

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

April 25, 2013

HOTEL/MOTEL TAX WORKSHOP

5:00 PM

CIP WORKSHOP

5:30 PM

GRANT WORKSHOP

6:00 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call
- II. Approval of Agenda
- III. Mayor's Report
- IV. Citizens Forum
- V. Approval of Minutes
 - A. March 28, 2013
 - B. April 11, 2013
- VI. Business Items
 - A. Approval of Bids for Contract 2013-05, Resurfacing
- VII. Ordinances
 - A. Public Hearing & Second Reading
 1. ORDINANCE 13-03, to amend TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1. INTERNATIONAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION
 2. ORDINANCE 13-04, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 2. INTERNATIONAL PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2012 EDITION
 3. ORDINANCE 13-05, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 3, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NFPA ELECTRICAL CODE, 2011 EDITION
 4. ORDINANCE 13-06, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 4. INTERNATIONAL FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION

5. **ORDINANCE 13-07**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 5. INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION
6. **ORDINANCE 13-08**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 6. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION
7. **ORDINANCE 13-09**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 8. SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION
8. **ORDINANCE 13-10**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 9. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2009
9. **ORDINANCE 13-11**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 10. 2006 INTERNATIONAL MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION
10. **ORDINANCE 13-12**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC., CODES, CHAPTER 11. INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION
11. **ORDINANCE 13-13**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 12. PLUMBING AND GAS/MECHANICAL LICENSING REQUIREMENTS, OF THE FARRAGUT MUNICIPAL CODE, SECTION 12-1208. LICENSES FOR PLUMBING AND GAS/MECHANICAL CONTRACTORS, TO REFERENCE FEE RESOLUTION ADOPTION
12. **ORDINANCE 13-14**, TO AMEND TITLE 7, FIRE PROTECTION AND FIREWORKS, CHAPTER 1. FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2012 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION

B. First Reading

1. Ordinance 13-17, to amend Title 5, Municipal Finance and Taxation, of the Farragut Municipal Code, by adding Chapter 4, Hotel/Motel Tax

VIII. **Town Administrator's Report**

IX. **Attorney's Report**

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

March 28, 2013

BUDGET WORKSHOP

Department Presentations

5:45 PM

Community Health Appointment Workshop

6:30 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. March 14, 2013
- VI. Business Items**
 - A. Appointment to the Community Health Council
 - B. Resolution R-2013-03, a resolution requesting that the Tennessee Department of Transportation designate the intersection of Hwy. 70/S. R. 1 and Hwy. 11/S. R. 2 (Dixie Lee Junction) as a Signature/Gateway Intersection and to incorporate aesthetic improvements in the proposed redesign of this intersection
 - C. Approval of Proposal for Landscape and Engineering Services for Outdoor Classroom on Campbell Station Road
- VII. Town Administrator's Report**
- VIII. Attorney's Report**

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, March 28, 2013 at 7:00 p.m. Members present were Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken were absent.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken were absent; no nays; motion passed.

Citizens Forum

Joleen Dewald, 626 Brochardt Blvd, addressed the board about concerns with the Everett Road project.

Approval of Minutes

Motion was made to approve the minutes of March 14, 2013 as presented. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken were absent; no nays; motion passed.

Business Items

Appointment to the Community Health Council

Mayor McGill appointed Debbie Pinchok to serve a three-year term as the Mayor appointee on the Health Council.

Motion was made to appoint Dr. R. Mark Ray to a three-year term on the Health council. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken were absent; no nays; motion passed.

Resolution R-2013-03, a resolution requesting that the Tennessee Department of Transportation designate the intersection of Hwy. 70/S. R. 1 and Hwy. 11/S. R. 2 (Dixie Lee Junction) as a Signature/Gateway Intersection and to incorporate aesthetic improvements in the proposed redesign of this intersection

Motion was made to approve Resolution R-2013-03 as presented. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken were absent; no nays; motion passed.

Approval of Proposal for Landscape and Engineering Services for Outdoor Classroom on Campbell Station Road

Motion was made to approve the proposal from McGill Associates for design services in the amount of \$31,350. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill and Alderman LaMarche; voting no, Alderman Markli; Aldermen Elliott and Honken were absent; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, reported that the Volunteer Banquet will be at Fox Den on Friday April 5, Dogwood Arts Festival luncheon will be at Campbell Station Park April 10 and the Dogwood Arts ribbon cutting will be at Fox Den.

Meeting adjourned at 7:25 PM.

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

April 11, 2013

BUDGET WORKSHOP

Codes Presentation-5:00 PM

CIP Presentation- 5:30 PM

Knoxville Chamber- 6:20 PM

BEER BOARD

6:55 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call
- II. Approval of Agenda
- III. Mayor's Report
- IV. Citizens Forum
- V. Approval of Minutes
 - A. March 28, 2013
- VI. Business Items
 - A. Rejection of Bids for Contract 2013-06, Right of Way Mowing
- VII. Ordinances
 - A. First Reading
 1. ORDINANCE 13-03, to amend TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1. INTERNATIONAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION
 2. ORDINANCE 13-04, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 2. INTERNATIONAL PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2012 EDITION
 3. ORDINANCE 13-05, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 3, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NFPA ELECTRICAL CODE, 2011 EDITION
 4. ORDINANCE 13-06, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 4. INTERNATIONAL FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION
 5. ORDINANCE 13-07, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 5. INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION

6. **ORDINANCE 13-08**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 6. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION
7. **ORDINANCE 13-09**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 8. SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION
8. **ORDINANCE 13-10**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 9. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2009
9. **ORDINANCE 13-11**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 10. 2006 INTERNATIONAL MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION
10. **ORDINANCE 13-12**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC., CODES, CHAPTER 11. INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION
11. **ORDINANCE 13-13**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 12. PLUMBING AND GAS/MECHANICAL LICENSING REQUIREMENTS, OF THE FARRAGUT MUNICIPAL CODE, SECTION 12-1208. LICENSES FOR PLUMBING AND GAS/MECHANICAL CONTRACTORS, TO REFERENCE FEE RESOLUTION ADOPTION
12. **ORDINANCE 13-14**, TO AMEND TITLE 7, FIRE PROTECTION AND FIREWORKS, CHAPTER 1. FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2012 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION

VIII. Town Administrator's Report

IX. Attorney's Report

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, April 11, 2013 at 7:00 p.m. Members present were Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent.

Motion was made to select Aldermen Elliott to run the Board of Mayor and Aldermen meeting in the absence of both the Mayor and Vice-Mayor. Moved by Alderman Markli, seconded by Alderman Honken; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

Approval of Agenda

Motion was made to approve the agenda with the postponement of the minute approval. Moved by Alderman Markli, seconded by Alderman Honken; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

Citizens Forum

Louis Povlin, 12830 Stahl Drive, requested that the board consider moving the improvements to Everett Road in front of improvements to Union Road.

Business Items

Rejection of Bids for Contract 2013-06, Right of Way Mowing

Motion was made to approve the bid for contract 2013-06, Right-of-way mowing. Moved by Alderman Honken, seconded by Alderman Elliott; voting no, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion failed.

Ordinances

First Reading

ORDINANCE 13-03, to amend TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1. INTERNATIONAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION

Motion was made to approve Ordinance 13-03 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-04, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 2. INTERNATIONAL PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2012 EDITION

Motion was made to approve Ordinance 13-04 on first reading. Moved by Alderman Honken, seconded by Alderman Elliott; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-05, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 3, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NFPA ELECTRICAL CODE, 2011 EDITION

Motion was made to approve Ordinance 13-05 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-06, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 4. INTERNATIONAL FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION

Motion was made to approve Ordinance 13-06 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-07, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 5. INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION

Motion was made to approve Ordinance 13-07 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-08, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 6. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION

Motion was made to approve Ordinance 13-08 on first reading. Moved by Alderman Markli, seconded by Alderman Honken; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-09, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 8. SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION

Motion was made to approve Ordinance 13-09 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-10, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 9. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2009

Motion was made to approve Ordinance 13-10 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-11, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 10. 2006 INTERNATIONAL MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION

Motion was made to approve Ordinance 13-11 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-12, TO AMEND TITLE 12, BUILDING, UTILITY, ETC., CODES, CHAPTER 11. INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION

Motion was made to approve Ordinance 13-12 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-13, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 12. PLUMBING AND GAS/MECHANICAL LICENSING REQUIREMENTS, OF THE FARRAGUT MUNICIPAL CODE, SECTION 12-1208. LICENSES FOR PLUMBING AND GAS/MECHANICAL CONTRACTORS, TO REFERENCE FEE RESOLUTION ADOPTION

Motion was made to approve Ordinance 13-13 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

ORDINANCE 13-14, TO AMEND TITLE 7, FIRE PROTECTION AND FIREWORKS, CHAPTER 1. FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2012 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION

Motion was made to approve Ordinance 13-14 on first reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche were absent; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced the following events:

- Dogwood Arts Festival, Farragut Trail
- Bookfest, April 13 from 10-2 PM
- Art in the Park, April 20-21
- Art in the Park Auction, April 29
- Intro to Farragut Program, April 16

Meeting adjourned at 7:50 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE 

SUBJECT: Approval of Bids for Contract 2013-05, Street Resurfacing

INTRODUCTION: The purpose of this agenda item is to consider bids and award a contract for resurfacing of selected streets throughout the Town.

BACKGROUND: This year, staff has determined our highest priorities for resurfacing to be the following:

- Lark Meadow Drive (Sweetbriar Subdivision)
- Gatesmill Drive (Sweetbriar)
- Cedar Ridge Drive (Linda Heights)
- Long Bow Road (Fort West)
- Broken Saddle Road (Fort West)
- Red Canyon Road (Fort West)
- Sundown Road (Fort West)
- Deadwood Road (Old Stage Hills)
- Hidden Creek Circle (Stonecrest)
- Four Seasons Lane (Village Green)
- Black Powder Drive (Turkey Creek Woods)
- Banbury Road (Turkey Creek Woods)
- E. Union Road
- Harrison Road (Watt Road to Town Limit)
- Everett Road (I-40/75 to northern Town Limit)
- Virtue Road (Turkey Creek Road south to flashing beacon)

We have also identified Landing Lane (Concord Landing) and Ivy Chase Lane (Sweetbriar) as alternates. Alternate streets are typically resurfaced as our budget permits. Our current year's budget for resurfacing is \$500,000 in State Street Aid Funds, which are distributed to municipalities on a per capita basis from the state fuel taxes. As the low bid presented below is well below our budget, it is likely both alternates can be completed this year.

On April 16, we received three bids for Contract 2013-05:

Rogers Group, Inc. -	410,477.17
Greenback Asphalt Company, Inc. -	502,138.15
APAC-Atlantic, Inc. -	415,966.80

I've attached bid tabulations, as well as a small-scale map highlighting the streets and portions of streets included in this contract.

FINANCIAL SECTION:

Project: Contract 2013-05, Resurfacing

Project Budget

\$500,000

Requested Amount

\$410,477.17

**Expenditures
to Date**

\$23,597.81

Available Amount

\$65,925.02

Approved

By: A. Myers

RECOMMENDATION BY: Darryl Smith, Town Engineer, for award of Contract 2013-05 to Rogers Group, Inc.

PROPOSED MOTION: Approval of bids and award of Contract 2013-05 to Rogers Group, Inc. for their low bid of \$410,477.17.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>LAMARCHE</u>	<u>HONKEN</u>	<u>MARKLI</u>	<u>ELLIOTT</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Town of Farragut Resurfacing 2013

Legend

- Resurfacing
- Streets
- Town Limit

1 in = 3,700 ft

FarragutMapDocuments\2013\2013 Resurfacing Map.mxd

Legend

- Resurfacing
- Streets
- Town Limit

Town of Farragut Contract 2013-05
(Annual Resurfacing Contract)
FINAL Tabulations

ITEM #	DESCRIPTION	QUANTITY	UNIT	Rogers Group		APAC Atlantic		Greenback Asphalt	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
307-01.08	Asphalt Concrete Mix (PG64-22) Grading B-M2	873.00	TONS	\$55.67	\$48,599.91	\$53.50	\$46,705.50	\$59.20	\$51,681.60
411-01.10	Asphalt Concrete Mix (PG64-22) Grading D	641.00	TONS	\$77.49	\$49,671.09	\$79.00	\$50,639.00	\$87.70	\$56,215.70
411-01.11	Asphalt Concrete Surface Mix (PG64-22) Gr E	3,687.00	TONS	\$68.06	\$250,937.22	\$67.80	\$249,978.60	\$73.95	\$272,653.65
415-01.01	Cold Planning Bituminous Pavement	4,984.00	TONS	\$7.85	\$39,124.40	\$10.80	\$53,827.20	\$17.50	\$87,220.00
403-01	Bituminous Material for Tack Coat	2,274.00	Gall	\$2.26	\$5,139.24	\$2.25	\$5,116.50	\$2.80	\$6,367.20
712-01	Traffic control as required per the Manual on	1.00	LS	\$17,005.31	\$17,005.31	\$9,700.00	\$9,700.00	\$28,000.00	\$28,000.00
	TOTAL				\$410,477.17		\$415,966.80		\$502,138.15

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-03, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 1. International Building Code, to adopt the International Building Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Building Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The provisions of the building code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

At the time the International Building Code, 2006 Edition was adopted, the town adopted several modifications to the codes so as to follow current town practices and/or dovetail the requirements with requirements found elsewhere in our Municipal Code. The majority of the amendments found in Section 12-102. Modifications of Ordinance 13-03 are identical to the amendments that are currently in our ordinance. Please note that section numbers have changed between the 2006 and 2012 codes.

Staff is recommending adoption of the International Building Code, 2012 Edition, including Appendix C (Group U-Agricultural Buildings), Appendix G (Flood-resistant Construction), and Appendix I (Patio Covers), as published by the International Code Council, Inc. Staff is recommending that we do not adopt Appendix D (Fire Districts) because it is more restrictive than staff feels is necessary given the current land uses in this area. However, in light of the recent adoption of the *Town of Farragut, Tennessee Comprehensive Land Use Plan Update* in December 2012, in lieu of Appendix D (Fire Districts) staff is recommending the following amendments to the International Building Code, 2012 Edition:

1. Clarification on tenant separations and fire penetrations.
2. Structures in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction.

3. Structures in excess of 7,000 gross square feet per story and is two or more stories shall be sprinklered.
4. Fire walls shall be of noncombustible construction and shall have no penetrations or openings in Type V construction.

The single amendment that is unrelated to fire districts eliminates key operated locking devices as an option for main doors in places of assembly (18). The rest of the amendments are identical to what we currently have adopted.

Attached please find a 2012 IBC summary entitled "Effective Use of the International Building Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
 John Householder, Codes Officer – Commercial Plans Examiner
 Elliott Sievers, Codes Officer
 Dan Johnson, Fire Marshal
 Colin Cumesty, Fire Inspector
 Ruth Hawk, Community Development Director
 Recommends approval of Ordinance 13-03

PROPOSED MOTION: Move to approve Ordinance 13-03.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.2.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-04, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 2. International Plumbing Code, to adopt the International Plumbing Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Plumbing Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The provisions of the plumbing code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems.

Staff is recommending adoption of the International Plumbing Code, 2012 Edition, including Appendix B (Rates of Rainfall for Various Cities), Appendix C (Vacuum Drainage System), Appendix D (Degree Day and Design Temperatures), Appendix E (Sizing of Water Piping System), and Appendix F (Structural Safety), as published by the International Code Council, Inc.

The proposed amendments to the code are identical to what we currently have adopted. This includes the Board of Plumbing and Gas/Mechanical Examiners serving as the Board of Appeals and following our current practices.

Attached please find a 2012 IPC summary entitled "Effective Use of the International Plumbing Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
John Householder, Codes Officer – Commercial Plans Examiner
Elliott Sievers, Codes Officer
Dan Johnson, Fire Marshal
Colin Cumesty, Fire Inspector
Ruth Hawk, Community Development Director

Recommends approval of Ordinance 13-04

PROPOSED MOTION: Move to approve Ordinance 13-04.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII. A. 3.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-05, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 3. Electrical Code, to adopt the NFPA Electrical Code, 2011 Edition

INTRODUCTION: The Town is currently under the NFPA 70 National Electric Code, 2005 Edition. All codes are adopted by reference.

DISCUSSION: Due to the small size of the Town staff, the Town has opted not to conduct electrical inspections. In lieu of Town staff, State of Tennessee inspectors conduct electrical inspections within the Town. These inspectors are housed out of the Lenoir City Utilities Board offices. Although we do not conduct our own inspections, the Town must remain current in electrical code adoption.

Staff is recommending adoption of the NFPA 70 National Electric Code, 2011 Edition, as prepared by the National Fire Protection Association. The purpose of this code is to regulate the installation of electrical components, apparatus, wiring, and other applications of electrical components.

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
John Householder, Codes Officer – Commercial Plans Examiner
Elliott Sievers, Codes Officer
Dan Johnson, Fire Marshal
Colin Cumesty, Fire Inspector
Ruth Hawk, Community Development Director
Recommends approval of Ordinance 13-05

PROPOSED MOTION: Move to approve Ordinance 13-05.

BOARD ACTION:

MOTION BY: _____ **SECONDED**
BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII. A. 4.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-06, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 4. International Fuel Gas Code, to adopt the International Fuel Gas Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Fuel Gas Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The Fuel Gas Code shall apply to the installation of fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories.

Staff is recommending adoption of the International Fuel Gas Code, 2012 Edition, including Appendix A (Sizing and Capacities of Gas Piping), Appendix B (Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances and Appliances Listed for Use with Type B Vents), Appendix C (Exit Terminals of Mechanical Draft and Direct-vent Venting Systems), and Appendix D (Recommended Procedure for Safety Inspection of an Existing Appliance Installation), as published by the International Code Council, Inc.

The proposed amendments to the code are identical to what we currently have adopted. This includes the Board of Plumbing and Gas/Mechanical Examiners serving as the Board of Appeals and following our current practices.

Attached please find a 2012 IFGC summary entitled "Effective Use of the International Fuel Gas Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer

John Householder, Codes Officer – Commercial Plans Examiner

Elliott Sievers, Codes Officer

Dan Johnson, Fire Marshal

Colin Cumesty, Fire Inspector

Ruth Hawk, Community Development Director
Recommends approval of Ordinance 13-06

PROPOSED MOTION: Move to approve Ordinance 13-06.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.5.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-07, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 5. International Property Maintenance Code, to adopt the International Property Maintenance Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Property Maintenance Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: The purpose of this code is for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures. In summary, this code is used to ensure properties are kept up and are good neighbors

Staff is recommending adoption of the International Property Maintenance Code, 2012 Edition, including Appendix A (Boarding Standard), as published by the International Code Council, Inc. The boarding standards establish how windows and doors are to be boarded to prevent entry by unauthorized persons or by animals. For example, boards are to be painted to correspond to the color of the existing structure. The purpose of this requirement is to minimize the abandoned building look.

The proposed amendments to the code are identical to what we currently have adopted. This includes the Board of Plumbing and Gas/Mechanical Examiners serving as the Board of Appeals and following our current practices.

Attached please find a 2012 IPMC summary entitled "Effective Use of the International Property Maintenance Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer

John Householder, Codes Officer – Commercial Plans Examiner

Elliott Sievers, Codes Officer

Dan Johnson, Fire Marshal

Colin Cumesty, Fire Inspector

Ruth Hawk, Community Development Director

Recommends approval of Ordinance 13-07

PROPOSED MOTION: Move to approve Ordinance 13-07.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.6.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-08, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 6. International Energy Conservation Code, to adopt the International Energy Conservation Code, 2012 Edition

INTRODUCTION: Prior to the adoption of the 2006 ICC codes, the Town was under the 1992 edition of the Model Energy Code. When the Town adopted the International Building Code, 2006 Edition, we deleted the Model Energy Code because the energy requirements had become a part of the building code. The 2012 edition of the ICC codes has separated out the energy codes into a freestanding code, the International Energy Conservation Code, 2012 Edition.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. Specifically related to the Energy Code, John Householder, Codes Officer-Commercial Plans Examiner, conducted a training class on the Energy Code here at the Town Hall on March 12. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

Staff is recommending adoption of the International Energy Conservation Code, 2012 Edition, as published by the International Code Council, Inc.

There are two sections of the Energy Code. The first section of the code applies to commercial building and the buildings sites and associated systems and equipment. The second section of the code applies to residential buildings and the buildings sites and associated systems and equipment. Both sections of this code regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

One of the proposed amendments to the code includes the Board of Plumbing and Gas/Mechanical Examiners serving as the Board of Appeals and following our current practices. The rest of the amendments deal with the staging of the minimum requirements over time and clarifying third party testers/verifiers qualifications. Staff is recommending the following:

Duct Tightness / Post-Construction – Total cfm/100 square feet upon adoption shall be a maximum of 12%.

Duct Tightness / Post-Construction – Total cfm/100 square feet after 7/1/2014 shall be a maximum of 8%.

Duct Tightness / Post-Construction – Total cfm/100 square feet after 7/1/2015 shall be a maximum of 4%.

Duct Tightness / Post-Construction – cfm/100 square feet to Outside upon adoption shall be a maximum of 8%.

Duct Tightness / Post-Construction – cfm/100 square feet to Outside after 7/1/2014 shall be a maximum of 6%.

Duct Tightness / Post-Construction – cfm/100 square feet to Outside after 7/1/2015 shall be a maximum of 4%.

Duct Tightness / Rough-In – cfm/100 square feet upon adoption shall be a maximum of 6%.

Duct Tightness / Rough-In – cfm/100 square feet after 2/1/2014 shall be a maximum of 5%.

Duct Tightness / Rough-In – cfm/100 square feet after 2/1/2015 shall be a maximum of 4%.

This staging will allow builders to learn the new construction techniques over time rather than requiring these minimums to be met immediately upon adoption. Staff is also recommending that we maintain the R-13 wood frame R-value at this time rather than increasing the requirement to “20 or 13 + 5”. The “20 or 13 + 5” insulation would require 2 x 6 studs or exterior foam board. Due to the historic problems of stucco, we are opting to wait until the technology catches up to this requirement. We passed a similar amendment to this when we adopted the 2006 codes. Once the new insulation was available in this area, we amended the code accordingly.

Several residential builders in this area are already constructing homes that comply and/or surpass this energy code. Schaad Properties for example, construct Energy Star certified homes. These homes save up to 50% in energy usage.

Attached please find a 2012 IBC summary entitled “Effective Use of the International Energy Conservation Code”.

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer

John Householder, Codes Officer – Commercial Plans Examiner

Elliott Sievers, Codes Officer

Dan Johnson, Fire Marshal

Colin Cumesty, Fire Inspector

Ruth Hawk, Community Development Director

Recommends approval of Ordinance 13-08

PROPOSED MOTION: Move to approve Ordinance 13-08.

AGENDA NUMBER VII.A.7.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-09, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 8. Swimming Pool Code, to adopt the International Swimming Pool and Spa Code, 2012 Edition

INTRODUCTION: The Town is currently under the Standard Swimming Pool Code, 1999 Edition. The Town opted to stay under the 1999 code because there was no swimming pool code in the ICC 2006 series. All codes are adopted by reference.

DISCUSSION: The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of swimming pools, aquatic facilities, spas and hot tubs, and related equipment.

Staff is recommending adoption of the International Swimming Pool and Spa Code, 2012 Edition, as published by the International Code Council, Inc. The proposed amendment to the code includes that the Board of Plumbing and Gas/Mechanical Examiners would serve as the Board of Appeals and would follow our current practices.

Attached please find a 2012 ISPSC summary entitled "Effective Use of the International Swimming Pool and Spa Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer

John Householder, Codes Officer – Commercial Plans Examiner

Elliott Sievers, Codes Officer

Dan Johnson, Fire Marshal

Colin Cumesty, Fire Inspector

Ruth Hawk, Community Development Director

Recommends approval of Ordinance 13-09

PROPOSED MOTION: Move to approve Ordinance 13-09.

BOARD ACTION:

MOTION BY: _____ SECONDED

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.8.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-10, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 9. Reserved, to adopt the Accessible and Usable Buildings and Facilities ICC A117.1-2009, ANSI American National Standard

INTRODUCTION: The Town's current accessibility requirements are through the 2006 Building Code, which references the Accessible and Usable Buildings and Facilities ICC A117.1-2003, ANSI American National Standard. At the time we adopted the 2006 codes, the State of Tennessee had also adopted this Accessibility Code. Because of the changing in the wording of the 2012 Building Code and changes at the State, we felt it best to clarify that we are adopting ANSI 2009 Accessibility Code.

DISCUSSION: The intent of this code is to allow a person with a physical disability to independently get to, enter, and use a site, facility, building, or element.

Staff is recommending adoption of the Accessible and Usable Buildings and Facilities ICC A117.1-2009, ANSI American National Standard, as published by the International Code Council, Inc. We are proposing no amendments to this code.

Attached please find the FORWARD and the Table of Contents of this code. The FORWARD gives a brief history of the development of the code and the Table of Contents indicates what areas are covered by the code.

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
John Householder, Codes Officer – Commercial Plans Examiner
Elliott Sievers, Codes Officer
Dan Johnson, Fire Marshal
Colin Cumesty, Fire Inspector
Ruth Hawk, Community Development Director
Recommends approval of Ordinance 13-10

PROPOSED MOTION: Move to approve Ordinance 13-10.

BOARD ACTION:

MOTION BY: _____ SECONDED
BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.9

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-11, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 10. International Mechanical Code, to adopt the International Mechanical Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Mechanical Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The provisions of the plumbing code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems.

Staff is recommending adoption of the International Mechanical Code, 2012 Edition, including Appendix A (Chimney Connector Pass-throughs), as published by the International Code Council, Inc.

The proposed amendments to the code are identical to what we currently have adopted. This includes the Board of Plumbing and Gas/Mechanical Examiners serving as the Board of Appeals and following our current practices.

Attached please find a 2012 IPC summary entitled "Effective Use of the International Mechanical Code".

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer

John Householder, Codes Officer – Commercial Plans Examiner

Elliott Sievers, Codes Officer

Dan Johnson, Fire Marshal

Colin Cumesty, Fire Inspector

Ruth Hawk, Community Development Director
Recommends approval of Ordinance 13-11

PROPOSED MOTION: Move to approve Ordinance 13-11.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-12, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 12. Building, Utility, Etc. Codes, Chapter 11. International Residential Code, to adopt the International Residential Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Residential Code for One- and Two-Family Dwellings, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The provisions of the residential code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures. The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

At the time the International Residential Code for One- and Two-Family Dwellings, 2006 Edition was adopted, the town adopted several modifications to the codes so as to follow current town practices and/or dovetail the requirements with requirements found elsewhere in our Municipal Code. The majority of the amendments found in Section 12-1102. Modifications of Ordinance 13-12 are identical to the amendments that are currently in our ordinance. Please note that section numbers have changed between the 2006 and 2012 codes.

Staff is recommending adoption of the International Residential Code, 2012 Edition, including Appendix A (Sizing and Capacities of Gas Piping), Appendix B (Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for use with Type B Vents), Appendix C (Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems), Appendix D (Recommended Procedure for Safety Inspection of an Existing Appliance Installation), Appendix E (Manufactured housing Used as Dwellings), Appendix F (Radon Control Methods), Appendix G

(Swimming Pools, Spas and Hot Tubs), Appendix H (Patio Covers), Appendix J (Existing Buildings and Structures), Appendix K (Sound Transmission), Appendix M (Home Day Care – R-3 Occupancy), Appendix N (Venting Methods), Appendix P (Sizing of Water Piping System), and Appendix Q (ICC International Residential Code Electrical Provisions/National Electrical Code Cross Reference), as published by the International Code Council, Inc.

Amendments (7), (8), (9) and (10) of Section 12-1102 are new. Amendment (7) eliminates the requirement to have a self-closing door between the house and an attached garage. Most residents would find a self-closing door to be an inconvenience and an annoyance in this setting.

Amendment (8) allows an approved air exchanger on the HVAC system which will make up the required ventilation in lieu of the dwelling unit being provided with whole-house mechanical ventilation.

Amendments (9) and (10) eliminates the requirement to have automatic fire sprinkler systems installed in townhouses and one- and two-family dwellings, but that if such systems are installed, that they meet the minimum codes.

Attached please find a 2012 IBC summary entitled “Effective Use of the International Residential Code”.

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
 John Householder, Codes Officer – Commercial Plans Examiner
 Elliott Sievers, Codes Officer
 Dan Johnson, Fire Marshal
 Colin Cumesty, Fire Inspector
 Ruth Hawk, Community Development Director
 Recommends approval of Ordinance 13-12

PROPOSED MOTION: Move to approve Ordinance 13-12.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A. II

MEETING DATE April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-13, ordinance on 2nd reading to amend the Farragut Municipal Code, Title 12, Building, Utility, Etc. Codes, Chapter 12. Plumbing and Gas/Mechanical Licensing Requirements, to delete fees and reference fee resolution

INTRODUCTION: On June 23, 2011, the Board of Mayor and Aldermen passed Resolution 2011-06, which established the fees the town charges for the various services provided. Some of the fees included in Resolution 2011-06 were found within the Municipal Code. At that time, we thought we had amended all the applicable ordinances removing fees.

DISCUSSION: The purpose of Ordinance 13-13 is to remove the referenced fee out of the Municipal Code. The passing of Resolution 2011-06, and subsequent resolutions, created a central location for all of the town's fees. This ordinance removes the duplicate fee and completes the process.

PROFESSIONAL RECOMMENDATION: Community Development Director, Ruth Hawk, recommends approval of Ordinance 13-13.

PROPOSED MOTION: To approve Ordinance 13-13.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER VII.A.12.

MEETING DATE: April 25, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-14, ordinance on 2nd reading to amend the text of the Farragut Municipal Code, Title 7. Fire Protection and Fireworks, Chapter 1. Fire Code, to adopt the International Fire Code, 2012 Edition and the NFPA 101 Life Safety Code, 2012 Edition

INTRODUCTION: The Town is currently under the International Fire Code, 2006 Edition and the NFPA 101 Life Safety Code, 2006 Edition. All codes are adopted by reference.

DISCUSSION: For the past two years the Town staff has been participating in the training of the 2012 editions of the various International Codes. Town staff also participated in two separate training sessions on 2012 ICC Codes with the Home Builders Association and other construction stakeholders. To remain current with ISO requirements and state law, the town must adopt new codes a minimum of every six years.

The purpose of these codes is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety to fire fighters and emergency responders during emergency operations.

Staff is recommending adoption of the International Fire Code, 2012 Edition, including Appendix B (Fire-Flow Requirements for Buildings), Appendix C (Fire Hydrant Locations and Distribution), Appendix D (Fire Apparatus Access Roads), Appendix E (Hazard Categories), Appendix F (Hazard Ranking), Appendix G (Cryogenic Fluids – Weight and Volume Equivalents), Appendix H (Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions), and Appendix I (Fire Protection Systems – Noncompliant Conditions), as published by the International Code Council. Staff is recommending adoption of the NFPA 101 Life Safety Code, 2012 Edition, including Annex A (Explanatory Material), Annex B (Supplemental Evacuation Equipment), and Annex C (Informational References), as prepared and adopted by the National Fire Protection Association.

At the time the International Fire Code, 2006 Edition and the NFPA 101 Life Safety Code, 2006 Edition were adopted, the town adopted several modifications to the codes so as to follow current town practices and/or dovetail the requirements with requirements found elsewhere in our Municipal Code. The majority of the amendments found in Section 7-102. Modifications of Ordinance 13-14 are identical to the amendments that are currently in our ordinance. Please note that some section numbers have changed between the 2006 and 2012 codes.

Amendments (10), (11), (16), (19) and (20) of Section 7-102 are new. These amendments primarily provide clarification and/or eliminate locks and latches problems that we have dealt with in the past.

Attached please find a 2012 IBC summary entitled “Effective Use of the International Fire Code” and the Table of Contents for the NFPA 101 Life Safety Code, 2012 Edition.

PROFESSIONAL RECOMMENDATION:

Steve Coker, Codes Officer
John Householder, Codes Officer – Commercial Plans Examiner
Elliott Sievers, Codes Officer
Dan Johnson, Fire Marshal
Colin Cumesty, Fire Inspector
Ruth Hawk, Community Development Director
Recommends approval of Ordinance 13-14

PROPOSED MOTION: Move to approve Ordinance 13-14.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE	13-17
PREPARED BY	Myers
PUBLIC HEARING	_____
DATE	_____
1 ST READING	_____
2 nd READING	_____
PUBLISHED IN	_____
DATE	_____

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 5, by adding Chapter 4, Hotel/Motel Tax, of the Farragut Municipal Code,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Municipal Code is hereby amended as follows:

SECTION 1.

The Farragut Municipal Code, Title 5. Municipal Finance and Taxation, is amended by adding Chapter 4. Hotel/Motel Tax as follows:

CHAPTER. - HOTEL/MOTEL TAX

- 5-401. Short title.
- 5-402. Definitions.
- 5-403. Levy of tax authorized.
- 5-404. Disposition of tax.
- 5-405. Collection and refund.
- 5-406. Remittance of tax.
- 5-407. Monthly tax return—Annual audit.
- 5-408. No advertising of rebates.
- 5-409. Delinquent taxes—Interest and penalty.
- 5-410. Records—Inspection.
- 5-411. Administration and enforcement.
- 5-412. Deposits of funds.
- 5-413. Severability clause.

5-401. Short title.

This chapter shall be known and cited as the Town of Farragut Hotel/Motel Tax Ordinance.

5-402. Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) *Consideration* means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever; provided, however, nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.
- (2) *Hotel* means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration. However, "hotel" shall not mean or include a "bed and breakfast", so long as such "bed and breakfast" has fewer than five rooms for rent.
- (3) *Occupancy* means the use or possession, or the right to use or possession, or any room, lodgings, or accommodations in any hotel.
- (4) *Operator* means the person operating the hotel whether as owner, lessee, or otherwise.
- (5) *Person* means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- (6) *Transient* means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than 30 continuous days.

5-403. Levy of tax authorized.

As authorized by Tenn. Code Ann. 67-4-1401, et seq., the board of mayor and aldermen of the Town of Farragut does hereby levy upon the occupancy in any hotel of each transient a privilege tax of 3% of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this chapter.

5-404. Disposition of tax.

The proceeds received by the Town of Farragut shall be designated and used for such purposes as the board may direct.

5-405. Collection and refund.

- (1) Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of the hotel and given directly or transmitted to the transient. Such tax shall be collected by such operator from the transient and remitted to the town.
- (2) When a person has maintained occupancy for 30 continuous days, that person shall receive from

the operator a refund or credit for the tax previously collected from or charged to him, and the operator shall receive credit for the amount of such tax if previously paid or reported to the Town of Farragut.

5-406. Remittance of tax.

- a) The tax hereby levied shall be remitted by all operators who lease, rent or charge for any rooms, lodgings, spaces or accommodations in hotels within the town to the Town Recorder, such tax to be remitted to such officer not later than the 20th day of each month for the preceding month. The operator is hereby required to collect the tax from the transient as the time of the presentation of the invoice for such occupancy whether prior to occupancy or after occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient, then the obligation to the town entitled to such tax shall be that of the operator.
- b) For the purpose of compensating the operator in accounting for remitting the tax levied pursuant to this article, the operator shall be allowed two percent (2%) of the amount of the tax due and accounted for and remitted to the city treasurer in the form of a deduction in submitting his report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

5-407. Monthly tax return—Annual audit.

The Town Recorder shall be responsible for the collection of such tax. A monthly tax return under oath shall be filed with the Town Recorder by the operator with such number of copies thereof as the Town Recorder may reasonably require for the collection of such tax. The report of the operator shall include such facts and information as may be deemed reasonable for the verification of the tax due. The form of such report shall be developed by the Town Recorder and approved by the Board of Mayor and Aldermen prior to use. The Town Recorder may audit each operator in the town at least once per year and report on the audits made to the Board of Mayor and Aldermen. The Board of Mayor and Aldermen is hereby authorized to adopt ordinances to provide reasonable rules and regulations for the implementation of the provisions of this chapter.

5-408. No advertising of rebates.

No operator of a hotel shall advertise or state in any manner whether directly or indirectly that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

5-409. Delinquent taxes—Interest and penalty.

Taxes collected by an operator which are not remitted to the Town Recorder on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at the rate of twelve percent (12%) per annum, and in addition, for a penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful or knowing refusal of an operator to collect or remit the tax, or willful or knowing refusal of a transient to pay the tax imposed is unlawful and shall be punishable by a civil penalty not to exceed \$50.00 per day per offense. The penalty is to be imposed separately for each offense. Each occurrence shall constitute a separate offense. Each

occurrence means each day for which there is a failure to collect or remit in the case of an operator, or a failure to pay in the case of a transient.

5-410. Records—Inspection.

It is the duty of every operator liable for the collection and payment to the town of any tax imposed by this chapter to keep and preserve for a period of three years all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of the payment to the town, which records the Town Recorder shall have the right to inspect at all reasonable times.

5-411. Administration and enforcement.

The Town Recorder in administering and enforcing the provisions of this chapter shall have as additional powers, those powers and duties with respect to collecting taxes as provided in Tennessee Code Annotated, title 67, or otherwise provided by law for the county clerks.

(1) Upon any claim of illegal assessment and collection, the taxpayer has the remedies provided in Tennessee Code Annotated, title 67, chapter 23, it being the intent of this chapter that the provision of law which apply to the recovery of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this chapter. The Town Recorder shall also possess those powers and duties as provided in Tennessee Code Annotated, section 67-1-707, for the county clerks with respect to the adjustment and refunds of such tax.

(2) With respect to the adjustment and settlement with taxpayers all errors of taxes collected by him under authority of this chapter shall be refunded by the town. The town recorder shall have the authority to direct the refunding of same. Notice of any tax paid under protest shall be given to the town recorder and any suit brought for recovery of tax paid under protest shall name the town recorder.

5-412. Deposits of funds.

The Town Recorder is hereby charged with the duty of collection of the tax herein authorized and shall place the proceeds of such tax in an account as designated in accordance with Section 5-102.

5-413. Severability clause.

The provisions of this chapter are hereby declared to be severable. If any of its sections, provisions, exceptions, or parts be held unconstitutional or void, the remainder of the chapter shall continue to be in full force and effect, if being the legislative intent now hereby declared, that this chapter would have been adopted even if such unconstitutional or void matter had not been included herein.

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.