeals. Notice of appeal shall be in writing and filed within sixty (60) days after the decision is rendered by the city manager or his or her designee. Fees for appeals shall be established by the city manager.

(2) In case of a condition which, in the opinion of the city manager or the city manager's designee is unsafe or dangerous, the city manager may, in his or her order, limit the time for such appeal to a shorter period.

(3) Appeals under this section shall be on forms provided by the city manager. (as added by Ord. #15-2014, Dec. 2014)

CHAPTER 14

LICENSES FOR MECHANICAL CONTRACTORS

SECTION

- 12-1401. Required--generally.
- 12-1402. Exceptions.
- 12-1403. Application.
- 12-1404. Qualifications of applicant.
- 12-1405. Public hearing on application for Class I and Class II mechanical contractor licensing.
- 12-1406. License to be obtained thirty days after meeting minimum licensing requirements: exception.
- 12-1407. Fees.
- 12-1408. Issuance generally.
- 12-1409. Issuance by reciprocity.
- 12-1410. License contents.
- 12-1411. Work authorized.
- 12-1412. Display.
- 12-1413. Expiration and renewal.
- 12-1414. Disciplinary action.

12-1401. Required--generally. (1) Except as otherwise provided in city code §12-1402, no person shall engage in the business of installing, altering or repairing, within the city, any mechanical system including ventilating, heating, cooling, air conditioning and refrigeration systems incinerators and other energy related systems, unless such person shall have received a Class I mechanical contractor's license, or a Class II residential mechanical contractor's license, as the case may be depending upon the type of mechanical work contracted for or engaged in, issued in accord with this chapter.

(2) Any firm, corporation, or other such person engaged in the mechanical business shall have employed a qualified person having a Class I mechanical contractor's license, a Class II residential mechanical contractor's license, depending upon the type of work being engaged in by such firm or corporation, and everyone who does any actual mechanical work for such firm or corporation must be licensed or supervised as set forth in this chapter. When the qualified person providing technical expertise for mechanical contract work for a firm or corporation leaves the firm or corporation, the firm or corporation shall have ninety (90) days to employ another qualified person.

(3) Any employee of the city or city school system employed to do mechanical work for the city or school system shall have a Class I mechanical contractor's license. (as reserved by Ord. #14-2012, Oct. 2012, and added by Ord. #15-2014, Dec. 2014)

12-1402. Exceptions. The following persons shall not be required to have the license required by city code §12-1401:

(1) Any person doing his or her own work personally, in a single-family dwelling used exclusively for living purposes, and who is the bona fide owner of and occupies or will occupy such dwelling, and who personally purchases all materials and performs all labor in connection therewith, shall not be required to have a license under the mechanical code of the City of Oak Ridge. Such privilege does not convey the right to violate any of the provisions of this chapter, nor is it to be construed as exempting any such owner from obtaining a permit, except for minor repairs, and paying the required fees therefor.

(2) Apprentice or mechanical helpers are not required to have a license under this chapter. However, an apprentice or mechanical helper will only be allowed to work for a person, firm or corporation that holds a valid Class I mechanical contractor's license, or a Class II residential mechanical contractor's license as the case may be depending upon the type of mechanical work authorized to be done by such license holder. (as added by Ord. #15-2014, Dec. 2014)

12-1403. Application. Any person, firm or corporation desiring a license or certificate required by this chapter shall apply therefor to the board, in writing, using the forms provided by the city. The application must be filled out completely, legibly, and be dated and signed. Obtaining the verifiable references required by city code §12-1404 is the responsibility of the applicant. The applicant's references shall show broad mechanical experience. (as added by Ord. #15-2014, Dec. 2014)

12-1404. Qualifications of applicant. Subject to the authority of the board to set higher standards with city council approval, the following minimum standards and qualifications shall be met before the board grants a license required by this chapter.

(1) Class I: mechanical contractor's license. The applicant must establish a regular ongoing place of business, obtain a current city business license, supervise or perform mechanical work, have a minimum of five (5) years' total full-time experience in the mechanical craft, have demonstrated competency, honesty, and integrity in the performance of mechanical work, have obtained a passing score on the written examination required by city code §12-1410 and must evidence honesty and integrity in former dealings with the public as demonstrated by at least three (3) favorable work references from employers or clients starting with most recent employers or clients and progressing back to cover a five-year period. The applicant must have and keep current the bond and insurance specified in city code §12-310.

(2) Class II: residential mechanical contractors license. The applicant must establish a regular ongoing place of business, obtain a current city business license, be a person, firm or corporation, other than a Class I

mechanical contractor, who engages in the actual installation of mechanical systems in residential buildings not exceeding four (4) units, who has at least four (4) years' total full-time experience in the mechanical craft, has obtained a passing score on the written examination required by city code §12-1410, and must evidence honesty and integrity in former dealings with the public by at least three (3) favorable work references from former employers or clients, starting with most recent employers or clients and progressing back to cover a four (4) year period. The applicant must have and keep current the bond and insurance specified in city code §12-310. (as added by Ord. #15-2014, Dec. 2014)

12-1405. Public hearing on application for Class I and Class II mechanical contractor licensing. The board shall conduct a public hearing before a license is issued under this chapter to a Class I mechanical contractor, or Class II residential mechanical contractor. Such hearing shall be announced in a newspaper of general circulation at least ten (10) days prior to the date of the scheduled hearing. The announcement shall state the time, date, and place of hearing, and the name of the contractor as follows:

"On (date and location) there will be a hearing before the Trade Licensing Board of the City of Oak Ridge on a petition by (applicant's name) for a license to operate as a (Class I mechanical contractor, or Class II residential mechanical contractor) in the City of Oak Ridge. Any person who as a result of former dealings with (applicant's name) has reason to doubt his/her integrity or honesty or has a complaint about workmanship is urged to come forward at the above time and place and announce such information. Evidence reviewed in the public hearing will be considered in determining the competency, integrity, and honesty of applicants." (as added by Ord. #15-2014, Dec. 2014)

12-1406. License to be obtained thirty days after meeting minimum licensing requirements: exception. An applicant for a license under this chapter must obtain the license within thirty (30) days after successfully meeting all licensing requirements or the application will be null and void; provided, however, in the event of possible extenuating circumstances affecting an individual, a maximum period of ninety (90) days may be allowed for compliance with this section. (as added by Ord. #15-2014, Dec. 2014)

12-1407. Fees. Fees for mechanical examinations shall be established by the city manager. Fees for licenses and certificates granted or renewed under this chapter shall be established by the city manager. No examination shall be given or license granted until such fees have been paid. (as added by Ord. #15-2014, Dec. 2014)

12-1408. Issuance generally. The city manager shall issue an appropriate license or certificate under this chapter to each person, firm, or corporation who:

(1) Meets the qualifications therefor, pays the necessary fees, and who successfully passes the examination given by the board, or

(2) Holds a current and valid State of Tennessee mechanical contractors license.

The board shall notify the city manager of all persons, firms or corporations who are eligible for issuance of a license or certificate. (as added by Ord. #15-2014, Dec. 2014)

12-1409. Issuance by reciprocity. Any person not licensed under this chapter who exhibits a valid and effective license issued by a lawfully organized board of mechanical examiners or similar licensing body of another city in the United States having a standard of requirements equal. or superior to that of this city which board or body grants reciprocity to persons issued licenses by this city, shall be issued a license under this chapter without an examination, if such person otherwise meets the requirements of this chapter, for which the city shall collect a fee as established by the city manager for Class I mechanical contractors, and Class II residential mechanical contractors. The renewal fees for licenses issued under this section shall be as provided in city code § 2-1413. The board may waive the requirement that the licensing body from another jurisdiction grant reciprocity to persons issued licenses by the City of Oak Ridge where such other jurisdiction is outside a ten (10) mile radius from the city. (as added by Ord. #15-2014, Dec. 2014)

12-1410. License contents. Each certificate for a license issued in accordance with the provisions of this chapter shall specify the name of the person who has passed the examination, and, in the case of Class I mechanical contractors, and Class II residential mechanical contractors, the name of the person, firm or corporation the qualified person is employed by. (as added by Ord. #15-2014, Dec. 2014)

12-1411. Work authorized. (1) Class I mechanical contractor's license. A Class I mechanical contractor's license shall entitle the person, firm or corporation to whom it is issued to contract for, supervise, and engage in any type of mechanical work within the city.

(2) Class II residential mechanical contractor's license. A Class II residential mechanical contractor's license shall entitle the person, firm or corporation to whom it is issued to contract for and to engage in the business of mechanical work for residential dwellings not exceeding three (3) stories in height and four (4) dwelling units. For the purpose of this section, residential dwellings shall not include motels, hotels, health care facilities, retirement centers, and other such similar facilities. (as added by Ord. #15-2014, Dec. 2014)

12-1412. Display. Every holder of a license under this chapter shall keep his or her license certificate displayed in a conspicuous place in his or her principal place of business or employment. (as added by Ord. #15-2014, Dec. 2014)

12-1413. Expiration and renewal. All licenses and certificates issued by the board under this chapter shall be issued annually with an expiration date of March 31 each year. Licenses and certificates may be renewed upon payment of the fee established by the city manager. If the license or certificate has not been renewed within one (1) year following the date of expiration, the complete application process must be repeated, including repeating and passing the examination. The license or certificate must be renewed by the person, firm or corporation in whose name it was issued. (as added by Ord. #15-2014, Dec. 2014)

12-1414. Disciplinary action. (1) The board is hereby authorized to reprimand, suspend for up to one (1) year, or to revoke any license issued under this chapter:

- (a) If the license was obtained through nondisclosure, misstatement, or misrepresentation of a material fact;
- (b) Upon a finding of violation of the mechanical code of the City of Oak Ridge by an administrative hearing officer or judge where the conduct constituted a serious threat to the public safety;
- (c) For repealed violations of the mechanical code of the City of Oak Ridge; provided a reprimand or suspension of up to ninety (90) days may be issued for any violation of the mechanical code;
- (d) For civil fraud or intentional misrepresentation in the performance of work for which a license was issued under the mechanical code of the City of Oak Ridge;
- (e) For allowing another to use the licensee's name to obtain permits;
- (f) For doing business or work under the license of another or allowing a license to be used by another to do business; or
- (g) For the licensed permit holder who has not provided an on site representative at the job site during the performance of mechanical work for which the permit was issued.

(2) Before any disciplinary action is taken against a licensee or certificate holder under this section, the licensee or certificate holder shall have notice in writing, enumerating the charges against him or her and be entitled to a hearing before the board no sooner than ten (10) days from receipt of this notice. The licensee or certificate holder shall be given an opportunity to present relevant testimony, oral or written, and shall have the right to cross-examination, and the right to be represented by an attorney. All testimony shall be given under oath. The board shall have the power to administer oaths,

issue subpoenas, and compel the attendance of witnesses for the purpose of hearings on licenses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof.

(3) Any person may bring a complaint before the board against a licensee or certificate holder for the purpose set forth in subsection (1). If the board finds a complaint provides a reasonable basis to indicate a reason for disciplinary action under this section, a hearing on the licensee or certificate holder shall be scheduled as set forth in subsection (2) hereof.

(4) A person, firm or corporation whose license or certificate has been revoked under this section shall not be permitted to reapply within one (1) year from the date of revocation, provided the board may waive any or all of such waiting period. (as added by Ord. #15-2014, Dec. 2014)

CHAPTER 15

MECHANICAL WORK PERMIT

SECTION

12-1501. When required.

12-1502. When not required.

12-1503. Who is entitled to receive.

12-1504. Fees.

12-1505. Issuance.

12-1506. Effect.

12-1507. Invalidity if work not commenced or is abandoned.

12-1508. Revocation.

12-1501. When required. Except as otherwise provided in city code §12-1502, all mechanical work done in the city, including installing, altering, or repairing any mechanical installation, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems, shall be undertaken only after the issuance of a permit therefor by the city manager; provided, however, that emergency repairs and replacements may be made under the condition that a permit therefor shall be obtained within the next five (5) days. (as reserved by Ord. #14-2012, Oct. 2012, and added by Ord. #15-2014, Dec. 2014)

12-1502. When not required. (1) For the purposes of this section, minor "maintenance and repair" is defined as the replacement or repair of existing equipment.

(2) No permit shall be required for minor mechanical maintenance and repairs. (as added by Ord. #15-2014, Dec. 2014)

12-1503. Who is entitled to receive. Permits required by this chapter shall be issued only to:

(1) Class I mechanical contractors.

(2) Class II residential mechanical contractors.

(3) Homeowners doing their own work as authorized by city code §12-1505. (as added by Ord. #15-2014, Dec. 2014)

12-1504. Fees. The fees for permits required for inspection of new construction shall be established by the city manager. No permit or amendment to a permit shall be valid until such fees have been paid. (as added by Ord. #15-2014, Dec. 2014)

12-1505. Issuance. Before issuing a permit under this chapter, the city manager shall:

(1) Determine that the applicant has a current license or, in the case of a homeowner, that the homeowner has the knowledge and qualifications prescribed by the mechanical code of the City of Oak Ridge for mechanical installation and repair;

(2) Shall collect all fees due;

(3) Shall see to it or a current license holder, not a homeowner-that a responsible person is designated as the license holder's on-site representative who is authorized to represent the company for the work to be done under the permit; and

(4) Shall require plans of the proposed mechanical work as required by the code official.

A change in the on-site representative shall require written notification to the city manager. (as added by Ord. #15-2014, Dec. 2014)

12-1506. Effect. A permit issued under this chapter shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of the mechanical code of the City of Oak Ridge, nor shall such issuance of a permit prevent the city manager from thereafter requiring correction of errors in construction, or of violations of the mechanical code of the City of Oak Ridge. (as added by Ord. #15-2014, Dec. 2014)

12-1507. Invalidity if work not commenced or is abandoned. A permit issued under this chapter shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced; provided that, for cause, one (1) or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed in writing by the city manager. (as added by Ord. #15-2014, Dec. 2014)

12-1508. Revocation. The city manager may revoke a permit issued under the provisions of this chapter, where there has been any false statement or misrepresentation as to a material fact upon which the permit was based, or when the permit has been otherwise erroneously issued. In all such cases, no permit fees shall be refunded. (as added by Ord. #15-2014, Dec. 2014)

CHAPTER 16

CITATIONS AND ORDINANCE SUMMONSES

SECTION

12-1601. Citations in lieu of arrest in non-traffic cases.

12-1602. Summonses in lieu of arrest.

12-1601. Citations in lieu of arrest in non-traffic cases.

(1) Pursuant to Tennessee Code Annotated, § 7-63-101, et seq., city council appoints the code enforcement inspectors in the code enforcement division of the community development department as special police officers having the authority to issue citations in lieu of arrest for violations of the building, utility and housing codes adopted in title 12 of this code of ordinances.

(2) The citation in lieu of arrest shall contain the name and address of the person being cited and such other information necessary to identify and give the person cited notice of the charges against him, and state a specific date and place for the offender to appear and answer the charges against him. The citation shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the special officer shall proceed to have a warrant issued against the offender for the offense or seek the assistance of the police department.

(3) It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the citation in lieu of arrest was issued. (Ord. #6-01, Sept. 2001, as renumbered by Ord. #4-11, March 2011, and Ord. #14-2012, Oct. 2012)

12-1602. Summonses in lieu of arrest. (1) Pursuant to Tennessee Code Annotated, § 7-63-201, et seq., city council designates the code enforcement inspectors in the code enforcement division of the community development department with the authority to issue ordinance summonses in the areas of sanitation and litter control. These enforcement officers may not arrest violators or issue citations in lieu of arrest, but upon witnessing a violation of any ordinance, law or regulation in the areas of sanitation or litter control, may issue an ordinance summons and give the summons to the offender.

(2) The ordinance summons shall contain the name and address of the person being summoned and such other information necessary to identify and give the person summoned notice of the charge against him, and state a specific date and place for the offender to appear and answer the charges against him. The ordinance summons shall also contain an agreement to appear, which shall be signed by the offender. If the offender refuses to sign the agreement to appear, the enforcement officer shall proceed to have a warrant issued against the offender for the offense or seek the assistance of the police department.

(3) It shall be unlawful for any person to violate his agreement to appear in court, regardless of the disposition of the charge for which the ordinance summons was issued. (Ord. #6-01, Sept. 2001, as renumbered by Ord. #4-11, March 2011, and Ord. #14-2012, Oct. 2012)