

AN ORDINANCE OF THE BOARD
OF MAYOR AND ALDERMEN OF THE
TOWN OF LOUISVILLE, TENNESSEE,
ADOPTING THE 2012 INTERNATIONAL
BUILDING CODE

ORDINANCE NO. 2015-06

FIRST READING
DATE PASSED: July 14, 2015

SECOND READING
DATE PASSED: August 11, 2015

PUBLIC HEARING: August 11, 2015

BE IT HEREBY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF LOUISVILLE, TENNESSEE, AS FOLLOWS:

WHEREAS, The Board of Mayor and Alderman desire for the Town of Louisville to adopt the 2012 International Building Code; and

WHEREAS, it has been determined that the adoption of this ordinance is necessary and proper for the health, safety and welfare of citizens of the Town of Louisville;

THEREFORE, IT IS ORDAINED:

1. Building code adopted. Pursuant to authority granted by the Tennessee Code Annotated, §§ 6-54-501 through 6-54-510 and for the purpose of regulating the construction, alteration, repair, use and 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, 2012 Edition, and Appendices A and B thereto, with the modifications thereto hereinafter set forth, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this Code except as otherwise specifically stated in this Chapter, and is hereinafter referred to as the "building code" Any existing ordinances adopting an international or standard building code are hereby amended as necessary so as to be consistent with this ordinance.
2. Modifications: The following sections and appendices of the International Building Code, 2012 Edition, are hereby amended as hereinafter provided:
 - (1) Chapter 1, Scope and Administration: Section 101.1 Title. is hereby amended by inserting "Town of Louisville" as the name of the jurisdiction.
 - (2) Chapter 1, Scope and Administration: Section 101.2.1 Appendices. is hereby amended by inserting at the end of the section the following:

"The following Appendices are specifically included in the adoption. All others are excluded."

- Appendix A Employee Qualifications
- Appendix B Board of Appeals

- (3) Chapter 1, Scope and Administration: Section 101.4.3 Plumbing, is hereby amended by deleting the last sentence and inserting the following:

“Private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department”

- (4) Chapter 1, Scope and Administration: Section 103.1 Creation of enforcement agency, is hereby amended by deleting Section 103.1 in its entirety and replacing with the following

“Section 103.1 Building Official. The provisions of this code shall be enforced by the Building Official.”

- (5) Chapter 1, Scope and Administration: Section 104.10.1 Flood hazard areas, is hereby amended by deleting Section 104.10.1 in its entirety.

- (6) Chapter 1, Scope and Administration: Section 105.2 Work exempt from permit, is hereby amended by deleting Number 1 in its entirety and replace with:

“1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet if the structure has a permanent foundation or 400 square feet if the structure is a pre-manufactured building without a permanent foundation.”

- (7) Chapter 1, Scope and Administration: Section 105.4 Validity of permit, is hereby amended by inserting the following at the beginning:

“A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of the code, nor shall such issuance of a permit prevent the Building Official from thereafter requiring a correction of errors in plans of in construction, or of violation of this code. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis on incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.”

- (8) Chapter 1, Scope and Administration: Section 105.5. Expiration, is hereby amended by deleting in its entirety and the following substituted in lieu thereof:

“105.5. Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 120 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 120 days after the time the work is commenced.”

“Extensions of time may be granted by the Building Official; however, the extension must be requested in writing and justifiable cause demonstrated. The building official is authorized to grant, in writing, one or more extensions of time. Each extension shall be for a period of time not to exceed 120 days. A fee of fifty percent (50%) of the permit fee of the original permit shall be charged to cover administrative expenses for each extension granted.”

- (9) Chapter 1, Scope and Administration: Section 105.6 Suspension and revocation, is hereby amended by inserting at the end the following:

“After a permit has become void, if the owner wishes to commence construction to complete the structure for which the original permit was issued, the Owner shall reapply for a new building permit for the completion of the construction. When a new building permit is issued, the permit fee for the completion of the construction shall be equal to the permit fee that was paid when the original permit was issued.”

- (10) Chapter 1, Scope and Administration: Section 105.7 Placement of Permit. is hereby amended by deleting in its entirety and the following substituted in lieu thereof:

“105.7 Placement of Permit. The building permit or copy shall be kept on the site of the work or be made available to inspectors upon request until the completion of the project.”

- (11) Chapter 1, Scope and Administration: Section 110.5 Inspection request. is hereby amended by inserting the following at the end:

“No inspections shall be performed on any site or portion thereof where there is an un-safe condition or a violation of the occupational safety and health standards for the construction industry promulgated by the Occupational Safety and Health Administration (OSHA).”

- (12) Chapter 1, Scope and Administration: Section 111.1 Use and occupancy. is hereby amended by inserting the following at the end of the paragraph and before the exception:

“Said certificate shall not be issued until the following have been tested and approved by the appropriate agency or department:

- Fire protection systems
- Utility systems
- Site work beyond the confines of the building
- General building construction requirements
- Private septic or sewage disposal systems”

- (13) Chapter 1, Scope and Administration: Section 113 Board of Appeals. is hereby amended by changing the title from “Board of Appeals” to “Construction Board of Adjustments and Appeals”. Every occurrence of “Board of Appeals” in Section 113 and its subsections shall be changed to “Construction Board of Adjustments and Appeals Board”.

- (14) Chapter 1, Scope and Administration: Section 114.4, Violation and Penalties is hereby amended by deleting the section in its entirety and inserting in its place.

“Any person, firm, corporation, tenant, owner or agent who shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, demolish, or move any structure, or has erected, constructed, altered, repaired, moved, or demolished a building or structure in violation of a detailed statement or drawing submitted and permitted thereunder, or directive of the building official or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.”

- (15) Chapter 10, Means of Egress: Section 1006.1 Means of egress illumination. is hereby amended by inserting the following under “Exceptions”.

“5. Unenclosed pavilions and similar structures that are not provided with electrical service and not intended for occupancy after daylight hours.”

- (16) Chapter 10, Means of Egress: Section 1013.2 Where required. is hereby amended by deleting the first sentence and replacing it with the following sentence:

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

- (17) Chapter 10, Means of Egress: Section 1013.8 Window Sills. is hereby amended by changing “36 inches” to “24 inches” in both occurrences.

- (18) Chapter 10, Means of Egress: Section 1016.2 Limitations. is hereby amended by inserting after Section 1016.2.1 a new section as follows:

“1016.2.2 Roof vent increase. In buildings that are one story in height, equipped with automatic heat and smoke vents complying with Section 910 and equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the maximum exit access travel distance shall be 400 feet for occupancies in Group F-1 or S-1.

- (19) Chapter 16, Structural Design: Section 1612.3 Establishment of flood hazard areas. Is hereby amended by inserting “Blount County, Tennessee, and Incorporated Areas, Town of Louisville Community Number XXXXXX” for name of jurisdiction and inserting “September 19, 2007” as the date of issuance.

- (20) Chapter 28: Mechanical Systems. is hereby amended by deleting Chapter 28 in its entirety including its title and section numbers. Chapter 28 and all of its contents is specifically not adopted in the Town of Louisville.

- (21) Chapter 29, Plumbing Systems: Section 2901.1 Scope. is hereby amended by deleting the last sentence and insert the following:

“Private sewage disposal systems shall comply with the regulations of the Blount County Environmental Health Department.”

- (22) Chapter 29, Plumbing Systems: Section 2902.3 Employee and public toilet facilities. Is hereby amended by renaming the exception as “Exception 1.” and inserting the following after the renumbered exception:

“Exception 2: Unenclosed pavilions and similar structures with a floor area of one thousand square feet or less and not served with water and sewer services shall not be required to provide public toilet facilities or other plumbing fixtures. For the purpose of this section guards as described in Section 1013, whether said guards are required or not by this code, shall not be considered to enclose the structure.”

- (23) Chapter 34, Existing Structures: Section 3412.2 Applicability. is hereby amended by inserting “the adoption of this code” for the date to be inserted.

- (24) Appendix B: Board of Appeals. is hereby amended by changing the title from “Board of Appeals” to “Construction Board of Adjustments and Appeals”. Every occurrence of “Board of Appeals” in Appendix B and its subsections shall be changed to “Construction

Board of Adjustments and Appeals”.

- (25) Appendix B: Section B101.2 Membership of board. is hereby amended by deleting in its entirety and the following substituted in lieu thereof:

“The Construction Board of Adjustments and Appeals shall consist of five (5) persons appointed by the chief appointing authority for four year terms and shall serve staggered and overlapping terms. The building official shall be an ex officio member of said board, but shall have no vote on any matter before the board.”

- (26) Appendix B: Section B101.2.2 Qualifications. is hereby amended by adding “or as approved by the chief appointing authority ” after the word “disciplines”.

- (27) Appendix B: Section B101.3.3 Postponed Hearing. is hereby amended by deleting the word section in its entirety and replacing it with as follows.

“When five members are not present to hear an appeal, either the appellant or the appellant’s representative shall have the right to request one postponement of the hearing. After one postponement, the hearing shall proceed as long as three (3) members are present.”

- (28) Appendix B: Section B101.4 Board decision. is hereby amended by inserting the word “majority” after the word “concurring” and deleting “of two-thirds of its members”.

3. Available at Town Hall. The Board of Mayor and Aldermen of the Town of Louisville hereby declares that one (1) copy of the aforesaid Code and Revisions, as modified, has been filed with the Recorder of the Town for a period of fifteen (15) days prior to the passage of this Ordinance and that all public hearing and notice requirements in Tennessee Code Annotated Section 6-54-501, et seq., have been or will be met by the time of the final passage of this ordinance.
4. Violations. Any person, firm, corporation, tenant, occupant or agent who shall Violate a provision of this code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or local adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished as prescribed by applicable law or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the Town shall be entitled to recover from any person adjudicated to have violated this Chapter the Town’s reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this Chapter. Additionally, violators may in the discretion of the Town be subject to fines and penalties to be imposed by an Administrative Hearing Officer pursuant to T.C.A. §6-54-1001, et seq., as adopted by the Town of Louisville.”
5. Effective Date. This Ordinance shall become effective immediately upon passage, the public welfare requiring it.

Mayor

Town Recorder