

## TITLE 12

### BUILDING, UTILITY, ETC. CODES

#### CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. HOUSING CODE.
5. ENERGY CODE.
6. CODES ENFORCEMENT OFFICER.
7. MECHANICAL 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 establishing the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, and stability; and for 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 attributed to the built environment, the International Building Code,<sup>2</sup> 2009 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

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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.

referred to as the international building code. (as amended by Ord. #777, Dec. 2005, and replaced by Ord. #850, July 2010)

**12-102. Modifications.** (1) Definitions. Whenever the building code refers to the "Chief Appointing Authority" or the "Chief Administrator," it shall be deemed to be a reference to the mayor and board of commissioners. When the "Building Official" or "Director of Public Works" is named it shall, for the purposes of the building code, mean such person as the mayor and board of commissioners has appointed or designated to administer and enforce the provisions of the building code.

(2) Permit fees. (a) For a valuation up to and including \$5,000.00 the fee shall be twenty dollars (\$20.00).

(b) For a valuation over \$5,000.00 up to and including \$100,000.00 the fee shall be twenty dollars (\$20.00) for the first five (5) thousand plus three dollars (\$3.00) for each additional one (1) thousand up to \$100,000.00. Thereafter, two dollars (\$2.00) per thousand.

(3) Moving of building or structure (one parcel to another). For moving of any building or structure, the fee shall be fifty dollars (\$50.00).

(4) Demolition of building or structure. For the demolition of any building or structure, the fee shall be fifty dollars (\$50.00).

(5) Building permit valuations. If in the opinion of the building official the valuation of building, alteration, or structure appears to be underestimated on the application, the permit can 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, mechanical equipment, and other systems.

(6) Estimating the building cost on dollar per square foot.

(a)	Frame house with wood siding, and no basement, and mobile home	\$60.00 per square foot
(b)	Frame house with wood siding and basement	\$70.00 per square foot
(c)	Dwelling with brick veneer and no basement	\$80.00 per square foot
(d)	Dwelling with brick veneer and and basement	\$90.00 per square foot
(e)	Dwelling with marble or stone and no basement	\$80.00 per square foot
(f)	Dwelling with marble or stone and basement	\$90.00 per square foot
(g)	Commercial No bid project	\$50.00
(h)	Industrial No bid project	\$40.00

(i) Commercial and Industrial Bid project \$As per fee chart

(7) Plans review fees. (a) For review plans for one and two family residential structures there shall be a fee of thirty dollars (\$30.00).

(b) For review of plans for commercial and industrial structures there shall be a fee of thirty dollars (\$30.00) plus fifty cents (\$.50) per one thousand dollars (\$1,000.00) valuation. (Ord. #613, Nov. 1988, modified)

**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.

**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.

## 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 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 International Plumbing Code,<sup>2</sup> 2009 edition, as prepared 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 international plumbing code. (1982 Code, § 4-201, modified, as amended by Ord. #777, Dec. 2005, and replaced by Ord. #850, July 2010)

**12-202. Modifications.** 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 mayor and board of commissioners.

Wherever "city engineer" or "engineering department" is named, it shall mean the superintendent of streets. Whenever the "plumbing official," or "inspector" is named or referred to, it shall mean the person appointed or designated by the mayor and board of commissioners to administer and enforce the provisions of the plumbing code. (1982 Code, § 4-202, modified, as amended by Ord. #777, Dec. 2005)

**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. (1982 Code, § 4-203, modified)

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<sup>1</sup>Municipal code references

Cross connections: title 18, chapter 2.

Street excavations: title 16, 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.

**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. (1982 Code, § 4-204)

**CHAPTER 3****ELECTRICAL CODE**<sup>1</sup>**SECTION**

- 12-301. Electrical code adopted.
- 12-302. Available in recorder's office.
- 12-303. Violations.
- 12-304. Enforcement.
- 12-305. 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> 2008 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. (1982 Code, § 4-301, as amended by Ord. #777, Dec. 2005, and replaced by Ord. #850, July 2010)

**12-302. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, three (3) copies of the electrical code have been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1982 Code, § 4-302)

**12-303. 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 and standards prescribed by the electrical code. (1982 Code, § 4-303)

**12-304. Enforcement.** The utility board is hereby designated as the electrical inspector. 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

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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.

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. (1982 Code, § 4-304)

**12-305. 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. (1982 Code, § 4-305)

## CHAPTER 4

### HOUSING CODE

#### SECTION

12-401. Housing code adopted.

12-402. Modifications.

12-403. Available in recorder's office.

12-404. Violations.

12-405. Permanent enclosed foundations required.

**12-401. Housing code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, energy conservation, adequate light and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the International Residential Code,<sup>1</sup> 2009 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 international residential code. (1982 Code, § 4-501, as amended by Ord. #777, Dec. 2005, and replaced by Ord. #850, July 2010)

**12-402. Modifications. Definitions.** Wherever the housing code refers to the "Housing Official" it shall mean the person appointed or designated by the mayor and board of commissioners to administer and enforce the provisions of the housing code. 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 mayor and board of commissioners. (1982 Code, § 4-502, modified)

**12-403. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the housing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1982 Code, § 4-503, modified)

**12-404. 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. (1982 Code, § 4-504)

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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.

**12-405. Permanent enclosed foundations required.** All housing units shall have foundations which are completely enclosed. The enclosed foundations shall be constructed along the entire perimeter of the dwelling unit. The materials allowed for enclosing foundations are: brick or cement block or other masonry type materials. No portion of the crawl space beneath a dwelling shall be exposed. (Ord. #609, Feb. 1988, modified)

## CHAPTER 5

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

#### SECTION

12-501. Energy code adopted.

12-502. Modifications.

12-503. Available in recorder's office.

12-504. Violations and penalty.

**12-501. Energy code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the International Residential Code,<sup>2</sup> 2009 edition, chapter 11 Energy Efficiency, as prepared 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 amended by Ord. #777, Dec. 2005, and replaced by Ord. #850, July 2010)

**12-502. Modifications.** Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the City of Sweetwater. When the "building official" is named it shall, for the purposes of the energy code, mean such person as the board of commissioners shall have appointed or designated to administer and enforce the provisions of the energy code.

**12-503. 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

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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.

been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-504. Violations and penalty.** It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

## CHAPTER 6

### CODES ENFORCEMENT OFFICER

#### SECTION

12-601. Appointment, authority, etc.

12-602. Qualifications.

12-603. Modifications.

12-604. Board of review.

**12-601. Appointment, authority, etc.** The position of codes enforcement officer is hereby established and appointment to such office shall be made by the mayor and board of commissioners. The codes enforcement officer does hereby have the authority to conduct inspections on buildings, lots, and other structures in which there is probable cause to believe or complaints received that violation of the city code are occurring. The codes enforcement officer shall have the authority to issue orders to enforce compliance with the municipal code, and shall have the authority to issue warrants to court where violations persist. The codes enforcement officer shall be empowered to enforce the provisions of title 13, chapter 1, miscellaneous; title 18, chapter 1, sewage and human excreta disposal; title 17, chapter 1, garbage and refuse, title 10, animal control, title 13, chapter 4, weeds; title 12, chapter 1, building code; chapter 2, plumbing code; chapter 4, housing code; and chapter 5, energy code. (Ord. #605, Sept. 1987, modified)

**12-602. Qualifications.** The codes enforcement officer position will have qualifications set by the mayor and board of commissioners. (Ord. #605, Sept. 1987)

**12-603. Modifications.** Wherever the term "building official" or "building inspector," or "health officer" or "director of public works" is named, specified, or otherwise noted in the municipal code, the terms shall mean the same as the "codes enforcement officer." (Ord. #605, Sept. 1987)

**12-604. Board of review.** In order to hear and decide appeals of orders, decisions or determinations made by the code enforcement officer relative to the application and interpretation of the codes in this title, there is hereby created a board of review. Such board shall consist of three members nominated by the mayor and approved by the board of commissioners for staggered terms of three years, with the initial members thereof appointed for terms to accomplish that purpose. Each member shall hold office at the pleasure of the board of commissioners. When properly constituted, the board shall establish its rules of procedure for conducting its business.

(1) The only grounds for an application to review a determination of the code enforcement officer shall be

(a) That the true intent of these codes or the rules legally adopted thereunder have been incorrectly interpreted;

(b) The provisions of these codes do not fully apply; or

(c) That an equally good or better form of construction, materials or performance is proposed. The board shall have no authority to waive requirements of these codes.

(2) The board of review shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction. No member of the board may be an employee of the City of Sweetwater.

(3) This procedure is to allow a review of an interpretation of the code enforcement officer relative to the codes contained in title 12 of the municipal code. It is not a substitute or alternative to recourse for enforcement of those code provisions by citation to the city court and the board has no authority to overturn a ruling of the city court in an enforcement proceeding. (as added by Ord. #791, June 2006)

## CHAPTER 7

### MECHANICAL CODE

#### SECTION

12-701. Mechanical code adopted.

**12-701. Mechanical 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, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, the International Mechanical Code,<sup>1</sup> 2009 edition, as prepared by the International Code Council is hereby adopted and incorporated by reference as a part of this code, and is hereby referred to as the mechanical code. (as added by Ord. #850, July 2010)

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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.