

ORDINANCE NO. 2010-1027

AN ORDINANCE TO AMEND THE CITY CODE OF ORDINANCES, TITLE 4, CHAPTER 1, BUILDING CODE, CHAPTER 2, PLUMBING CODE, CHAPTER 3, ELECTRICAL CODE, CHAPTER 4, GAS CODE, CHAPTER 8, EXISTING BUILDING CODE, CHAPTER 9, MECHANICAL CODE, CHAPTER 13, RESIDENTIAL CODE, CHAPTER 15 PROPERTY MAINTENANCE CODE AND CHAPTER 16, INTERNATIONAL ENERGY CONSERVATION CODE; TO ADOPT BY REFERENCE THE 2012 EDITION OF THE INTERNANITONAL RESIDENTIAL CODE; TO PROVIDE FOR LOCAL AMENDMENTS; TO PROVIDE FOR AN EFFECTIVE DATE

WHEREAS, the City of Shelbyville through its City Charter is to provide for the health, safety and welfare of its inhabitants; and

WHEREAS, specific and recognized Building Codes have been developed for the use of local jurisdictions to adopt by reference; and

WHEREAS, it is deemed in the public interest to adopt a specific Edition of those Codes for regulating and governing building within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SHELBYVILLE, TENNESSEE that Title 4 of the City Code be and the same is hereby amended as follows:

- Section 1. That Title 4, Chapter 1 of the City Code adopt by reference the 2012 Edition of the International Building Code; with local amendments as set forth in attachment A.
- Section 2. That Title 4, Chapter 2 of the City Code adopt by reference the 2012 Edition of the International Plumbing Code; with local amendments as set forth in attachment A.
- Section 3. That Title 4, Chapter 3 of the City Code adopt by reference the 2008 Edition of the National Electrical Code; with local amendments as set forth in attachment A.
- Section 4. That Title 4, Chapter 4 of the City Code adopt by reference the 2012 Edition of the International Gas Code; with local amendments as set forth in attachment A.
- Section 5. That Title 4, Chapter 9 of the City Code adopt by reference the 2012 Edition of the International Mechanical Code; with local amendments as set forth in attachment A.
- Section 6. That Title 4, Chapter 13 of the City Code adopt by reference the 2012 Edition of the International Residential Code; with local amendments as set forth in attachment A.
- Section 7. That Title 4, Chapter 15 of the City Code adopt by reference the 2012 Edition of the International Property Maintenance Code; with local amendments as set forth in attachment A.

Section 8. That Title 4, Chapter 16 of the City Code adopt by reference the 2009 Edition of the International Energy Conservation Code; with local amendments as set forth in attachment A.

Section 9. All Chapters so amended above shall include a verbatim statement of the penalty provisions as provided in state law for each code as follows:


Violation penalties: Any person, firm or corporation or agent who violates this code or fails to comply therewith or with any of the provisions thereof, or violates a detailed statement or plans submitted and approved thereunder, commits a Class C misdemeanor. Each such person, firm, corporation or agent commits a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued.

Section 10. That any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 11. That if any section, subsequent sentence, clause or phase of this Ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.


Section 12. That this Ordinance shall take effect fifteen days after its passage on second and final reading.

APPROVED:



Mayor Wallace Cartwright

ATTEST:



City Recorder, Anna Mai

APPROVED AS TO FORM:



City Attorney, Ginger B. Shofner

Passed First Reading: 11/10/10
Public Hearing Held: 12/8/10
Passed Second Reading: 12/8/10

Effective Date 12/23/10

ORDINANCE NO. _____
ATTACHMENT A

Title 4, Chapter 1

2012 International Building Code - Adopted

2012 Edition of International Building Code; plus Appendices A, C, D and G; and amend as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"
2. Section 103.1, on creation of an enforcement agency is amended by deleting the phrase "Department of Building Safety" and substituting in lieu thereof the phrase "Building and Codes Department"
3. Section 105.7 on placement of permits is deleted
4. Section 109.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The fees for all work on buildings, structures, electrical, gas, mechanical and plumbing systems or alterations thereto requiring a permit shall be set by the City Council."
5. Section 109.6 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The City Council shall adopt a policy governing the refunding of permit fees."

Title 4, Chapter 2

2012 International Plumbing Code - Adopted

2012 Edition of the International Plumbing Code; and amend as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"
2. Section 103.1 creating a plumbing department is amended by deleting the phrase "Department of Plumbing Inspection" and substituting the phrase "Building and Codes Department"
3. Section 106.6.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The fees for mechanical work permits shall be set by the City Council"
4. Section 106.6.3 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The City Council shall adopt a policy governing the refunding of permit fees."
5. Section 106.5.8 on placement of permits is deleted

Title 4, Chapter 4

2012 International Fuel Gas Code – Adopted

2012 Edition of International Fuel Gas; and amended as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"

2. Section 103.1 on creating a department of fuel gas inspection is amended by deleting all references to the "Department of Fuel Gas Inspection " and substituting in lieu thereof the phrase "Building and Codes Department"
3. Section 106.2 on work exempt from permits is hereby amended by adding two exemptions that shall read as follows: "3. Replacement of any like gas appliance or equipment package or split HVAC equipment that is permanently installed to provide control of the buildings environmental conditions"
"4. Emergency repairs may be performed at night, or weekends and holidays, and during a natural disaster without first obtaining a permit. However, a permit must be obtained within the next two (2) business days, unless the type of work performed is exempt from permits."
4. Section 106.5.8 on placement of permits is deleted
5. Section 106.6.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "Permit fees shall be set by the City Council."
6. Section 106.6.3 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The City Council shall adopt a policy governing the refunding of permit fees."

Title 4, Chapter 9

2012 International Mechanical Code - Adopted

2012 Edition of International Mechanical Code; and amend as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"
2. The 2012 International Mechanical Code is amended by deleting all references to the "Department of Mechanical Inspection" and substituting in lieu thereof the phrase "Building and Codes Department"
3. Section 106.4.8 on placement of permits is deleted
4. Section 106.2 on mechanical work exempted from the permit requirement is amended by adding the following exemption: "(9) Replacement of any like package or split HVAC equipment that is permanently installed to provide control of the buildings environmental conditions"
5. Section 106.5.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The fees for mechanical work permits shall be set by the City Council"
6. Section 106.5.3 Section 109.6 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The City Council shall adopt a policy governing the refunding of permit fees."
7. The 2012 International Mechanical Code is amended by deleting all references to the "2012 International Energy Conservation Code" and substituting in lieu thereof the phrase "2009 International Energy Conservation Code"

Title 4, Chapter 13

2012 International Residential Code - Adopted (Except Chapter 11)

2012 Edition of International Residential Code; plus Appendices D, G, H, J, and K; and amend as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"
2. The 2012 International Residential Code is amended by deleting all references to the "Department of Building Safety" and substituting in lieu thereof the phrase "Building and Codes Department"
3. Section 105.2 on mechanical work exempted from the permit requirement is amended by adding the following: "9. Replacement of an HVAC unit where unit heating and cooling capacity and fuel source are not changed."
4. Section 105.7 on placement of permits is deleted
5. Section 108.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The fees for all work on buildings, structures, electrical, gas, mechanical and plumbing systems or alterations thereto requiring a permit shall be set by the City Council"
6. Section 108.5 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: "The City Council shall adopt a policy governing the refunding of permit fees."
7. Table 301.2(1), adding the following Snow Load "10#", Wind Speed "90", Seismic "B", Weathering "Severe," Frost Line Depth "6," Termite "Moderate to Heavy," Winter Design Temperature "14°F", Ice Barrier Required "No," Flood Hazards "As shown on FEMA Flood Maps", Air Freezing Index "1500 or less", and Mean Annual Temperature "59.2°F"
8. Section 303.4, Remove section
9. Section 313 Remove section
10. Chapter 11, Remove chapter
11. Section G2417.1.1 (406.1.1), on inspections is amended by adding the following at the end of the section: "If gas equipment or appliance change outs are made with like equipment or appliances having the same input BTU rating, no permit or inspection is required."

Title 4, Chapter 15

2012 International Property Maintenance Code – Adopted

2012 Edition of International Property Maintenance Code; and amend as follows:

1. Section 101.1, Insert "City of Shelbyville, Tennessee" in "Name of Jurisdiction"
2. Section 103.1 on creating a department of property maintenance is amended by deleting all references to the "Department of Property Maintenance Inspection" and substituting in lieu thereof the phrase "Building and Codes Department"

3. Section 103.5 is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: “Fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the City Council.”
4. Section 112.4 on failure to comply with a stop work order is amended by deleting the phrase “not less than [AMOUNT] dollars or more than [AMOUNT] dollars” and in lieu thereof substituting the phrase “up to fifty (50) dollars per day that the unauthorized work is continued.”
5. Section 302.4 on weeds is amended by inserting the words “12 inches on parcels of land containing any structure(s); 16 inches on parcels of land which do not contain any structure(s); and 24 inches on large tracts (defined as two acres or larger) of land unless used for agricultural purposes.” in lieu of “[JURISDICTION TO INSERT HEIGHT IN INCHES].”
6. Section 304.14 on insect screens is amended by inserting the words “April 1 to October 1” in lieu of “[Date] to [Date].”
7. Section 502.4 on employees’ facilities is amended by deleting the phrase “and one drinking facility.”
8. Sections 602.3 and 602.4 on heating facilities are amended by inserting the words “October 1 to April 30” in lieu of “[Date] to [Date].”

Title 4, Chapter 16

2009 International Energy Conservation Code – Adopted

2009 Edition of International Energy Conservation Code; and amend as follows:

1. Section 101.1, Insert “City of Shelbyville, Tennessee” in “Name of Jurisdiction”
2. Section 107.2 on schedule of permit fees is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: “Permit fees shall be set by the City Council.”
3. Section 107.5 on refunds is amended by deleting the text of this section in its entirety and in lieu thereof substituting the following: “The City Council shall adopt a policy governing the refunding of permit fees.”
4. Chapter 5 is amended by deleting the text of this chapter in its entirety.