

TITLE 12

BUILDING, UTILITY, ETC. CODES¹

CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. HOUSING CODE.
6. NORTH CAROLINA STATE HANDICAPPED CODE.

CHAPTER 1

BUILDING CODE

SECTION

- 12-101. Building code adopted.
- 12-102. Building permit fees.
- 12-103. Available in recorder's office.
- 12-104. Amendments.
- 12-105. Violations.

12-101. Building code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the Standard Building Code,² 1999 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code. (Ord. #2643, Aug. 1991, modified, as amended by Ord. #2961, Sept. 1998, and Ord. #3103, June 2002)

¹Municipal code reference

- Fire protection, fireworks, and explosives: title 7.
- Health and sanitation: title 18.
- Planning and zoning: title 14.
- Streets and other public ways and places: title 16.
- Utilities and services: titles 18 and 19.

²Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

12-102. Building permit fees. The schedule of permit fees set forth in Appendix B of the building code are adopted and incorporated by reference in, and made a part of, the building code and this chapter as if fully set out herein. (as added by Ord. #2760, § 1, July 1994)

12-103. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1979 Code, § 4-102, modified)

12-104. Amendments. The Standard Building Code adopted by § 12-101 is hereby amended as follows:

(1) Titles and designations. Titles and designations used in the Standard Building Code should be changed to conform with the proper Morristown titles and departments as follows:

- (a) "Building official." Building inspector.
- (b) "Building department." Office of the building inspector.
- (c) "Chief appointing authority." City council.
- (d) "Chief administrator." City council.
- (e) "Department of law." City attorney.
- (f) "Board of adjustments and appeals." Board of examiners and appeals.

(2) 101.5--Existing buildings. Add the following paragraphs:

"(g) Any existing building not covered by the preceding paragraphs which has its floor area or its number of stories increased or its use or occupancy changed in any way from its former or existing use or occupancy shall be provided with stairways, emergency exits, and fire protection facilities as required in this code for buildings hereafter erected for similar uses or occupancies."

"(h) Where any alteration or repair is made to the structural portion of any building or structure, the structural portion or any part thereof shall be made to conform to the requirements of this code for new buildings where deemed necessary by the building inspector."

(3) 101.5--Maintenance. Add the following paragraph:

"The chief of the fire department shall inspect periodically the storage of volatile or inflammable liquids, exits, fire prevention and fire extinguishing apparatus, and facilities in all buildings or structures, and shall report in writing to the building inspector any violations of the provisions of this code applicable to any building or structure inspected."

(4) 101.4--Building official. The title of this section shall be changed to: "101.4--Building inspector," and the first paragraph under this heading shall be changed to read:

"(a) There is hereby established the office of building inspector, and the building inspector is hereby authorized and directed to enforce all the provisions of this code, and for such purpose he shall have the powers of a police officer."

(5) 104--Tests. Add the following sentence at the end of the paragraph:

"The owner or his agent shall notify the building inspector of the time and location of all such tests so that he may be present."

(6) 103.2--Drawings and specifications. Delete paragraph 103.2(c) and substitute the following paragraphs. Paragraph (d) is relettered to paragraph (g).

"(c) All plans shall bear the name and address of the architect, structural engineer or person responsible therefor. No permit shall be issued for the alteration or construction of any building, when such alteration or construction involves the public safety or health, unless the plans and specifications therefor have been made by an architect or engineer who has a certificate of registration from the board of architectural and engineering examiners, as provided in Tennessee Code Annotated, title 62, chapter 2, or who is exempt by the state statutes from the requirement of having such a certificate. It shall be the duty of the building inspector to determine if the proposed alteration or construction involves the public safety or health within the meaning of this section. His decision shall be final, unless reversed by the board of examiners and appeals in accordance with the procedure set forth in section 112."

"(d) No permit shall be issued for any work for which a permit is required by this code unless all privilege taxes required by the city for doing such work have been paid to the city prior to the issuance of such permit. Where plans and specifications are signed by an architect, structural engineer, or other person responsible therefor, as mentioned above, and such person is liable to pay any privilege tax to the city in connection with the practice of his profession, no permit shall be issued on the basis of such plans and specifications until such person has paid the city all privilege taxes to which he may be subject."

"(e) No permit shall be issued for any work for which a license from the state board for licensing general contractors as provided in Tennessee Code Annotated, title 62, chapter 6, is required, unless the person to do such work has the license so required."

"(f) Plans shall be drawn to scale upon substantial paper or cloth and the essential parts shall be drawn to a scale of not less than one-eighth inch to one foot."

(7) 103.3--Examination of drawings. There shall be added the following paragraph:

"(c) Prior to issuing a permit, all plans shall be reviewed and approved by the chief of the fire department with respect to the storage of volatile and flammable liquids, as specified in Chapter IV, and the installation of fire prevention and fire extinguishing apparatus and facilities as provided in this code."

(8) 103.4.1--Action on application. (1) Add the following to paragraph (c):

"When the building inspector issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications 'APPROVED'."

(2) Add this paragraph:

"(d) One such approved set of plans and specifications shall be retained by the building inspector, for a public record, for a period of not less than ninety days from date of completion of the work covered therein, and one set of approved plans and specifications shall be returned to the applicant, which set shall be kept on such building or work at all times during which the work authorized thereby is in progress and shall be open to inspection by public officials. Such approved plans and specifications shall not be changed, modified or altered without authorization from the building inspector, and all work shall be done in accordance with the approved plans."

(3) Change present paragraph (c) to paragraph (e).

(9) 107--Failure to obtain a permit. (1) The first paragraph shall be designated (a) and shall read as follows:

"(a) If any person commences any work on a building or structure before obtaining the necessary permit from the city, he shall be guilty of a misdemeanor."

(2) The second paragraph shall read as follows:

"(b) Where building operations for which a permit is required by this code are started or proceeded with prior to obtaining such permit, the fees specified below shall be doubled, but, the payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein."

(10) 107.3--Accurate records. Add to the paragraph, as written, the following clause:

"., together with the location of the building or premises to which they relate."

(11) 103.7.5--Building permit valuations. Substitute the following for this section:

"If, in the opinion of the building official, the valuation of a building, alteration, or structure appears to be underestimated on the application, permit shall be denied, unless the applicant can show detailed estimated cost to meet the approval of the building official. Permit valuations shall include total cost, such as plumbing, electrical, and mechanical equipment and other systems."

(12) 103.8--Inspections required. (1) Under paragraph (c), add the following after "Frame Inspection":

"Stucco Inspection: To be made after all lathing and backing is in place and all plastering and stucco materials are delivered on the job, but before any stucco is applied."

"(2) Delete, in paragraph (d), the next to the last word "three", so that the last part of this line reads: ". as indicated by each of the foregoing inspections."

(13) 108.3--Special engineering supervision. Add a new subsection with the above title and the following paragraphs:

"(a) Any person engaged in the erection or causing the erection of a building or structure, except wood frame buildings or structures, where the estimated cost exceeds forty thousand dollars, shall employ a "registered inspector", properly qualified as specified in this section, or shall cause his employment by the architect, structural engineer, or designer of such structure; provided, that the building inspector may authorize the proposed construction without requiring a "registered inspector" when, in his estimation, such special supervision is not necessary. The building inspector may designate any building or structure as requiring a "registered inspector" when deemed necessary or where there is a complicated design or where new materials or methods of construction are intended to be used."

"(b) The registered inspector shall be approved by, registered with, deputized by, and assigned to a particular building or structure by the building inspector. Such a registered inspector shall be thoroughly qualified by knowledge and experience in the design and construction of the structure to which he is assigned by the building inspector and he shall be thoroughly familiar with the requirements of this code applying to that building or structure and with their practical application. The building inspector may authorize one such registered inspector to supervise the simultaneous construction of a limited number of buildings and structures; provided, that his service shall extend over all the important details of framing, erection, and assembly and that he is able to render full engineering inspection service on each building and structure under his supervision and control."

"(c) Before commencing his duties the registered inspector shall obtain a certificate of registration from the building inspector, for which he shall pay the sum of five dollars, and he shall deposit with the city a surety bond in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties, such bond to be made payable to the city and to be furnished for the term of one year. The registered inspector shall remain constantly upon the work during the process of construction and his duties shall terminate only when a certificate of compliance is issued by the building inspector in approval and acceptance of the work on which he may be engaged as required below."

"(d) Each such registered inspector shall carefully inspect all materials entering into the construction of the structure and be responsible for obtaining full information regarding the strength of materials where new or untried materials are intended for any use involving structural safety. He shall report in writing, upon the special forms furnished by the building department, the true details regarding the progress of the work, the conditions of same, deviation, defects, delays, general character of materials, working situations,

weather conditions, and all and any influencing factors that affect in any manner the structural safety and strength of the building. He shall be held directly responsible for the enforcement of the code wherever same is applicable to the structure upon which he is engaged. He shall notify the building inspector of any attempt to cover, conceal, patch or repair any defect in materials or workmanship before such materials have been examined by the building inspector or his duly authorized representative. He shall be held directly responsible for the infraction of any ruling of the building inspector and shall have the authority to compel the removal of defective materials or to suspend or stop work pending the rulings of the building inspector. He shall not be engaged in any other labor on the project upon which he is employed, except as architect or engineer."

"(e) The duties of the registered inspector shall terminate only when a certificate of compliance has been issued by the building inspector. Such certificate of compliance shall bear a statement signed by the registered inspector, stating that the work upon the building or structure to which he has been assigned has been completed in a satisfactory manner and that the regulations of this code affecting the structural features of such building or structure have been fully complied with. If there have been any infractions of this code, they shall be noted in this statement. The building inspector shall approve such certificate of compliance filed by the registered inspector if, after inspection, the structural features of such building or structure are found to be in accordance with the provisions of this code. Each certificate of compliance shall bear the legal description of the property upon which such building or structure is located and an identifying description of the building. A duplicate of each certificate of compliance shall be kept on file permanently in the office of the building inspector."

(14) 103.9.1.4--Existing building certificate of occupancy. Designate the paragraph in the code as (a) and add the following:

"(b) Where changes involve the storage of volatile or flammable liquids, exit requirements or fire prevention and fire extinguishing apparatus, the building inspector shall obtain approval in writing from the chief of the fire department before issuing a certificate of occupancy."

(15) 105--board of adjustment and appeals. Substitute for this section the following:

"105--board of examiners and appeals."

"105.1--Appointment.

"(a) There is hereby established a board of examiners and appeals, to consist of the members of the board of zoning appeals. Their terms and appointment shall coincide with their terms and appointment to the board zoning appeals."

"111.4--Records. The following section is substituted for sec. 111.4.:

"The building inspector shall be an ex officio member and shall act as secretary of the board. He shall make a detailed record of all its proceedings,

which shall set forth the reasons for its decisions, the vote of each member participating therein, the absence of a member, and any failure of a member to vote."

"105.5--Procedure. The following section is substituted for sec. 105.5:

"The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building inspector, with a duplicate to the appellant, and may recommend to the city council such new legislation as is consistent therewith."

(16) 112.1--Time limit.

(1) Delete the last two sentences from paragraph (a).

(2) Add the following as paragraph (b):

"(b) Notice of appeal shall be in writing addressed to the building inspector. It shall be stated that the appellant desiring to use the alternate materials or types of construction shall guarantee payment of all expenses for necessary tests made or ordered by the board of examiners and appeals. Notice of appeal shall be filed within ninety days after the decision is rendered by the building inspector and a fee of ten dollars payable to the city shall accompany such notice of appeal. If the appeal is denied, such fees shall be returned to the appellant."

(17) 107--Violations and penalties. Section 107 is hereby deleted. (1979 Code, § 4-103, modified)

12-105. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. (1979 Code, § 4-104)

CHAPTER 2

PLUMBING CODE¹

SECTION

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

12-201. 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 city, when such plumbing is or is to be connected with the city water or sewerage system, the Standard Plumbing Code,² 1997 edition, with 1992 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code. (Ord. #2643, Aug. 1991, modified, as amended by Ord. #2961, Sept. 1998, and Ord. #3103, June 2002)

12-202. Modifications. (1) Definitions. Wherever the plumbing code refers to the "Chief Appointing Authority," the "Administrative Authority," or the "Governing Authority," it shall be deemed to be a reference to the city council or city administrator.

Wherever "City Engineer," "Engineering Department," "Plumbing Official," or "Inspector" is named or referred to, it shall mean the plumbing inspector.

(2) License and permit fees. (a) It shall be required that all plumbing contractors license expire as of June 30 of each year. Failure to renew a license within 90 days will result in a new examination in order to obtain a new license. Licensing fees shall apply as follows:

\$100 Per year for Commercial Plumbers License.

\$50 Per year for Residential Plumbing License.

¹Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

(b) Plumbing permit fee schedule.

For issuing each permit \$20.00
In addition

For each plumbing fixture or trap or set of fixtures on one trap (including water and drainage piping)	3.00
For each house sewer	10.00
For each house sewer having to be replaced or repaired . .	10.00
For each septic tank and seepage pit or drainfield	10.00
For each water heater and/or/vent	3.00
For each gas piping system of one to four outlets	7.50
For each gas piping system of four or more, per outlet	2.50
For installation, alteration or repair of water piping and/or water treating equipment	7.50
For repair or alteration of drainage or vent piping	7.50
For vacuum breakers or backflow protective devices installed subsequent to the installation of piping or equipment served, one to five	5.00
over 5, each	2.50
Reduced pressure backflow preventer, each	10.00
Return inspection	10.00

(c) If any person commences any work before obtaining the necessary permit and inspection, fees shall be doubled; and any and all fees shall be paid by the person to whom the permit is issued. (1979 Code, § 4-202, as amended by Ord. #2280, Oct. 1981, modified; Ord. #2760, § 2, July 1994; and Ord. #3159, Nov. 2003)

12-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (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. (1979 Code, § 4-204)

CHAPTER 3

ELECTRICAL CODE¹

SECTION

- 12-301. Electrical code adopted.
- 12-302. Available in recorder's office.
- 12-303. Modifications.
- 12-304. Right of appeal interpretations and decisions of the electrical inspector.
- 12-305. Liability for damages and injuries.
- 12-306. Bonds required of electrical contractors.
- 12-307. Right of trained employees to make repairs and installations for employers.
- 12-308. Electrical inspector--position created; qualifications.
- 12-309. Appointment; oath and bond.
- 12-310. Term of office.
- 12-311. Duties generally.
- 12-312. Outside employment prohibited.
- 12-313. Right of entry for inspection.
- 12-314. Authority to disconnect electricity; delegation of rights and duties to assistants.
- 12-315. Permit required; exceptions.
- 12-316. Applications; issuance.
- 12-317. Contractor's copy and workman's copy; workman's copy of permit to be kept on premises where work being done.
- 12-318. Permits to be issued to licensed electricians only; exceptions.
- 12-319. Allowing name, license, or bond to be used to obtain permit fraudulently.
- 12-320. Inspections required; issuance of certificate of approval.
- 12-321. Certificates authorizing connection of temporary work; preliminary certificates of approval.
- 12-322. Applications for inspection; when roughing-in work deemed complete.
- 12-323. Notice of rejected work; correction of defects.
- 12-324. Inspection of work which is to be hidden.
- 12-325. Reinspections; change of occupancy.
- 12-326. Connection or reconnection of equipment without certificate prohibited.
- 12-327. Fees for electrical inspections.
- 12-328. [Deleted.]
- 12-329. [Deleted.]

¹Municipal code reference

Fire protection, fireworks and explosives: title 7.

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 (NFPA 70),¹2002 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, as amended by Ord. #2910, Jan. 1998; Ord. #3038, June 2000; and Ord. #3178, June 2004)

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. Modifications. (1) Article 300-50 along with Table 300-50 of the 2002 Edition of the National Electrical Code be deleted in its entirety and the following substituted therefore:

Article 300-50. Underground installations

Underground conductors shall be identified for the voltage and conditions under which they are installed.

All underground conductors with a potential of more than 600 volts shall be installed in:

- (1) rigid metal conduit at a minimum depth of 36 inches; or
- (2) schedule 40 nonmetallic conduit encased in a minimum of two inches of concrete at a minimum depth of 36 inches; or
- (3) schedule 80 nonmetallic conduit at a minimum depth of 42 inches.

All depth measurements are to top of conduits.

These minimum depth requirements may be reduced 6 inches for each 2 inches of concrete or equivalent protection placed in the trench over the underground installation. Lesser depths shall be permitted where conductors rise for terminations or splices or where access is required.

Special permission may be obtained for lesser depths where solid rock is encountered.

(2) Article 334 of the 2002 Edition of the National Electrical Code be amended as follows:

334.10. Uses Permitted.

Nonmetallic-sheathed cables, including types NM, NMB, NMC, NMS, SE and UF shall be permitted to be used in one and two-family dwellings, multi-

¹Copies of this code may be purchased from the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210.

family dwellings and other residential structures, except as prohibited in Section 334.12.

(3) The 2002 amendments to Chapter 0780-2-1 of the Tennessee Department of Commerce and Insurance, Division of Fire Prevention, Rules Regarding Electrical Installations are hereby adopted by reference. (1979 Code, § 4-303, as amended by Ord. #2415, Jan. 1985; Ord. #2910, Jan. 1998; Ord. #3038, June 2000; and Ord. #3178, June 2004)

12-304. Right of appeal interpretations and decisions of the electrical inspector.¹ Any person may appeal interpretations and decisions of the electrical inspector to the construction board of adjustments, appeals, and examiners. (1979 Code, § 4-304, as replaced by Ord. #3178, June 2004)

12-305. Liability for damages and injuries. This chapter shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling, or installing any electric wiring, devices, appliances, or equipment for damages to person or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection authorized in this chapter, the certificate of approval issued as provided in this chapter, or the certificate issued as provided in this chapter. (1979 Code, § 4-305)

12-306. Bonds required of electrical contractors. Each electrical contractor doing business in the city shall give a bond, payable to the city in the amount of \$2,000.

Such bond is to be with some corporate surety company authorized to do business in the state as surety and conditioned to indemnify and save harmless the city, as well as any other person, from all expense and danger that may be caused by any negligent, defective, or inadequate work done in the city under any contract that such person may undertake. (1979 Code, § 4-306, as amended by Ord. #3178, June 2004)

12-307. Right of trained employees to make repairs and installations for employers. Nothing contained in this chapter shall be construed to prevent any person who regularly employs a trained serviceman from causing or permitting such trained serviceman from installing or adjusting electrical appliances or installations belonging to or under the control of such employer; provided, that the electrical installation shall, at all times, be performed and maintained in accordance with the standards set forth in this chapter. (1979 Code, § 4-307)

¹Municipal code reference

Board of electrical examiners: title 9, ch. 10.

12-308. Electrical inspector--position created; qualifications. There is hereby created the position of electrical inspector. The person chosen to fill the position of electrical inspector shall be a competent electrician of good moral character, shall be possessed of such executive ability as is requisite for the efficient performance of his duties, and shall have a thorough knowledge of the standard materials and methods used in the installation of electric wiring, devices, appliances, and equipment. He shall be well versed in approved methods of electrical construction for safety to life and property and the rules and regulations of the National Electrical Code. (1979 Code, § 4-308)

12-309. Appointment; oath and bond. The electrical inspector shall be appointed by the city council. Before entering upon the discharge of his duties, he shall file a bond in the sum of one thousand dollars, payable to the city, for the faithful accounting of all money that may come into his possession by virtue of his office. The expense of such bond shall be borne by the city. The bond shall be approved by the city attorney. He shall also take and subscribe an oath, which, together with the certificate of his appointment, shall be filed with the recorder. (1979 Code, § 4-309)

12-310. Term of office. The electrical inspector may be removed from office with cause after opportunity has been given to be heard on specific charges before the city council. (1979 Code, § 4-310, as replaced by Ord. #3178, June 2004)

12-311. Duties generally. It shall be the duty of the electrical inspector to see that the provisions of this chapter are enforced. He shall, upon application, grant permits for the installation of electric wiring, devices, appliances, and equipment; provided, that the applicant has complied with all provisions of this chapter, and shall make inspections of all new electrical installations and reinspections of all electrical installations, all as provided in this chapter. He shall keep complete records of all permits issued, inspections and reinspections made, and other official work performed in accordance with the provisions of this chapter. He shall also keep on file a list of inspected electrical appliances issued by Underwriter's Laboratories, Inc., which list shall be accessible for public reference during regular office hours. He shall hold membership in the International Association of Electrical Inspectors and shall serve on any electrical committee of this association to which he may be

appointed. All expenses in connection with such activities shall be charged against the receipts of the electrical inspector's office.

The electrical inspector shall decide all questions pertaining to the installation of electric wiring, devices, and equipment not otherwise provided for in this chapter. (1979 Code, § 4-311)

12-312. Outside employment prohibited. It shall be unlawful for the electrical inspector or any of his assistants to engage in the business of the sale, installation, or maintenance of electric wiring, devices, appliances, or equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business in the city at any time while holding such office. (1979 Code, § 4-312)

12-313. Right of entry for inspection. The electrical inspector shall have the right, in the discharge of his duties to enter any building, manhole, or subway or to climb any pole for the purpose of examining and testing the electrical installations therein or thereon, and for that purpose, he shall be given prompt access to all buildings, public or private, and all manholes, subways, or poles, on application to the individual or company owning or in charge of same. (1979 Code, § 4-314)

12-314. Authority to disconnect electricity; delegation of rights and duties to assistants. The electrical inspector shall have the authority to cut or disconnect any wire in cases of emergency where necessary for safety to life or property or where such wire may interfere with the work of the fire department. The electrical inspector is hereby empowered to disconnect or order the discontinuance of electrical service to any electric wiring, devices, appliances, or equipment found to be dangerous to life or property because they are defective or defectively installed or otherwise not in conformity with the provisions of this chapter until such wiring, devices, appliances, and equipment and their installation have been made safe as directed by him. The electrical inspector is hereby authorized to delegate any of his rights or duties to any of his assistants. (1979 Code, § 4-315)

12-315. Permit required; exceptions. No wiring, devices, appliances, or equipment for the transmission, distribution, or utilization of electrical energy for any purpose shall be installed within or on any building or premises, nor shall any alteration or addition be made in any such existing wiring, devices, appliances, or equipment, without first securing a permit therefor from the inspection department, except as stated in the following subsections:

(1) No permit shall be required for minor repair work, for the replacement of lamps or fuses, or for the connection of portable devices to suitable receptacles which have been permanently installed.

(2) No permit shall be required to make tests or repairs to electrical devices, appliances, or apparatus; provided, that the repairs are made by a general repairman or corporation who is a holder of state license to do such work.

(3) No permit shall be required for the installation of wiring, devices, appliances, or equipment for the operation of signals or the transmission of intelligence, where such wiring, devices, appliances, or equipment operate at a voltage not exceeding fifty between conductors and do not include generating or transforming equipment capable of supplying more than fifty watts of energy.

(4) No permit shall be required for the installation, maintenance, or alteration of electric wiring, devices, appliances, or equipment to be installed by and for an electric public service corporation or privately-owned premises for the use of such a corporation in the operation of signals or the transmission of intelligence. (1979 Code, § 4-316)

12-316. Applications; issuance. Application for a permit required by the chapter, describing the work to be done, shall be made to the electrical inspection department by the person installing the work, and the permit, when issued, shall be granted to such applicant. The application shall be accompanied by such plans, specifications, and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this chapter. If it is found that the installation, as described, will be in general conformity with the requirements of this chapter, a permit for such installation shall be issued; provided, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this chapter. (1979 Code, § 4-317)

12-317. Contractor's copy and workman's copy; workmen's copy of permit to be kept on premises where work being done. The applicant for a permit under this chapter shall, before starting any installation, make a record of the same in duplicate, one to be known as the "contractor's copy" and one as the "workman's copy". The person working in the capacity of journeyman electrician and in charge of any job, while performing any work or supervising any work pertaining to the aforesaid installation, alteration, or additions, shall have in his possession and on the premises where work is being performed the "workman's copy" of the permit issued therefor.

Forms for this purpose will be furnished by the inspection department, shall be accessible to the inspector at all times, and shall be surrendered to him upon request. When the book is completed, it shall be delivered to and remain the property of the inspection department. (1979 Code, § 4-318)

12-318. Permits to be issued to licensed electricians only; exceptions. No permit for the installation or alteration of any electric wiring, devices, appliances, or equipment shall be issued to any person unless such person is the

holder of a license entitling such person to secure permits for and to execute the work described in the application for the permit; except, that upon application and payment of the fees therefor, permits shall be issued to unlicensed persons for work which this code and other ordinances of the city specifically permit them to execute without a license. (1979 Code, § 4-319)

12-319. Allowing name, license, or bond to be used to obtain permit fraudulently. It shall be illegal for any person, firm, or corporation engaged in the business of electrical contracting to allow his or its name to be used by any other person, firm, or corporation, directly or indirectly, to obtain a permit for the construction of any work under his or its license, or bond; nor shall he or they make any misrepresentations or omissions in their returns. (1979 Code, § 4-320)

12-320. Inspections required; issuance of certificate of approval. Upon the completion of the work which has been authorized by the issuance of any permit, it shall be the duty of the person installing the same to notify the electrical inspector, who shall inspect the installation as soon thereafter as practicable; and, if it is found to be fully in compliance with the provisions of this chapter and when requested, he shall issue to such person a final certificate of approval, with duplicate copy for delivery to the owner, authorizing connection to the source of supply, the turning on of the current and the use of the installation, and shall send written notice of such authorization to the public service corporation furnishing the electric service. (1979 Code, § 4-321)

12-321. Certificates authorizing connection of temporary work; preliminary certificates of approval. 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 stated therein, and shall be revocable by the electrical inspector for cause. A preliminary certificate of approval may be issued authorizing the connection and use of certain specified portions of incompleated installation. Such certificate shall be revocable at the discretion of the electrical inspector. (1979 Code, § 4-322)

12-322. Applications for inspection; when roughing-in work deemed complete. No application for inspection will be considered unless a correct building number is given. Applications for inspections filed in the electrical inspector's office before 9:00 A.M. of each day shall be given first consideration by the electrical inspector. No rough-in work will be considered complete until all joints are properly made, soldered, and taped, nor until all service switches, control switches, circuit cabinets, and receptacles, together with their appropriate trims and covers, are properly placed and the grounding connections have been made. (1979 Code, § 4-323)

12-323. Notice of rejected work; correction of defects. If, upon inspection, an installation is found not to be fully in compliance with this chapter, the electrical inspector shall at once notify the person installing the wiring, either verbally or in writing, stating the defects which have been found to exist. Any person failing to correct such defects or take an appeal to the board of examiners within forty-eight hours after having been duly notified by the electrical inspector shall be subject to prosecution. (1979 Code, § 4-324)

12-324. Inspection of work which is to be hidden. 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 electrical inspector, and such parts of the wiring installation shall not be concealed until they have been inspected and approved by the electrical inspector or until twenty-four hours, exclusive of Saturdays, Sundays, and legal holidays, shall have elapsed from the time of such notification; provided, that on large installations, where the concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the electrical inspector due notice and inspections shall be made periodically during the progress of the work. (1979 Code, § 4-325)

12-325. Reinspections; change of occupancy. The electrical inspector shall make, periodically, a thorough reinspection of the installation of all electric wiring, devices, appliances, and equipment installed within the city and within the scope of this chapter. 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, appliances, and equipment in safe condition and have such work completed within fifteen days or any longer period specified by the electrical inspector in such notice. Reinspections shall be made of all electric wiring, devices, appliances, and equipment in all institutions and establishments serving the public.

Whenever the occupancy of a building or portion of a building changes, the owner of the building shall be required to notify the electrical inspector so that the premises may be reinspected before the new occupancy occurs. The electrical inspector shall then inspect all electric wiring, devices, appliances, and equipment and shall notify the owner in writing when any such wiring, devices, appliances, or equipment is found to be in a dangerous or unsafe condition. When the owner has made any necessary repairs or changes required to place such wiring, devices, appliances, and equipment in safe condition, as determined by the electrical inspector, the electrical inspector shall issue a certificate of approval. Occupancy of the premises shall not be permitted until such certificate has been issued. (1979 Code, § 4-326)

12-326. Connection or reconnection of equipment without certificate prohibited. It shall be unlawful for any person to make connection from a source of electrical energy to any electric wiring, devices, appliances, or equipment for the installation of which a permit is required until a certificate of approval has been issued by the electrical inspector authorizing such connection and the use of such wiring, devices, appliances, or equipment, or to any electric wiring, devices, appliances, or equipment which has been disconnected or ordered to be disconnected by the electrical inspector or the use of which has been ordered by the electrical inspector to be discontinued until a certificate of approval has been issued by him authorizing the reconnection and use of such wiring, devices, appliances, or equipment. (1979 Code, § 4-327)

12-327. Fees for electrical inspections. (1) The electrical inspector shall collect the same fees as are authorized in Tennessee Code Annotated, § 62-102-143 for electrical inspections by deputy inspectors of the state fire marshal.

(2) In the event inspection fees are not paid within ninety (90) days from date of completion, the electrical contractor must appear before the construction board of adjustments, appeals, and examiners to show cause why licenses should not be suspended or revoked. Should licenses or bond become delinquent, the electrical contractor must appear before the board of examiners to show cause why inspections should not be discontinued or services granted. (1979 Code, § 4-328, as amended by Ord. #2277, Oct. 1981, modified; Ord. #2760, July 1994; and Ord. #3178, June 2004)

12-328. [Deleted.] (1979 Code, § 4-329, as deleted by Ord. #2910, Jan. 1998)

12-329. [Deleted.] (Ord. 2280, Oct. 1981, as deleted by Ord. #3178, June 2004)

CHAPTER 4

GAS CODE¹

SECTION

12-401. Short title.

12-402. Purpose.

12-403. Definitions.

12-404. Use of existing piping and appliances.

12-405. License and bond required for installing, altering, etc., gas piping or appliances.

12-406. Permits generally.

12-407. Gas inspector--appointment.

12-408. Powers and duties generally.

12-409. Inspection of piping generally.

12-410. License and permit fees.

12-411. Certificate of approval.

12-412. Nonliability of city for damages, etc.

12-413. Violations and penalties.

12-401. Short title. This chapter shall be known as the "Natural Gas Code" of the City of Morristown, Tennessee, and may be cited as such. (1979 Code, § 4-401)

12-402. Purpose. The purpose of this chapter is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All such gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits of the city shall conform to the requirements of this chapter and to the specifications, rules, and regulations entitled National Fuel Gas Code, 1999 edition, which specifications, rules, and regulations are hereby incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of such specifications, rules, and regulations shall be kept on file in the office of the city recorder. (Ord #2643, Aug. 1991, modified, as amended by Ord. #2961, Sept. 1998, and Ord. #3103, May 2002)

12-403. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

¹For flood hazard precautions, see chapter 6 of this title.

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

(2) "Gas company." The person operating the natural gas distribution system or supplying the gas fuel that is being used.

(3) "Inspector." The person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting under this chapter by appointment of the city council.

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

(5) "Certain appliances." means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers. (1979 Code, § 4-403)

12-404. Use of existing piping and appliances. Notwithstanding any provision in this chapter to the contrary, consumer's piping installed prior to the adoption of the provisions of this chapter or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of this chapter. (1979 Code, § 4-404)

12-405. License and bond required for installing, altering, etc., gas piping or appliances. (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the city recorder a good and sufficient bond in the penal sum of \$5,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of this chapter. The bond herein required shall expire on the thirtieth day of June next following its approval by the city recorder, and thereafter on the thirtieth day of June of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of such bond, the person desiring to do such work shall secure from the city recorder a nontransferable license which shall run until the thirtieth day of June next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay an annual license fee of fifty dollars to the city recorder; provided, however, any license obtained after the first day of January shall be computed at the rate of one-half the annual fee.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering or repairing consumer's piping on his own

premises or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in conformity with all other provisions of this chapter, including those relating to permits, inspections, and fees. (1979 Code, § 4-405)

12-406. Permits generally. (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented recessed heater, water heater, boiler, or any other gas appliances, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the gas inspector; however, permits will not be required for connecting or disconnecting any gas appliances or for the repair of leaks in house piping.

(2) A gas company shall not be required to obtain permits to set meters or to extend, relocate, remove, or repair its service lines, mains, or other facilities or for work having to do with its own gas system. (1979 Code, § 4-406)

12-407. Gas inspector--appointment. The building, plumbing, and electrical inspector of the city is hereby declared and appointed as the gas inspector for the city to provide for the administration and enforcement of this chapter. (1979 Code, § 4-407)

12-408. Powers and duties generally. (1) The inspector is authorized and directed to enforce all of the provisions of this chapter, and the inspector, upon presentation of proper credentials, may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of this chapter.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove such notice or reconnect such gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice. (1979 Code, § 4-408)

12-409. Inspection of piping generally. (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be

concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test of piping for tightness as set forth in the standards which have been adopted and are a part of this chapter. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the tests shall be furnished by the installer of such piping. (1979 Code, § 4-409)

12-410. License and permit fees. (1) It shall be required that all gas contractors license expire as of June 30 of each year. Failure to renew a license within 90 days will result in a new examination in order to obtain a new license. Licensing fees shall apply as follows:

\$50 Per year for the installation of gas piping.

(2) Gas permit fee schedule.

For issuing each permit	15.00
For inspection of consumer's gas piping at one location (including both rough and final piping inspection) for one to four outlets, inclusive . .	7.50
and for each additional outlet	2.50
For inspecting conversion burners, floor furnaces, incinerators, boilers or central heating or air conditioning units, for one unit	7.50
and for each additional unit	2.50
For inspecting vented wall furnaces and water heaters, for one unit	5.00
and for each additional unit	2.50
Return inspection	10.00

(3) If any person commences any work before obtaining the necessary permit and inspection, fees shall be doubled; and any and all fees shall be paid by the person to whom the permit is issued. (Ord. #2280, Oct. 1981, modified, and amended by Ord. #2760, July 1994, and Ord. #3159, Nov. 2003)

12-411. Certificate of approval. The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of this chapter. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service. (1979 Code, § 4-411)

12-412. Nonliability of city for damages, etc. This chapter shall not be construed as imposing upon the city any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the city, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the

inspection authorized hereunder or the certificate of approval issued by the inspector. (1979 Code, § 4-412)

12-413. Violations and penalties. The penalty provided in this section shall replace any penalty clause found in the gas code adopted by this chapter. Any person who shall violate or fail to comply with any of the provisions of the gas code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed. (1979 Code, § 4-413)

CHAPTER 5

HOUSING CODE

SECTION

12-501. Housing code adopted.

12-502. Modifications.

12-503. Available in recorder's office.

12-504. Violations.

12-501. Housing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the Standard Housing Code,¹ 1997 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (Ord. #2643, Aug. 1991, modified, as amended by Ord. #2961, Sept. 1998, and Ord. #3103, June 2002)

12-502. Modifications. (1) Definitions. Wherever the housing code refers to the "Building Official," it shall mean the housing inspector. Wherever the "Department of Law" is referred to it shall mean the city attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the city council.

(2) 306 minimum dwelling space requirements. 306.2.1 Additional minimum dwelling space requirements. Notwithstanding the forgoing, in calculating minimum dwelling space requirements, in no event shall occupancy density exceed two (2) occupants per bedroom except as provided below:

(a) An unborn child will not be counted as an occupant.

(b) An infant will not be counted as an occupant.

(c) The housing inspector finds that the dwelling unit has a den, study or other similar space that could reasonable be adapted for sleeping purposes and contains at least seventy (70) sq. ft. in which case the space shall be counted as an additional bedroom. (1979 Code, § 4-502, as amended by Ord. #3284, April 2007)

12-503. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502 one (1) copy of the housing code have

¹Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 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, § 4-503)

12-504. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the housing code as herein adopted by reference and modified. Furthermore, the Morristown utilities system shall not provide service to any building that fails to meet the requirements of the housing code. (1979 Code, § 4-504)

CHAPTER 6

NORTH CAROLINA STATE HANDICAPPED CODE

SECTION

12-601. North Carolina state handicapped code adopted.

12-601. North Carolina state handicapped code adopted. The North Carolina State Handicapped Code, 1991 edition with 1996 revisions, is hereby adopted. (Ord. #2961, Oct. 1998, as amended by Ord. #3103, June 2002)