

## TITLE 12

### BUILDING, UTILITY, ETC. CODES

#### CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. EXISTING BUILDINGS CODE.
6. PROPERTY MAINTENANCE CODE.
7. ENERGY CONSERVATION CODE.
8. RESIDENTIAL CODE.
9. MECHANICAL CODE.
10. ZONING CODE.

#### CHAPTER 1

#### BUILDING CODE<sup>1</sup>

#### SECTION

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

**12-101. Building code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Building Code,<sup>2</sup> 2018 edition, excluding appendixes A-M, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as

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<sup>1</sup>Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

the building code. (1979 Code, § 4-101, as amended by Ord. #31999, June 1999, replaced by Ord. #11-2004, Aug. 2004, Ord. #1-2008, April 2008, Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-102. Modifications.** (1) Definitions. Whenever in the building code when reference is made to the duties of a certain official named therein, that designated official of the Town of Cumberland Gap who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the building code are concerned.

(2) Permit fees. The schedule of permit fees shall be as follows:

The schedule of building permit fees shall be as follows based on total valuation of construction:

\$1,000 and less	No fee, unless inspection required, in which case a \$25.00 Fee + a \$5.00 recording fee for each inspection shall be charged.
\$1,001 to \$49,999	\$25.00 + \$5.00 recording fee for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to, and including \$49,999.
\$50,000.00 to \$99,999	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to, and including \$99,999
\$100,000 to \$599,999	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$599,999
\$600,000 and up	\$1,660.00 for the first \$600,000 plus \$2.00 for each additional thousand or fraction thereof.

(a) Plan check fees. When the valuation of the proposed construction is \$300,000 or more a plan-checking fee is required and shall be paid at the time of submitting plans and specifications. The fee shall be paid to the Town of Cumberland Gap and then disbursed to the building inspector in increments. Such plan-checking fee is in addition to the building permit fee. The plan-checking fee is as follows:

For a project totaling \$300,000 - \$599,999 the plan-checking fee would be one-half (1/2) times the building permit.

For a project totaling \$600,000 and up the plan-checking fee would be one (1) times the building permit.

When buildings and plans are identical, the plan-checking fee for the additional buildings will be one-half (1/2) of the original plan-checking fee.

(b) Moving fee. For the moving of any building or structure, the fee shall be \$60.00.

(c) Demolition fee. For the demolition of any building or structure, the fee shall be \$60.00.

(d) Penalties. Where work for which permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. (1979 Code, § 4-102, as amended by Ord. #31999, June 1999, and replaced by Ord. #11-2004, Aug. 2004, Ord. #1-2008, April 2008, and Ord. #5-2015, June 2015)

**12-103. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1979 Code, § 4-103, as replaced by Ord. #11-2004, Aug. 2004, and Ord. #5-2015, June 2015)

**12-104. Violations and penalty.** It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (1979 Code, § 4-104, deleted by Ord. #11-2004, Aug. 2004, and added by Ord. #5-2015, June 2015)

## CHAPTER 2

### PLUMBING CODE<sup>1</sup>

#### SECTION

- 12-201. Plumbing code adopted.
- 12-202. Modifications.
- 12-203. Available in recorder's office.
- 12-204. Violations.

**12-201. Plumbing code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the town, when such plumbing is or is to be connected with the town water or sewerage system, the International Plumbing Code,<sup>2</sup> 2018 edition, as prepared and adopted by the International Code Council is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code. (1979 Code, § 4-201, as amended by Ord. #31999, June 1999, Ord. #11-2004, Aug. 2004, Ord. #1-2008, April 2008, Ord. #5-2015, June 2015, and Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-202. Modifications.** Within the plumbing code, when reference is made to the duties of a certain official named therein, that designated official of the Town of Cumberland Gap, Claiborne, Tennessee who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (1979 Code, § 4-202, as amended by Ord. #31999, June 1999, modified, and Ord. #5-2015, June 2015)

**12-203. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code has

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<sup>1</sup>Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1979 Code, § 4-203, modified)

**12-204. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty of this code. Each day a violation is allowed to continue shall constitute a separate offense. (1979 Code, § 4-204, as amended by Ord. #5-2015, June 2015)

## CHAPTER 3

### ELECTRICAL CODE<sup>1</sup>

#### SECTION

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

**12-301. Electrical code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code,<sup>2</sup> 2014 edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. (1979 Code, § 4-301, modified, and amended by Ord. #5-2015, June 2015)

**12-302. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1979 Code, § 4-302, modified)

**12-303. Permit required for doing electrical work.** No electrical work shall be done within this town until a permit therefor has been issued by the town. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (1979 Code, § 4-303)

**12-304. Violations.** It shall be unlawful for any person to do or authorize any electrical work or to use any electricity in such manner or under such circumstances as not to comply with this chapter and/or the requirements

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<sup>1</sup>Municipal code references

Fire protection, fireworks and explosives: title 7.

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

and standards prescribed by the electrical code. The violation of any section of this chapter shall be punishable by a penalty under the general penalty of this code. Each day a violation is allowed to continue shall constitute a separate offense. (1979 Code, § 4-304, as amended by Ord. #5-2015, June 2015)

**12-305. Enforcement.** The electrical inspector shall be such person as the board of mayor and alderman shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code. (1979 Code, § 4-305, as amended by Ord. #5-2015, June 2015)

**12-306. Fees.** The electrical inspector shall collect the same fees as are authorized in Tennessee Code Annotated, § 68-102-143, for electrical inspections by deputy inspectors of the state fire marshal. (1979 Code, § 4-306)

## CHAPTER 4

### GAS CODE<sup>1</sup>

#### SECTION

12-401. Fuel gas code adopted.

12-402. Modifications.

12-403. Available in recorder's office.

12-404. Violations and penalty.

**12-401. Fuel gas code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of establishing regulations for fuel gas systems and gas-fired appliances using prescriptive and performance-related provisions, the International Fuel Gas Code,<sup>2</sup> 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the fuel gas code. (Ord. #31999, June 1999, as amended by Ord. #11-2004, Aug. 2004, and Ord. #1-2008, April 2008, replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-402. Modifications.** (1) Definitions. Whenever in the fuel gas code when reference is made to the duties of a certain official named therein, that designated official of the Town of Cumberland Gap who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the fuel gas code are concerned. (Ord. #31999, June 1999, as replaced by Ord. #5-2015, June 2015)

**12-403. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the fuel gas code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

**12-404. Violations and penalty.** It shall be unlawful for any person to violate or fail to comply with any provision of the fuel gas code as herein adopted by reference and modified. The violation of any section of this chapter shall be

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<sup>1</sup>Municipal code reference

Gas system administration: title 19, chapter 2.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.



punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #5-2015, June 2015)

## CHAPTER 5

### EXISTING BUILDINGS CODE<sup>1</sup>

#### SECTION

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

**12-501. Existing building code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of providing a concise set of regulations and procedures to effect safety in occupancy, the International Existing Building Code,<sup>2</sup> 2018 edition, as prepared by the International Code Council is adopted and the same is incorporated herein by reference, subject to modifications as hereinafter provided, and shall be known and referred to as the existing building code. (Ord. #31999, June 1999, as amended by Ord. #11-2004, Aug. 2004, and Ord. #1-2008, April 2008, renumbered and replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-502. Modifications.** Whenever in the existing building code when reference is made to the duties of a certain official named therein, that designated official of the Town of Cumberland Gap who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the existing building code are concerned. (Ord. #31999, June 1999, as renumbered and replaced by Ord. #5-2015, June 2015)

**12-503. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the existing building code shall be placed on file in the office of the recorder and the same shall be kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

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<sup>1</sup>Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

**12-504. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the existing building code or any final order made pursuant thereto. Such violation is declared an offense against the town and for which punishment shall be a fine of not more than fifty dollars (\$50.00) for each such violation. Each day that a violation occurs shall be deemed a separate offense. The building official or his or her deputy or assistant is empowered to issue citations to answer in the municipal court of the town by any person, firm or corporation found to be in such violation. (as added by Ord. #5-2015, June 2015)

## CHAPTER 6

### PROPERTY MAINTENANCE CODE<sup>1</sup>

#### SECTION

- 12-601. Property maintenance code adopted.
- 12-602. Modifications.
- 12-603. Available in recorder's office.
- 12-604. Violations and penalty.

**12-601. Property maintenance code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of providing minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, the International Property Maintenance Code,<sup>2</sup> 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this municipal code, and is hereinafter referred to as the property maintenance code. (Ord. #31999, June 1999, as amended by Ord. #11-2004, Aug. 2004, and Ord. #1-2008, April 2008, renumbered and replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-602. Modifications.** Whenever in the property maintenance code when reference is made to the duties of a certain official named therein, that designated official of the Town of Cumberland Gap who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the property maintenance code are concerned. (Ord. #31999, June 1999, as renumbered and replaced by Ord. #5-2015, June 2015)

**12-603. Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the property maintenance code has been placed on file in the recorder's office and shall be

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<sup>1</sup>Municipal code references

Fire protection: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

**12-604. Violations and penalty.** It shall be unlawful for any person to violate or fail to comply with any provision of the property maintenance code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #5-2015, June 2015)

## CHAPTER 7

### ENERGY CONSERVATION CODE<sup>1</sup>

#### SECTION

- 12-701. Energy conservation code adopted.  
 12-702. Available in recorder's office.  
 12-703. Violations and penalty.

**12-701. Energy conservation code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the International Energy Conservation Code,<sup>2</sup> 2018 edition, as prepared and maintained by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code. (as renumbered and replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-702. Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the energy code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as renumbered and replaced by Ord. #5-2015, June 2015)

**12-703. Violations and penalty.** It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 13-19-106 requires Tennessee cities either to adopt the Model Energy Code, 1992 edition, or to adopt local standards equal to or stricter than the standards in the energy code.

Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (as renumbered and replaced by Ord. #5-2015, June 2015)

## CHAPTER 8

### RESIDENTIAL CODE

#### SECTION

12-801. Residential code adopted.

12-802. Available in recorder's office.

12-803. Violations and penalty.

**12-801. Residential code adopted.** (1) Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 6-54-506, and for the purpose of regulating construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Building Code,<sup>1</sup> 2018 edition, excluding appendixes A-M, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code.

(2) **Modifications.** The following sections are hereby revised to read as follows:

(a) **Definitions.** Whenever the words "Building Official" are used in the residential code, they shall refer to the person designated by the board of mayor and aldermen to enforce the provisions of the residential code.

(b) **Automatic sprinkler system standards.** Section R 313 pertaining to automatic sprinkler systems for townhouses and residential dwellings for single family and double family dwellings is hereby deleted. (as added by Ord. #11-2004, Aug. 2004, amended by Ord. #1-2008, April 2008, renumbered and replaced by Ord. #5-2015, June 2015, amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*, and replaced by Ord. #4-2019, Sept. 2019 *Ch8\_01-04-21*)

**12-802. Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the residential code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

**12-803. Violations and penalty.** It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified. The violation of any section of this chapter

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<sup>1</sup>Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.



shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (as added by Ord. #5-2015, June 2015)

**CHAPTER 9****MECHANICAL CODE****SECTION**

12-901. Mechanical code adopted.

12-902. Available in recorder's office.

12-903. Violations.

**12-901. Mechanical code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of establishing minimum regulations for mechanical systems using prescriptive and performance-related provisions, the International Mechanical Code,<sup>1</sup> 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the mechanical code. (as added by Ord. #11-2004, Aug. 2004, amended by Ord. #1-2008, April 2008, renumbered and replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 *Ch7\_01-07-19*)

**12-902. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the mechanical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

**12-903. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the mechanical code as herein adopted by reference and modified. (as added by Ord. #5-2015, June 2015)

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

**CHAPTER 10****ZONING CODE****SECTION**

12-1001. Zoning code adopted.

12-1002. Available in recorder's office.

12-1003. Violations

**12-1001. Zoning code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of safeguarding the health, property, and public welfare controlling the design, location, use or occupancy of all buildings and structures through the regulated and orderly development of land and land uses, the International Zoning Code,<sup>1</sup> 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the zoning code. (as added by Ord. #11-2004, Aug. 2004, amended by Ord. #1-2008, April 2008, renumbered and replaced by Ord. #5-2015, June 2015, and amended by Ord. #7-2018, Jan. 2019 **Ch7\_01-07-19**)

**12-1002. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the zoning code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (as added by Ord. #5-2015, June 2015)

**12-1003. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the zoning code as herein adopted by reference and modified. (as added by Ord. #5-2015, June 2015)

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