

## TITLE 12

### BUILDING, UTILITY, ETC. CODES

#### CHAPTER

1. CODES ADOPTED AND AVAILABILITY.
2. ENFORCEMENT, VIOLATIONS, AND APPEAL.
3. BUILDING PERMIT FEES; PENALTY FOR FAILURE TO PURCHASE PERMIT.
4. PERMITS.

#### CHAPTER 1

### CODES ADOPTED AND AVAILABILITY<sup>1</sup>

#### SECTION

- 12-101. Building codes adopted.  
 12-102. Available in finance director's office.

**12-101. Building codes adopted.**<sup>2</sup> Pursuant to the authority granted by Tennessee Code Annotated, §§ 6-54-502 and for the purpose of regulating building construction, the following codes are hereby adopted and incorporated by reference as a part of this code and are hereinafter referred to as the "city building code":

(1) International Residential Code (IRC), 2012 edition, published by the International Code Council (ICC), Appendices G and J, and completed Table R301.2(1), which is available in the recorder's office as Exhibit A, except:

(a) Replace exception in Section R313.1 regarding Automatic Fire Sprinkler Systems in Townhouses with the following: "An automatic residential fire sprinkler system shall not be required if a 2 hour fire

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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 these codes (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

Copies of this code (and any amendments) may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

resistance rated wall exists between units, if such walls do not contain plumbing and/or mechanical equipment, ducts, or vents in the common wall."

(b) Section R313.2 Automatic Fire Sprinkler Systems in One- and Two-Family Dwellings.

(c) Chapter 11 - Energy Efficiency.

(2) International Building Code (IBC), 2012 edition, published by the International Code Council (ICC), except for:

(a) Chapter 11 Accessibility; and,

(b) Chapter 34, Section 3411 Accessibility For Existing Buildings.

(3) International Fuel Gas Code (IFGC), 2012 edition, published by the International Code Council (ICC).

(4) International Mechanical Code (IMC), 2012 edition, published by the International Code Council (ICC).

(5) International Plumbing Code (IPC), 2012 edition, published by the International Code Council (ICC).

(6) International Property Maintenance Code (IPMC), 2012 edition, published by the International Code Council (ICC).

(7) International Fire Code (IFC), 2012 edition, published by the International Code Council (ICC), and Appendices B and C.

(8) International Energy Conservation Code (IECC), 2009 edition, published by the International Code Council (ICC), except Section 403.2.2 - Duct Sealings. The provisions of the International Energy Conservation Code, 2006 edition, shall apply to the following occupancy classifications as defined by the International Building Code (IBC), 2012 edition:

(a) Moderate-hazard factory industrial, Group F-1.

(b) Low-hazard factory industrial, Group F-2.

(c) Moderate-hazard storage, Group S-1.

(d) Low-hazard storage, Group S-2.

(9) International Existing Building Code (IEBC), 2012 edition, published by the International Code Council (ICC).

(10) NFPA 101 Life Safety Code, 2012 edition, published by the National Fire Protection Association (NFPA), for state buildings, educational occupancies and any other occupancy requiring an inspection by the state fire marshal for initial licensure. (1972 Code, § 4-101, as amended by Ord. #820, May 1998, and Ord. #922, April 2001, replaced by Ord. #1121, Nov. 2005, and amended by Ord. #1344, Oct. 2012, Ord. #1356, Jan. 2013, and Ord. #1459, June 2015, Ord. #1544, Dec. 2017, and Ord. #1571, May 2019 **Ch20\_5-7-19**)

**12-102. Available in finance director's office.** A copy of all of the codes adopted in § 12-101 shall be placed on file in the finance director's office and shall be kept there for the use and inspection of the public. (1972 Code,

§ 4-102, as amended by Ord. #808, Jan. 1998, and Ord. #922, April 2001, as amended by Ord. #1250, Nov. 2009)

## CHAPTER 2

### ENFORCEMENT, VIOLATIONS, AND APPEAL

#### SECTION

12-201. Enforcement.

12-202. Violations.

12-203. Appeal.

**12-201. Enforcement.** The health and codes administrator is authorized to enforce the provisions of the city building code and to render interpretations of that code, which are consistent with its spirit and purpose. Whenever necessary to make an inspection to enforce any of the provisions of the city building code or when the health and codes administrator has reasonable cause to believe that a code violation exists, he may enter any building, structure or premises at all reasonable times to inspect the same, provided that if such building is occupied, he should first present proper credentials before entering. If such building, structure or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, he may apply to the city court for permission to enter, after notice to the owner. (1972 Code, § 4-201)

**12-202. Violations.** Upon notice from the health and codes administrator, any construction done contrary to the provisions of the city building code shall immediately cease. Such notice shall be in writing, and given to the owner of the property or his agent or to the person doing the work and shall state the conditions under which work may be resumed. The health and codes administrator may also revoke or suspend a previously issued building permit if he determines that a violation of the city building code has occurred or if he finds that a false statement or misrepresentation was made in order to secure the permit. (1972 Code, § 4-202)

**12-203. Appeal.** Upon revocation or suspension of a building permit, the owner may appeal the decision of the health and codes administrator to the Manchester Board of Zoning Appeals, which shall have the final decision concerning suspension or revocation. (1972 Code, § 4-203)

### CHAPTER 3

## BUILDING PERMIT FEES; PENALTY FOR FAILURE TO PURCHASE PERMIT<sup>1</sup>

### SECTION

12-301. Fees.

12-302. Penalty for failure to purchase permit.

12-303. Re-inspection fee.

**12-301. Fees.** Building permit fees for the City of Manchester, Tennessee shall be paid as follows:

<u>Total Valuation</u>	<u>Fee</u>
\$1 to \$2,000	\$50.00
\$2,001 to \$5,000	\$75.00
\$5,001 to \$10,000	\$100.00
\$10,001 to \$50,000	\$100.00 for the first \$10,000 plus \$5.00 for each additional \$1,000 or fraction thereof, up to and including \$50,000.
\$50,001 to \$100,000	\$300.00 for the first \$50,000 plus \$4.00 for each additional \$1,000 or fraction thereof, up to and including \$100,000.
\$100,001 to \$500,000	\$500.00 for the first \$100,000 plus \$3.00 for each additional \$1000 or fraction thereof, up to and including \$500,000.
\$500,001 and up	\$1,700.00 for the first \$500,000 plus \$2.00 for each additional \$1000 or fraction thereof.

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<sup>1</sup>Municipal code reference

Gas system administration: title 19, chapter 2.

"Total valuation" for the purposes of this section shall be equal to or greater than one hundred and twenty-five dollars (\$125.00) per square foot of heated and unheated area for new residential construction. Area and category shall be determined and calculated by the health and codes administrator.

For new commercial construction, the "total valuation" shall be the contract price as set forth on a legitimate contract. The health and codes administrator shall determine whether the contract is legitimate for the purposes of this section.

"Total valuation" for alteration of both residential and commercial construction shall be determined by the health and codes administrator taking into account any legitimate contract price, good faith estimate or other realistic prediction of the true cost of the alteration. (Ord. #827, Aug. 1998, as replaced by Ord. #923, April 2001, and Ord. #1122, Nov. 2005, and amended by Ord. #1225, April 2009, and Ord. #1680, Feb. 2023 *Ch22\_04-04-23*)

**12-302. Penalty for failure to purchase permit.** When construction is commenced before a permit is obtained, the permit fee shall be double the amount set out in this chapter.

The penalty of double the permit fee shall also be imposed on the difference between the fee for the valuation used for the initial permit and the final cost if it appears the valuation asserted initially by the owner or his agent was deliberately or negligently understated. A difference of fifteen percent (15%) between initial valuation and the final cost shall lend to a presumption that the project was deliberately or negligently undervalued. The health and codes administrator may waive the penalty amount if imposition would be unfair under all of the circumstances. (1972 Code, § 4-302, as amended by Ord. #1225, April 2009)

**12-303. Re-inspection fee.** A re-inspection fee of \$25.00 shall be paid prior to the second or subsequent inspections of any building or structure. (as added by Ord. #923, April 2001, and amended by Ord. #1122, Nov. 2005)

## CHAPTER 4

### PERMITS

#### SECTION

- 12-401. Mobile home permits.
- 12-402. Permit for moving buildings or other structures.
- 12-403. Demolition permit.
- 12-404. Temporary use permit.
- 12-405. Penalty for failure to purchase permit.
- 12-406. Swimming pool permits.
- 12-407. Portable storage buildings.
- 12-408. Building plan review fees.
- 12-409. Mechanical and plumbing permits.

**12-401. Mobile home permits.** A fee of \$200.00 for a single wide mobile home and a fee of \$300.00 for a double wide mobile home shall be paid for the permit to install a mobile home. (1972 Code, § 4-401, as amended by Ord. #778, Dec. 1996; Ord. #924, April 2001; and Ord. #1123, Nov. 2005)

**12-402. Permit for moving buildings or other structures.** A fee of \$500.00 shall be paid for the permit to move a building or any other permanent structure. (1972 Code, § 4-402, as amended by Ord. #924, April 2001, and Ord. #1123, Nov. 2005)

**12-403. Demolition permit.** A fee of \$100.00 shall be paid for the permit for the demolition of any building or structure up to a size of 100,000 cubic feet, except however, a permit fee is not required to be paid where the valuation of the structure is less than \$100.00. For demolition of any building or structure in excess of 100,000 cubic feet, a fee of 75¢ for each additional 1000 cubic feet or fraction thereof shall be paid. The codes and health director may waive the fee for the permit required by this section upon receipt of a form signed by the fire chief accepting the building for training purposes. (1972 Code, § 4-403, as amended by Ord. #924, April 2001, and Ord. #1568, March 2019 *Ch20\_5-7-19*)

**12-404. Temporary use permit.** A fee of \$100.00 shall be paid for a temporary use permit for any of the uses described in the zoning ordinance.<sup>1</sup> (1972 Code, § 4-404, as amended by Ord. #924, April 2001, and Ord. #1123, Nov. 2005)

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<sup>1</sup>The zoning ordinance is of record in the finance director's office.

**12-405. Penalty for failure to purchase permit.** When a mobile home is installed or a building or other structure moved or demolished or a temporary use permit not purchased prior to operating that use, the permit fees shall be double the amount set out in this chapter. (1972 Code, § 4-405)

**12-406. Swimming pool permits.** A permit is required for any swimming pools installed or built in the city. The permit fees are as follows:

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|-----------------------|----------|
| (1) Above ground pool | \$100.00 |
| (2) In ground pool    | \$200.00 |

(as added by Ord. #924, April 2001, and amended by Ord. #1123, Nov. 2005)

**12-407. Portable storage buildings.** A fee of \$25.00 shall be paid for the permit to install a portable storage building with a value of \$2000.00, or less. The fee for installation of a portable storage building with a value in excess of \$2000.00 shall be the same as the building permit fees set by § 12-301. (as added by Ord. #924, April 2001)

**12-408. Building plan review fees.** A fee equal to one-half of the building permit fee shall be paid for the review of building plans for any proposed construction, excluding plans for one or two family dwellings, which are exempt from this fee. (as added by Ord. #924, April 2001)

**12-409. Mechanical and plumbing permits.** The City of Manchester adopt the following inspection requirements and fee schedule for plumbing and mechanical permits:

<u>MECHANICAL PERMIT</u>	<u>INSPECTIONS REQUIRED</u>
New Residential \$40.00	Underground
Existing Residential \$20.00	Rough-In
New/Existing Commercial/Industrial:	Final
\$25.00 first \$1,000 + \$3.00 each	
additional \$1,000 or fraction thereof	

Replacement of HVAC unit with the same size unit without changing energy source, replacing ductwork or framing does not require a permit under this section

<u>PLUMBING PERMIT</u>	<u>INSPECTIONS REQUIRED</u>
New/Existing Residential	Underground
\$20.00 + \$2.50 for each fixture	Rough-In
New/Existing Commercial/Industrial	Final
\$20.00 + \$2.50 for each fixture	



Replacement of any existing fixture without changing water supply, drainage, energy source or vent pipes (example: water heater) does not require a permit under this section. (as added by Ord. #1458, June 2015)