



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
March 28, 2019**

BUDGET WORKSHOP
Capital Investment Program
5:45 PM

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Approval of Minutes**
 - A. March 14, 2019
- V. Business Items**
 - A. Approval of amendment to McFee Park Phase 3 design contract
- VI. Ordinances**
 - A. First Reading
 - 1. Ordinance 19-07, to Amend Chapter 105, Buildings and Building Regulations, Article 2., Building Code, of the Farragut Municipal Code, to Adopt the International Building Code, 2018 Edition
 - 2. Ordinance 19-08, to Amend Chapter 105, Buildings and Building Regulations, Article 3., Residential Code, of the Farragut Municipal Code, to Adopt the International Residential Code, 2018 Edition
 - 3. Ordinance 19-09, to Amend Chapter 105, Buildings and Building Regulations, Article 4., Accessible and Usable Building and Facilities, of

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It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please contact the ADA Coordinator at jcurry@townoffarragut.org or 865-966-7057 in advance of the meeting.

the Farragut Municipal Code, to Adopt the Accessible and Usable Building and Facilities ICC A117.1-2017 Edition

4. Ordinance 19-10, to Amend Chapter 105, Buildings and Building Regulations, Article 5., Electrical Code, of the Farragut Municipal Code, to Adopt the International Electrical Code, 2017 Edition
5. Ordinance 19-11, to Amend Chapter 105, Buildings and Building Regulations, Article 6., Energy Conservation Code, of the Farragut Municipal Code, to Adopt the International Energy Conservation Code, 2018 Edition
6. Ordinance 19-12, to Amend Chapter 105, Buildings and Building Regulations, Article 7., Fuel Gas Code, of the Farragut Municipal Code, to Adopt the International Fuel Gas Code, 2018 Edition
7. Ordinance 19-13, to Amend Chapter 105, Buildings and Building Regulations, Article 8., Mechanical Code, of the Farragut Municipal Code, to Adopt the International Mechanical Code, 2018 Edition
8. Ordinance 19-14, to Amend Chapter 105, Buildings and Building Regulations, Article 9., Plumbing Code, of the Farragut Municipal Code, to Adopt the International Plumbing Code, 2018 Edition
9. Ordinance 19-15, to Amend Chapter 105, Buildings and Building Regulations, Article 10., Property Maintenance Code, of the Farragut Municipal Code, to Adopt the International Property Maintenance Code, 2018 Edition
10. Ordinance 19-16, to Amend Chapter 105, Buildings and Building Regulations, Article 11., Swimming Pool and Spa Code, of the Farragut Municipal Code, to Adopt the International Swimming Pool and Spa Code, 2018 Edition
11. Ordinance 19-17, to Amend Chapter 105, Buildings and Building Regulations, Article 12., Amusement Device Code, of the Farragut Municipal Code, By Deleting It and Replacing Article 12 With the International Existing Building Code, 2018 Edition
12. Ordinance 19-18, to Amend Chapter 10, Fire Prevention and Protection, Article 2., Fire Code, of the Farragut Municipal Code, to Adopt the International Fire Code, 2018 Edition and The NFPA 101 Life Safety Code, 2018 Edition

- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Mayor's Report

Mayor Williams read a proclamation for John Householder as he is retiring after 23 years with the Town of Farragut.

Approval of Minutes

Motion was made to approve the minutes of March 14, 2019 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Business Items

Approval of amendment to McFee Park Phase 3 design contract

Motion was made to approve the amendment to the McFee Park Phase 3 design services contract with Ross/Fowler, P.C. for an additional amount of \$116,874 (total new contract amount \$559,124). Moved by Alderman Pinchok, seconded by Alderman Burnette.

After some discussion Alderman Pinchok called the question. Moved by Alderman Pinchok, seconded by Alderman Meyer. Roll call vote: Alderman Burnette, yes; Alderman Meyer, no; Alderman Pinchok, yes; Alderman Povlin, no; Mayor Williams, yes. Motion passed 3-2.

Roll call vote on the original motion of the amendment to the McFee Park Phase 3 design contract. Roll call vote: Alderman Burnette, yes; Alderman Meyer, no; Alderman Pinchok, yes; Alderman Povlin, no; Mayor Williams, yes. Motion passed 3-2.

Ordinances

First Reading

A motion was made to approve Ordinances 19-07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17 and 18 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok. Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes. Motion passed 5-0.

Ordinance 19-07, to Amend Chapter 105, Buildings and Building Regulations, Article 2., Building Code, of the Farragut Municipal Code, to Adopt the International Building Code, 2018 Edition

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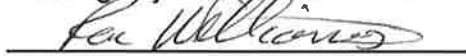
Citizens Forum

Ericka Holmes, 12024 W. Kings Gate and Ashley Forton, 12028 W. Kings Gate addressed the board concerning speeding and the access road to the Brookmere, a new subdivision along Virtue Road. Alderman Povlin encouraged them to complete the traffic calming application.

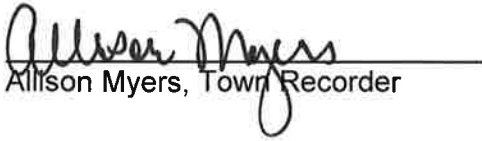
Town Administrator's Report

David Smoak, Town Administrator, announced that the Dogwood Arts trail ribbon cutting will be Thursday, April 4. He also announced that Sunday, April 14 the Campbell Station Inn would be open to the public as well as other activities that day.

Meeting adjourned at 8:30 PM.



Ron Williams, Mayor



Allison Myers, Town Recorder



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
March 28, 2019**

BUDGET WORKSHOP
Capital Investment Program
5:45 PM

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Approval of Minutes**
 - A. March 14, 2019
- V. Business Items**
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- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Board of Mayor and Aldermen Meeting Public Comment Protocol

The Board of Mayor and Aldermen welcomes and invites citizens to participate in public meetings.

At the beginning of each meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Clerk or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines:

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment conducive to presentation and discussion of the agenda items;
2. Anyone interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Clerk or a staff member;
3. Speakers shall come to the podium and identify themselves by name and address;
4. Public comment shall be limited to five (5) minutes per individual, time may be extended at the discretion of the Mayor; time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
March 14, 2019**

BUDGET WORKSHOP
General Fund Revenue/Expenditures Projections
6:00 PM

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Community Health Council Update
- IV. Approval of Minutes**
 - A. February 28, 2019
- V. Ordinances**
 - A. Public Hearing and Second Reading
 - 1. Ordinance 18-12, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on Parcels 84, 84.01, and 87, Tax Map 130 (now Lot 2R), located near the eastern intersection of N. Campbell Station Road and Fretz Road, 10.23 Acres, from R-1 to R-1/OSR (Fred Long Construction Concepts, Applicant)
 - 2. Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2

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(Grading Permit), Section 111-111 Required, To Change Grading Permit Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

3. Ordinance 19-04, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

VI. Business Items

- A. Appointment to the Knox County Growth Policy Committee.
- B. Approval of Amendment to the Professional Services Agreement with Whaley Construction, LLC to include Red Mill Lane

VII. Citizens Forum

VIII. Town Administrator's Report

IX. Town Attorney's Report

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin.

Approval of Agenda

Motion was made to approve the agenda, as amended, adding item VI., B. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Minutes

Motion was made to approve the minutes of February 28, 2019 as presented. Moved by Alderman Pinchok, seconded by Alderman Povlin, voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 18-12, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on Parcels 84, 84.01, and 87, Tax Map 130 (now Lot 2R), located near the eastern intersection of N. Campbell Station Road and Fretz Road, 10.23 Acres, from R-1 to R-1/OSR (Fred Long Construction Concepts, Applicant)

Motion was made to approve Ordinance 18-12 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Alderman Burnette, yes; Alderman Meyer; yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; motion passed.

Ordinance 18-16, an Ordinance to Amend the Text of The Farragut Stormwater Management Control Ordinance, Ordinance 05-16, As Amended, Pursuant to Authority Granted by Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 111. Stormwater Management Control, Article 1 (In General), Section 111-1 Definitions, to Add A Definition; Article 2 (Administration And Enforcement), Division 2 (Violations And Penalties), Section 111-60 Recovery Of Damages And Costs, To Clarify Fee Recovery Methods; Article 3 (Permits), Division 2 (Grading Permit), Section 111-111 Required, To Change Grading Permit Requirements; And Article 4 (Standards And Requirements), Section 111-150 General Performance Criteria For Stormwater Management, To Identify Additional Criteria For Select Sites

Motion was made to approve Ordinance 18-16 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Alderman Meyer; yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; motion passed.

Ordinance 19-04, an ordinance on second reading to amend the Town of Farragut Zoning Map to change the zoning on a portion of Parcel 005, Tax Map 151, 501 N. Watt Road, from Agricultural (A) to Neighborhood/Convenience Commercial (NCC), 5.2 Acres (over three-fourths in the Town and the remainder in Knox County) (Richard Cox and Kathleen Cox, Applicant)

Motion was made to approve Ordinance 19-04 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; motion passed.

Business Items

Appointment to the Knox County Growth Policy Committee.

Motion was made to appoint David Smoak, Town Administrator to the Knox County Growth Policy Committee. Moved by Mayor Williams, seconded by Alderman Pinchok; roll call vote; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; motion passed.

Approval of Amendment to the Professional Services Agreement with Whaley Construction, LLC to include Redmill Lane

Motion was made to approve Amendment 1 to agreement with Whaley Construction, LLC to add pipe repairs at Redmill Lane to the contract's scope of work. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; motion passed.

Citizens Forum

Cecilia Freeman, 11008 Sonja Drive and Kimberlie Parks, 11016 Sonja Drive addressed the board concerning the traffic calming on Sonja Drive. Vice-Mayor Povlin, distributed a map and speed data from the traffic calming study. Vice-Mayor Povlin requested that the board give direction to the engineering staff to waive the 85% percentile speed requirement on Sonja Drive and add this section of Sonja Drive to the traffic calming project. Other members of the board agreed with the assessment and requested that it be added.

Town Administrator's Report

David Smoak, Town Administrator, thanked the staff for their work due to the flooding a couple of weeks ago. He also thanked the parks staff for a great Shamrock Ball!

Meeting adjourned at 7:55 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Sue Stuhl, Parks & Recreation Director

SUBJECT: Approval of Contract Amendment for McFee Park Phase 3 Design Services

ATTACHMENTS: Original AIA Contract, Amendment with updated total and phasing costs and schematic

INTRODUCTION: This agenda item is to discuss an amendment to the current contract with Ross/Fowler P.C. for the design services of McFee Park Phase 3.

BACKGROUND: In October 2017, the Board of Mayor and Aldermen approved a contract with Ross/Fowler for architectural and engineering services for McFee Park Phase 3 which includes mass grading of the site; road connection from the current road to a new entrance on McFee Road; site utility systems (water, sewer and underground electric) for the entire project including stubouts for work in future phases; stormwater system for project including stubouts for work in future phases; east pavilion and restroom; east pavilion parking lot and associated parking lot lighting; great lawn; and the walking trail loop around the great lawn along with associated lighting. Initial cost estimate for construction was \$6,100,000 and the contract was for 7.25% of the estimated construction budget which was \$442,250 plus up to \$10,000 in reimbursable expenses (printing, reproductions, plots, documents, presentation materials, etc. as outlined in the contract.)

Work on the approved design moved forward and included land surveys (2) and a sink hole issue was addressed. During 2018 another option was proposed for Phase 3 that included a tennis court complex as either a substitute for the original Phase 3 or an addition. Ross/Fowler was contracted for \$44,000 to provide a basic schematic design and cost estimate for this option. At the BMA workshop in February 2019, the majority of the BMA indicated a desire to move forward with a hybrid plan (see attached McFee Phase 3 Schematic) with an estimated cost of \$7,712,055.

DISCUSSION:

Because the contract for McFee Park Phase 3 A & E services is based on 7.25% of the estimated construction cost now set at \$7,712,055, the compensation for the A & E services will have a net increase of \$116,874 bringing the total A & E compensation to \$559,124.

The Town budget included \$300,000 in FY2017 and \$350,000 in FY2018 for design and engineering services. In addition to this contract, the following fees have been paid out of the \$650,000:

- | | |
|---------------------------------|----------|
| • Master Plan: | \$39,500 |
| • Land Surveys (2): | \$56,075 |
| • Sinkhole Review: | \$9,974 |
| • Ross/Fowler-Additional Phase: | \$44,000 |

This brings the total design costs to \$708,673 plus up to \$10,000 for reimbursable expenses for a total cost up to \$718,673. The budget for FY2019 for McFee Park Phase 3 is \$4,000,000.

Once approved, the timeline for the start of construction would be early 2020 – as soon as weather would permit earthwork to be started. It is expected that construction plans would be available for bidding purposes by fall 2019 with approval of bids in November or December.

STRATEGIC PLAN: The Town of Farragut Strategic Plan lists as a Critical Success Factor Providing Excellent Parks, Recreation, Cultural Amenities and Programs.

RECOMMENDATION BY: Sue Stuhl

PROPOSED MOTION: Motion to approve an amendment to the McFee Park Phase 3 design services contract with Ross/Fowler, P.C. for an additional \$116,874.

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

AGENDA NUMBER V1. 1-12

MEETING DATE

March 28, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Karl A. Swierzko, Building Official

SUBJECT: Ordinances 19-07 through 19-18, ordinances on first reading to amend, Building and Building Regulations, and Fire Prevention and Protection of the Town of Farragut Municipal Code, to adopt the family of the 2018 International Building Code references.

INTRODUCTION AND BACKGROUND: The request is to replace the 2012 International Building Code publications and adopt the current 2018 International Building Codes. As required by Tennessee State Law exempt jurisdictions must have adopted, by ordinance, a version of the codes within with 7 years of the most recent published edition of the code. The Town's last adoption of building codes was for the 2012 International Building Code references that went into effect May 6, 2013. The State of Tennessee is currently on the 2012 codes and in the process of adopting the 2018 codes this summer.

As part of a continuing commitment in placing the public's welfare above all other interests, as demonstrated in some of our neighboring communities, the Town of Farragut recognizes the need for education and enforcement of current building and standardized codes. The codes are minimum requirements designed to safeguard the public health, safety and general welfare. Code enforcement helps ensure structural integrity in building, providing means of egress, sanitation, adequate light and ventilation, energy conservation, and safety to fire fighters and emergency responders during emergency operations. Residents, business owners and visitors alike expect and will have the assurance of a quality safe built environment.

DISCUSSION: Our goal is to adopt and enforce the current published codes with significantly fewer amendments in comparison to other communities. The modifications we currently enforce as adopted in the last ordinance will carried over into the new code adoption with some beneficial changes. The current time allowance to complete new building construction, commercial and residential, will increase from 12 months to 16 months. This extra time will allow for unforeseen construction delays and inclement weather. The key differences in new code publications are typically code language clarifications and enhanced structural stability, fire rated construction, means of egress and life safety systems.

RECOMMENDATION: In fulfillment of the Town's requirement to adopt current codes the request appears to be reasonable given that the City of Knoxville, Maryville, Alcoa, Kingsport, Gallatin and Hendersonville are some of the other communities that have already adopted the current building codes prior to the State of Tennessee adopting the 2018 building codes this summer. Building Official, Karl A. Swierzko and code staff, recommends approval of Ordinances 19-07 through 19-18.

PROPOSED MOTION: To approve Ordinances 19-07 through 19-18 on first reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-07

Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 2, BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 2, Building Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 2, Building Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 2

INTERNATIONAL BUILDING CODE

SECTION

- 105-19. International Building Code adopted.
- 105-20. Modifications.
- 105-21. Available in recorder's office.
- 105-22. Violation.
- 105-23. Presumed certification.
- 105-24. Repeated inspections.
- 105-25. Validity.

105-19. International Building Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or

ORDINANCE 19-07

Page 2

structure, the International Building Code, 2018 Edition, including Appendix C, Appendix G, and Appendix I, as published by the International Code Council, Inc, is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Building Code.

105-20. Modifications.

(a) The International Building Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.

(b) The International Building Code, is amended by adding the following:

“No building permit shall be issued unless and until an access permit as otherwise required by ordinance of the Town of Farragut has been issued.”

“No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, if the matter for which application has been filed, if completed, would be in violation of any ordinance of the Town of Farragut. No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, who, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut, nor shall any permit be issued for a premise that, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut.”

“A certificate of occupancy shall not be issued until all required building, electrical, gas, mechanical, plumbing, and fire protection systems have been inspected for compliance with the technical codes and all other applicable laws and ordinances of the Town of Farragut are met.”

(c) The International Building Code is amended by adding the following: Permit drawings shall be no larger than twenty-four (24) x thirty-six (36) inches.

(d) The International Building Code, is amended by adding the following:

(1) Design professional. The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his/her official seal to said drawings, specifications and accompanying data, for the following:

- a. All Group A, E and I occupancies.
- b. Buildings and structures three stories or higher.

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- c. Buildings and structures 5,000 square feet (465 square meters) or more in area.

For all other buildings and structure, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

- (2) Exception. Group R3 buildings, regardless of size, shall require neither a registered architect or engineer unless required by the building official.

(e) The International Building Code is amended by adding the following: Any structure in excess of 7,000 gross square feet per story and not more than two stories shall be of Type I, II, III or IV construction.

(f) The International Building Code is amended by adding the following: Any structure in excess of 7,000 gross square feet per story and not more than two stories shall be sprinklered per Section 903.3 of the International Building Code.

(g) The International Building Code is amended by adding the following: Fire walls shall be of noncombustible construction and shall have no penetrations or openings in Type V construction.

(h) Section 101.1 Title, of the International Building Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.

(i) The International Building Code is amended by adding the following:

"All building permits shall expire according to the following completion schedule from the date the permit is issued"

New construction	16 months
Additions	180 days
Accessory structures	180 days
Decks/porches	60 days
Swimming pools	60 days
New gas/mechanical	60 days
Moving structures	30 days
Demolition	30 days
Mechanical changeouts	30 days

(j) Section [A] 107.3.4 Design professional in responsible charge, of the International Building

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Code, is amended by adding the following:

[A] 107.3.4.2 Construction documents. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by a Tennessee registered architect or engineer shall be affixed with their official seal.

(k) Section 113 Board of Appeals, of the International Building Code, is amended by adding the following:

[A] 113.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

[A] 113.5 Application. Application to board of appeals shall be made prior to commencement of construction.

[A] 113.6 Notice of meeting. The board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

[A] 113.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

[A] 113.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

[A] 113.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

[A] 113.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] 113.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(l) Section 114 Violations, of the International Building Code, is amended by adding the following:

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[A] 114.5 Revocation. The building official may also revoke a permit or approval if a permit holder shall, subsequent to the issuance of such permit or approval, violate the terms of the International Building Code or the provisions of any other pertinent sections of the Farragut Municipal Code or other ordinances of the Town of Farragut.”

(m) Section [F] 502 Building Address, of the International Building Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

[F] 502 Posting of designated street address.

- a. All buildings (excluding accessory buildings) shall display the number assigned by the Knox County Addressing Division to the frontage on which the building's front entrance is located. If a building is occupied by more than one unit, each separate outside entrance shall display a separate number.
- b. Numerals indicating the official numbers for each building or each entrance to such building shall be placed either over or at the side of the main entrance of said building or upon the front of any porch or stoop thereof or over or at the side of any gateway leading thereto, or upon the steps thereof in such manner that the same may be plainly seen and distinguishable from the street on which the property is located and in such manner that the same shall not be hidden from view by any trees or shrubs or other obstruction.
- c. If a unit does not allow ready or easy visibility of its address numerals from the street due to excessive set back, shrubbery or color, an address identification marker shall be placed near the entrance or driveway to the parcel. Such identification marker shall not exceed a total area of two (2) square feet.
- d. All building numbers displayed shall be permanent, legible figures not less than four (4) inches nor more than six (6) inches high and of a color contrasting to the building background.
- e. In addition to the required assigned numerals on all buildings and the required address identification markers for units with excessive setbacks and/or visibility problems it shall also be permissible to have property address numerals painted on the curb in front of a lot. Such curbside designation shall be positioned in front of the unit or between the driveway and half the distance of the frontage along the public street. All painted numerals displayed on curbs shall be permanent, legible black colored numerals, which are no more nor less than four (4) inches high, on a white contrasting background. All paint used shall be of alkyd resin, Type F traffic paint, or an equal approved by the Town's engineering department. Numerals shall have glass beads or similar materials for reflective purposes.
- f. A proper address shall be required for any permit issuance. Final approval of a certificate of occupancy of a building erected or repaired shall be withheld until permanent and proper numbers have been displayed in accordance with this section.

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(n) Section 708.1 General, of the International Building Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

708.1 General. The following wall, ceiling, and floor assemblies shall comply with this section.

- a. Walls, ceilings, and floors separating dwelling units in the same building as required by Section 420.2.
- b. Walls, ceilings, and floors separating sleeping units in the same building as required by Section 420.2.
- c. Walls, ceilings, and floors separating tenant spaces in covered and open mall buildings as required by Section 402.4.2.1.
- d. Corridor walls, ceilings, and floors are required by Section 1020.1.
- e. Elevator lobby separation as required by Section 713.14.

(o) Section 708 Fire Partitions, of the International Building Code, is amended by adding the following:

708.10. Tenant Separations. All tenants shall be separated by a minimum of a one-hour fire rated envelope. This shall include but not be limited to floors, walls, and ceilings.

(p) Section [F] 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more, of the International Building Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

[F] 907.2.1.1 System initiation in Group A occupancies with an occupant load of three hundred (300) or more. Activation of the fire alarm in Group A occupancies with an occupant load of three hundred (300) or more shall initiate a signal using an emergency voice/alarm communications system in accordance with NFPA 72.

(q) Section [F] 907.2.10.2 Groups R-2, R-3, R-4 and I-1, of the International Building Code, is amended by adding the following:

4. In each private garage attached to and serving a dwelling unit.

(r) Section 1010.1.9.4 Locks and latches, of the International Building Code, is amended by deleting item 2. in its entirety.

(s) Section 1013.2 Where required., of the International Building Code, is amended by deleting the first sentence and substituting in lieu thereof the following:

“Guards shall be located along open-sided walking surfaces or ground surfaces, mezzanine, equipment platforms, retaining walls, stairways, ramps, landings and any

other locations that are located more than 30 (thirty) inches (762 mm) above the floor or grade below.”

105-21. Available in recorder’s office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Building Code, 2018 Edition, has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

105-22. Violation. Any person who shall violate a provision of the International Building Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-23. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Building Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Building Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Building Code or otherwise.

105-24. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-25. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-08
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 3, RESIDENTIAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Article 3, Residential Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Article 3, Residential Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 3

INTERNATIONAL RESIDENTIAL CODE

SECTION

- 105-52. International Residential Code adopted.
- 105-53. Modifications.
- 105-54. Available in recorder's office.
- 105-55. Violation.
- 105-56. Presumed certification.
- 105-57. Repeated inspections.
- 105-58. Validity.

105-52. International Residential Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single family

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dwelling (townhouses) not more than three stories in height with separate means of egress as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Residential Code, 2018 Edition, including Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix M, Appendix N, and Appendix Q, as published by the International Code Council, Inc, is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Residential Code.

105-53. Modifications.

(a) The International Residential Code is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Alderman.

(b) Whenever reference is made to the “board of appeals,” such shall be deemed to refer to the Farragut Board of Plumbing and Gas/Mechanical Examiners.

(c) The International Residential Code, is amended by adding the following:

“All building permits shall expire according to the following schedule from the date the permit is issued”

New construction	16 months
Additions	180 days
Accessory structures	180 days
Decks/porches	60 days
Swimming pools	60 days
New gas/mechanical	60 days
Moving structures	30 days
Demolition	30 days
Mechanical changeouts	30 days

(d) The International Residential Code, is amended by adding the following:

“No building permit shall be issued unless and until an access permit as otherwise required by ordinance of the Town of Farragut has been issued.”

“No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, if the matter for which application has been filed, if completed, would be in violation of any ordinance of the Town of Farragut. No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, who, prior to the

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issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut, nor shall any permit be issued for a premise

that, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut.”

(e) Section R101.1 Title, of the International Residential Code, is amended by inserting the phrase “Town of Farragut” for NAME OF JURISDICTION.

(f) Section R113 Violations, of the International Residential Code, is amended by adding the following:

“The building official may also revoke a permit or approval if a permit holder shall, subsequent to the issuance of such permit or approval, violate the terms of the International Residential Code or the provisions of any other pertinent sections of the Farragut Municipal Code or ordinances of the Town of Farragut.”

(g) Table R301.2(1) Climate and Geographical Design Criteria.

Insert “10 PSF” in the table for Ground Snow Load.

Insert “90” in the table for Wind Speed.

Insert “No” in the table for Topographical Effects.

Insert “C” in the table for Seismic Design Category.

Insert “Severe” in the table for Weathering.

Insert “12 inches” in the table for Frost Line Depth.

Insert “Moderate to Heavy” in the table for Termite.

Insert “19 Degrees Fahrenheit” in the table for Winter Design Temperature.

Insert “No” in the table for Ice Barrier Required.

Insert “210” in the table for Air Freezing Index.

Insert “59.4” in the table for Mean Annual Temperature.

Insert “981 ft.” in the table for Elevation.

Insert “36 Degrees N” in the table for Latitude.

Insert “20 Degrees Fahrenheit” in the table for Winter Heating.

Insert “90 Degrees Fahrenheit” in the table for Summer Cooling.

Insert “.97” in the table for Altitude Correction Factor.

Insert “70 Degrees Fahrenheit” in the table for Indoor Design Temperature.

Insert “75 Degrees Fahrenheit” in the table for Design Temperature Cooling.

Insert “20-25 Degrees Fahrenheit” in the table for Heating Temperature Difference.

Insert “6-22 Degrees Fahrenheit” in the table for Cooling Temperature Difference.

Insert “15 mph” in the table for Wind Velocity Heating.

Insert “7.5 mph” in the table for Wind Velocity Cooling.

Insert “20 Degrees Fahrenheit” in the table for Daily Range.

Insert “50%” in the table for Winter Humidity.

Insert “50%” in the table for Summer Humidity.

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(h) Section R302.5.1 Opening protection, of the International Residential Code, is amended by deleting the phrase “equipped with a self-closing device.”

(a) Section R303.4 Mechanical ventilation, of the International Residential Code, is amended by adding the phrase “or approved air exchanger on the HVAC system which will make up the required ventilation.”

(j) Section R313.1 Townhouse automatic fire sprinkler systems, of the International Residential Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

Section R313.1 Townhouse automatic fire sprinkler systems. When an automatic residential fire sprinkler system is installed in townhouses, the following shall apply:

(k) Section R313.2 One- and two-family dwellings automatic fire systems, of the International Residential Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

Section R313.2 One- and two-family dwellings automatic fire systems. When an automatic residential fire sprinkler system is installed in one- and two-family dwellings, the following shall apply:

(l) Section R319 Site Address, of the International Residential Code, is amended by adding the following:

Posting of designated street address.

(a) All buildings (excluding accessory buildings) shall display the number assigned by the Knox County Addressing Division to the frontage on which the building’s front entrance is located.

If a building is occupied by more than one residential unit, each separate outside entrance shall display a separate number.

(b) Numerals indicating the official numbers for each building or each entrance to such building shall be placed either over or at the side of the main entrance of said building or upon the front of any porch or stoop thereof or over or at the side of any gateway leading thereto, or upon the steps thereof in such manner that the same may be plainly seen and distinguishable from the street on which the property is located and in such manner that the same shall not be hidden from view by any trees or shrubs or other obstruction.

(c) If a unit does not allow ready or easy visibility of its address numerals from the street due to excessive set back, shrubbery or color, an address identification marker shall

be placed near the entrance or driveway to the parcel. Such identification marker shall not exceed a total area of two square feet.

- (d) All building numbers displayed shall be permanent, legible figures not less than four inches nor more than six inches high and of a color contrasting to the building background.
- (e) In addition to the required assigned numerals on all buildings and the required address identification markers for units with excessive setbacks and/or visibility problems it shall also be permissible to have property address numerals painted on the curb in front of a lot. Such curbside designation shall be positioned in front of the unit or between the driveway and half the distance of the frontage along the public street.

All painted numerals displayed on curbs shall be permanent, legible black colored numerals, which are no more nor less than four inches high, on a white contrasting background. All paint used shall be of alkyd resin, Type F traffic paint, or an equal approved by the town's engineering department. Numerals shall have glass beads or similar materials for reflective purposes.

- (f) A proper address shall be required for any permit issuance. Final approval of a certificate of occupancy of a building erected or repaired shall be withheld until permanent and proper numbers have been displayed in accordance with this section.

105-54. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Residential Code, 2018 Edition has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

105-55. Violation. Any person who shall violate a provision of the International Residential Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-56. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Residential Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Residential Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Residential

Code or otherwise.

105-57. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-58. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-09
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 4, ACCESSIBLE AND USEABLE BUILDING AND FACILITIES OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2017 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 4, Accessible and Usable Building and Facilities of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 4, Accessible and Usable Buildings and Facilities, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 4

ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES

SECTION

- 105-88. Accessible and Usable Building and Facilities adopted.
- 105-89. Available in recorder's office.
- 105-90. Violation.
- 105-91. Presumed certification.
- 105-92. Validity.

105.88 Accessible and Usable Building and Facilities adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of allowing a person with a physical disability to independently get to, enter, and use a site, facility, building or element, the Accessible and Usable Buildings and Facilities ICC A117.1-2017, ANSI American National Standard, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as

ORDINANCE 19-09

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the Accessibility Code.

105.89. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the Accessibility Code, 2017 edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

105.90. Violation. Any person who shall violate a provision of the Accessibility Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105.91. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the Accessibility Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the Accessibility Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the Accessibility Code or otherwise.

105.92. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-10
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 5, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NATIONAL ELECTRICAL CODE, 2017 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 5, Electrical Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 5, Electrical Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

105-111. Electrical code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purposes of regulating the installation of electrical components, apparatus, wiring, and other applications of electrical components, within the municipality, the NFPA70 National Electric Code, 2017 Edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code.

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-11
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 6, ENERGY CONSERVATION CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 6, Energy Conservation Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 6, Energy Conservation Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 6

INTERNATIONAL ENERGY CONSERVATION CODE

SECTION

- 105-144. International Energy Conservation Code adopted.
- 105-145. Modifications.
- 105-146. Available in recorder's office.
- 105-147. Violation.
- 105-148. Presumed certification.
- 105-149. Repeated inspections.
- 105-150. Validity.

105-144. International Energy Conservation Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating the design and construction of buildings for the effective use and conservation of energy over the useful life of each building, the International Energy Conservation Code, 2018 Edition, as published by the International Code Council, Inc., is hereby adopted and incorporated

ORDINANCE 19-11

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by reference as part of this code and hereinafter referred to as the International Energy and Conservation Code.

105-145. Modifications.

(a) The International Energy Conservation Code is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.

(b) Section C101.1 Title, of the International Energy Conservation Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.

(c) Section R101.1 Title, of the International Energy Conservation Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.

(d) Section C109 Board of Appeals, of the International Energy Conservation Code, is amended by adding the following:

C109.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

C109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

C109.6 Notice of meeting. The board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

C109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

C109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

C109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

C109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

C109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the

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right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(e) Section R109 Board of Appeals, of the International Energy Conservation Code, is amended by adding the following:

R109.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

R109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

R109.6 Notice of meeting. The board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

R109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

R109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

R109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

R109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

R109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(f) Section R402 Building Thermal Envelope, of the International Energy Conservation Code, is amended by adding the following infiltration rates:

Blower Door – Air changes per hour at 50 pascals after 7/1/2015 shall be a maximum of 3.

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(g) Section R402 Building Thermal Envelope, Table R402.1.2 “Insulation and Fenestration Requirements by Component”, of the International Energy Conservation Code, is

amended by replacing “20 or 13 + 5” in the Wood Frame R-Value column with R-13 for “Climate Zone 4 except Marine”.

(h) Section R402.4.1.2 Testing, of the International Energy Conservation Code, is amended by adding the following:

Third party verifiers/testers shall be certified by a town recognized professional certifying agency, such as ENERGYSTAR, RESNET, or BPI.

105-146. Available in recorder’s office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Energy Conservation Code, 2018 Edition, has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

105-147. Violation. Any person who shall violate a provision of the International Energy Conservation Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-148. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Energy Conservation Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Energy Conservation Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Energy Conservation Code or otherwise.

105.149. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be

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assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-150. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-12
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 7, FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 7, Fuel Gas Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 7, Fuel Gas Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 7

INTERNATIONAL FUEL GAS CODE

SECTION

- 105-167. International Fuel Gas Code adopted.
- 105-168. Modifications.
- 105-169. Available in recorder's office.
- 105-170. Violation.
- 105-171. Presumed certification.
- 105-172. Repeated inspections.
- 105-173. Validity.

Sec. 105-167. International Fuel Gas Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating fuel gas piping installations, including repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, the International Fuel Gas Code, 2018 Edition, including Appendix A,

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Appendix B, Appendix C, and Appendix D, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Fuel Gas Code.

105-168. Modifications.

- (a) The International Fuel Gas Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.
- (b) Section 101.1 Title, of the International Fuel Gas Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (c) Section 106.6.2 Fee Schedule.
Delete Section in its entirety and insert "Fees adopted by resolution" in its place.
- (d) Section 106.6.3 Fee refunds.
Delete Section in its entirety including section number and title.
- (e) Section 108.4 Violation penalties.
Delete Section in its entirety and insert "subject to penalties as prescribed by law" in its place.
- (f) Section 108.5 Stop work orders.
Delete Section in its entirety and insert "subject to penalties as prescribed by law" in its place.
- (g) The International Fuel Gas Code, is amended by deleting Section 109 (IFGC) Means of Appeal, in its entirety and substituting in lieu thereof the following:

SECTION 109 MEANS OF APPEAL

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

109.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is

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Page 3

proposed. The board shall have no authority to waive requirements of this code.

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

109.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

109.6 Notice of meeting. The board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(h) Section 403.5 Metallic tubing, of the International Fuel Gas Code, is amended by adding thereto said paragraph as follows:

"The use of copper tubing is prohibited, except for outside, underground use."

(i) Section 403.5.2 Copper and brass tubing, of the International Fuel Gas Code, is amended by deleting the same in its entirety.

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Page 4

(j) Section 403.5.3 Aluminum tubing, of the International Fuel Gas Code, is amended by deleting the same in its entirety.

105-169. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Fuel Gas Code, 2018 Edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

105-170. Violation. Any person who shall violate a provision of the International Fuel Gas Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-171. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Fuel Gas Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Fuel Gas Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Fuel Gas Code or otherwise.

105-172. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time

ORDINANCE 19-12

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as he/she is ready for the follow-up inspection to be undertaken.

105-173. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-13
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 8, MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 8, Mechanical Code of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 8, Mechanical Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 8

INTERNATIONAL MECHANICAL CODE

SECTION

- 105-198. International Mechanical Code adopted.
- 105-199. Modifications.
- 105-200. Available in recorder's office.
- 105-201. Violation.
- 105-202. Presumed certification.
- 105-203. Repeated inspections.
- 105-204. Validity.

105-198. International Mechanical Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating mechanical installations, including alterations, repairs, equipment, appliances, fixtures, fittings and the appurtenances thereto, the International Mechanical Code, 2018 Edition,

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Page 2

including Appendix A, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Mechanical Code.

105-199. Modifications

(a) The International Mechanical Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.

(b) Section 101.1 Title, of the International Mechanical Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.

(c) Section 106.5.2 Fee schedule.

Delete section in its entirety and insert "Fees as adopted by resolution" in its place.

(d) Section 106.5.3 Fee refunds.

Delete section in its entirety including section number and title.

(e) Section 108.4 Violation penalties.

Delete section in its entirety and insert "subject to penalties as prescribed by law" in its place.

(f) Stop work orders.

Delete section in its entirety and insert "subject to penalties as prescribed by law" in its place.

(g) The International Mechanical Code, is amended by deleting Section 109 Means of Appeal, in its entirety and substituting in lieu thereof the following:

SECTION 109 MEANS OF APPEAL

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

109.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

ORDINANCE 19-13

Page 3

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

109.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

109.6 Notice of meeting. The board shall meet upon notice from the chairman, within ten (10) days of the filing of an appeal, or at stated periodic meetings.

109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(h) Section 606 Smoke Detection Systems Control, of the International Mechanical Code, is amended by adding a new section as follows:

Section 606.5 Systems with a capacity of 2,000 CFM or less. Recirculating air systems with a fan capacity of 2,000 cfm (0.9 m³/s) or less, but serving an area used for egress, shall have an automatic shutdown. Automatic shutdown may be by means of an approved smoke detector placed in the return air stream prior to any exhausting from the building or mixing with the fresh air makeup.

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105-200. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Mechanical Code, 2018 Edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

105-201. Violation. Any person who shall violate a provision of the International Mechanical Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-202. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Mechanical Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Mechanical Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Mechanical Code or otherwise.

105-203. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-204. Validity. If any section, subsection, sentence, clause or phrase 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.

ORDINANCE 19-13

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SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-14
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 9, PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 9, Plumbing Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 9, Plumbing Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 9

INTERNATIONAL PLUMBING CODE

SECTION

- 105-230. International Plumbing Code adopted.
- 105-231. Modifications.
- 105-232. Available in recorder's office.
- 105-233. Violation.
- 105-234. Presumed certification.
- 105-235. Repeated inspections.
- 105-236. Validity.

105-230. International Plumbing Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating plumbing installations, including repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, the International Plumbing Code, 2018 Edition, including Appendix B,

ORDINANCE 19-14

Page 2

Appendix C, Appendix D, Appendix E, and Appendix F, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Plumbing Code.

105-231. Modifications

- (a) The International Plumbing Code is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.
- (b) Section 101.1 Title, of the International Plumbing Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (c) Section 106.2 Fee schedule.
Delete section in its entirety and insert "Fees as adopted by resolution" in its place.
- (d) Section 106.3 Fee refunds.
Delete section in its entirety including section number and title.
- (e) Section Violation penalties.
Delete section in its entirety and insert "subject to penalties as prescribed by law" in its place.
- (f) Section 108.5 Stop work orders.
Delete section in its entirety and insert "subject to penalties as prescribed by law" in its place.
- (g) The International Plumbing Code, is amended by deleting Section 109 Means of Appeal, in its entirety and substituting in lieu thereof the following:

SECTION 109 MEANS OF APPEAL

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

109.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

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109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

109.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

109.6 Notice of meeting. The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

105-232. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Plumbing Code, 2018 Edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

ORDINANCE 19-14

Page 4

105-233. Violation. Any person who shall violate a provision of the International Plumbing Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-234. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Plumbing Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Plumbing Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Plumbing Code or otherwise.

105-235. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-236. Validity. If any section, subsection, sentence, clause or phrase 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.

ORDINANCE 19-14

Page 5

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-15
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 10, PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 10, Property Maintenance Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 10, International Property Maintenance Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 10

INTERNATIONAL PROPERTY MAINTENANCE CODE

SECTION

- 105-264. International Property Maintenance Code adopted.
- 105-265. Modifications.
- 105-266. Available in recorder's office.
- 105-267. Presumed certification.
- 105-268. Validity.

105-264. International Property Maintenance Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and 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

ORDINANCE 19-15

Page 2

demolition of such existing structures as herein provided; and each and all the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code, 2018 Edition, including Appendix A, as prepared and adopted by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and is hereinafter referred to as the International Property Maintenance Code.

105-265. Modifications.

- (a) Section 101.1 Title, of the International Property Maintenance Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (b) Whenever reference is made to the "board of appeals," such shall be deemed to refer to the Farragut Board of Plumbing and Gas/Mechanical Examiners.
- (c) Section 111.2.1 Alternate members, of the International Property Maintenance Code, is amended by deleting the same in its entirety.
- (d) Section 114.1.1 Procedure. Delete "liable for a fine not less than (AMOUNT) dollars or more than (DOLLARS)" and insert "subject to penalties as prescribed by law".
- (e) Section 302.4 Weeds, of the International Property Maintenance Code, is amended by deleting the first sentence in its entirety and substituting in lieu thereof the following:
All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve 12 inches.
- (f) Section 304.14 Insect screen. Delete "During the period from (DATE) to (DATE)" and change "every" to "Every".
- (g) Section 602.3 Heat supply. Delete "during the period from (DATE) to (DATE)".
- (h) Section 602.4 Occupiable work spaces. Delete "during the period from (DATE) to (DATE)".

105-266. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one copy of the International Property Maintenance Code, 2018 Edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

105-267. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Property Maintenance Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Property Maintenance Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and

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in addition to any remedies enforceable by the municipality under the terms of the International

Property Maintenance Code or otherwise.

105-268. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-16
Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND SECTION 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 11, SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 11, Swimming Pool Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Section 105, Building and Building Regulations, Article 11, Swimming Pool Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 11

INTERNATIONAL SWIMMING POOL AND SPA CODE

SECTION

- 105-298. International Swimming Pool and Spa Code adopted.
- 105-299. Modifications.
- 105-300. Available in recorder's office.
- 105-301. Violation.
- 105-302. Presumed certification.
- 105-303. Repeated inspections.
- 105-303. Validity.

105-298. International Swimming Pool and Spa Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of protection for public health, welfare, and safety by prescribing minimum standards for the

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design, construction, or installation, repair or alterations of swimming pools, public or private, and equipment related thereto, the International Swimming Pool and Spa Code, 2018 Edition, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Swimming Pool and Spa Code.

105-299. Modifications.

- (a) The International Swimming Pool and Spa Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.
- (b) Section 101.1 Title, of the International Swimming Poole and Spa Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (c) At the end of the section insert "No swimming pool permit shall be permitted unless the swimming pool plans have been approved by the Knox County Health Department excluding private pool accessory to and on the same lot as a single-family dwelling".
- (d) Section 105.6.2 Fee schedule. Delete Section 105.6.2 in its entirety and insert "Fees as adopted by resolution".
- (e) Section 105.6.3 Fee refunds. Delete Section 105.6.3 in its entirety including section number and title.
- (f) Section 107.4 Violation penalties. Delete Section 107.4 "guilty of (SPECIFY OFFENCE) punishable of a fine of not more than (AMOUNT) dollars or by imprisonment not exceeding (NUMBER OF DAYS), or both such fine and imprisonment" and insert "subject to penalties as prescribed by law" in its place.
- (g) Section 107.5 Stop work orders. Delete "liable for a fine of not less than (AMOUNT) dollars or more than (AMOUNT) dollars" and insert "subject to penalties as prescribed by law".
- (h) The International Swimming Pool and Spa Code, is amended by deleting Section 108 Means of Appeal, in its entirety and substituting in lieu thereof the following:

**SECTION 108
MEANS OF APPEAL**

108.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

108.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

108.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

108.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

108.5 Application. Application to board of appeals shall be made prior to commencement of construction.

108.6 Notice of meeting. The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

108.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

108.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

108.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

108.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

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108.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law.

Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(i) The International Swimming Pool and Spa Code, is amended by adding:

“Tennessee Code Annotated 68-14-801 through 68-14-807, also known as “Katie Beth’s Law”, shall apply.

105-300. Available in recorder’s office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one copy of the International Swimming Pool and Spa Code, 2018 Edition, has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

105-301. Violation. Any person who shall violate a provision of the International Swimming Pool and Spa Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-302. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Swimming Pool and Spa Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Swimming Pool and Spa Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Swimming Pool and Spa Code or otherwise.

105-303. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required

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construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-304. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-17

Swierzko/Johnson/Householder/Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 105, BUILDING AND BUILDING REGULATIONS, ARTICLE 12, AMUSEMENT DEVICE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 105, Building and Building Regulations, Article 12, Amusement Device Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 105, Building and Building Regulations, Article 12, Amusement Device Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 12

INTERNATIONAL EXISTING BUILDING CODE

SECTION

- 105-325. International Existing Building Code adopted.
- 105-326. Modifications.
- 105-327. Available in recorder's office.
- 105-328. Violation.
- 105-329. Presumed certification.
- 105-330. Repeated inspections.
- 105-331. Validity.

105-325. International Existing Building Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of regulating the repair, alteration, change in occupancy, addition and relocation of existing buildings,

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the International Existing Building Code, 2018 Edition, as published by the International Code Council, Inc, is hereby adopted and incorporated by reference as part of this code and hereinafter referred to as the International Existing Building Code.

105-326. Modifications.

- (a) The International Existing Building Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.

- (b) The International Existing Building Code, is amended by adding the following:

“No building permit shall be issued unless and until an access permit as otherwise required by ordinance of the Town of Farragut has been issued.”

“No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, if the matter for which application has been filed, if completed, would be in violation of any ordinance of the Town of Farragut. No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, who, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut, nor shall any permit be issued for a premise that, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut.”

“A certificate of occupancy shall not be issued until all required building, electrical, gas, mechanical, plumbing, and fire protection systems have been inspected for compliance with the technical codes and all other applicable laws and ordinances of the Town of Farragut are met.”

- (c) The International Existing Building Code, is amended by adding the following:
Permit drawings shall be no larger than 24 inches by 36 inches.

- (d) The International Existing Building Code, is amended by adding the following:

- (1) Design professional. The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his/her official seal to said drawings, specifications and accompanying data, for the following:
- a. All Group A, E and I occupancies.
 - b. Buildings and structures three stories or higher.
 - c. Buildings and structures 5,000 square feet (465 square meters) or more in area.

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For all other buildings and structure, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

- (2) Exception. Group R3 buildings, regardless of size, shall require neither a registered architect or engineer unless required by the building official.
- (e) The International Existing Building Code is amended by adding the following: Any structure in excess of 7,000 gross square feet per story and not more than two stories shall be sprinklered per Section 903.3 of the International Building Code.
- (f) The International Existing Building Code is amended by adding the following: Fire walls shall be of noncombustible construction and shall have no penetrations or openings in Type V construction.
- (g) Section 101.1 Title, of the International Existing Building Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (h) Section 112 Board of Appeals, of the International Existing Building Code, is amended by adding the following:

[A] 112.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

[A] 112.5 Application. Application to board of appeals shall be made prior to commencement of construction.

[A] 112.6 Notice of meeting. The board shall meet upon notice from the chairman, within twenty (20) days of the filing of an appeal, or at stated periodic meetings.

[A] 112.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

[A] 112.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

[A] 112.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

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[A] 112.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] 112.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law.

Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(i) Section 114 Violations, of the International Existing Building Code, is amended by adding the following:

[A] 114.6 Revocation. The building official may also revoke a permit or approval if a permit holder shall, subsequent to the issuance of such permit or approval, violate the terms of the International Building Code or the provisions of any other pertinent sections of the Farragut Municipal Code or other ordinances of the Town of Farragut.”

105-327. Available in recorder’s office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Existing Building Code, 2018 Edition, has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

105-328. Violation. Any person who shall violate a provision of the International Existing Building Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

105-329. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Existing Building Code shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Existing Building Code. Breach of the terms of such certification shall give rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Existing Building Code or otherwise.

105-330. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the

ORDINANCE 19-17

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appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the codes official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the codes official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

105-331. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

ORDINANCE:
PREPARED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

19-18
Swierzko/Johnson/Householder//Sievers/Price

AN ORDINANCE TO AMEND CHAPTER 10, FIRE PREVENTION AND PROTECTION, ARTICLE 2, FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2018 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2018 EDITION

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut, Tennessee, wishes to amend Chapter 10, Fire Prevention and Protection, Article 2, Fire Code, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 10, Fire Prevention and Protection, Article 2, Fire Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

ARTICLE 2

INTERNATIONAL FIRE CODE

SECTION

- 10-19. Fire Code adopted.
- 10-20. Modifications.
- 10-21. Available in recorder's office.
- 10-22. Violation.
- 10-23. Presumed certification.
- 10-24. Repeated inspections.
- 10-25. Validity.

10-19. Fire Code adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of establishing the minimum requirements 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

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fighters and emergency responders during emergency operations, the International Fire Code, 2018 Edition, including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, and Appendix I, as published by the International Code Council, Inc., and the NFPA 101 Life Safety Code, 2018 Edition, including Annex A, Annex B, and Annex C, as prepared and adopted by the National Fire Protection Association, are hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the fire code.

10.21. Modifications.

- (a) The International Fire Code and NFPA 101 Life Safety Code, is amended by establishing the permit fees in the general fee schedule resolution adopted by the Farragut Board of Mayor and Aldermen.
- (b) Section [A] 101.1 Title, of the International Fire Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.
- (c) Section 105. Permits, of the International Fire Code, shall be amended by adding the following:

105.2.1.1 Permit denial. No permit shall be issued to an applicant, or any other shareholder of the entity serving as the applicant, if the matter for which application has been filed, if completed, would be in violation of any ordinance of the Town of Farragut. No permit shall be issued to an applicant, or any shareholder of the entity serving as the applicant, who, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut nor shall any permit be issued for a premise that, prior to the issuance of the permit, is in violation of any other sections of the Farragut Municipal Code or ordinance of the Town of Farragut.

- (d) Section 109 Board of Appeals, of the International Fire Code, is amended by adding the following:

108.4 Membership. The Farragut Board of Plumbing and Gas/Mechanical Examiners shall serve as the board of appeals.

109.5 Application. Application to board of appeals shall be made prior to commencement of construction.

109.6 Notice of meeting. The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

109.7 Open hearing. All hearings before the board shall be open to the public. The appellant, the

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appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

109.7.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

109.8 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of membership.

109.8.1 Administration. The code official shall take immediate action in accordance with the decision of the board.

109.9 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

(e) Section 110. Violations, of the International Fire Code, shall be amended by adding the following:

110.1.1 Revocation. The fire official may also revoke a permit or approval if a permit holder shall, subsequent to the issuance of such permit or approval, violate the terms of the International Fire Code or the provisions of any other pertinent sections of the Farragut Municipal Code or ordinances of the Town of Farragut.

(f) Section 401.3.1 Fire events, of the International Fire Code, shall be amended by deleting it in its entirety and substituting in lieu thereof the following:

401.3.1 Fire events. In the event an unwanted fire or other emergency occurs on a property, the owner or occupant shall immediately report such condition to the fire department.

(g) Section 901.6 Inspection, testing and maintenance, of the International Fire Code, shall be amended by adding the following phrase to the last sentence:

“..., only with approval of the fire official.”

(h) Section 901.7 Systems out of service, of the International Fire Code, shall be amended by deleting the first sentence in its entirety and substituting in lieu thereof the following:

901.7 Systems out of service. Where any fire protection system is out of service, the fire

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department and the fire official shall be notified immediately and, where required by the fire official, the building shall either be evacuated, or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

- (i) Section 903.2.3 Group E, 1, of the International Fire Code, shall be amended by deleting in its entirety and substituting in lieu thereof the following:

1. Throughout all Group E fire areas greater than five thousand (5,000) square feet in area.

- (j) Section 903.4.2 Alarms, of the International Fire Code, shall be amended by adding the adding the following sentence:

“Alarms shall comply with Section 907.5 Occupant Notification Systems.”

- (k) Section 903.4.3 Floor control valves, of the International Fire Code, shall be amended by deleting it in its entirety and substituting in lieu thereof the following:

903.4.3 Floor control valves. Where required by the *fire code official*, approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

- (l) Section 907.1.3 Equipment, of the International Fire Code, shall be amended by adding the following sentence as the end of the paragraph:

“All systems installed within a building shall be interconnected and compatible in accordance with their listings.”

- (m) Section 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more, of the International Fire Code, shall be amended by deleting the first sentence in its entirety and substituting in lieu thereof the following:

907.2.1.1 System initiation in Group A occupancies with an occupant load of 300 or more. Activation of the fire alarm in Group A occupancies with an occupant load of 300 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with NFPA 72.

- (n) Section 907.2.10.1 Group R-1, of the International Fire Code, shall be amended by adding the following:

4. In each garage or storage area with a four foot or wider door to the outside.

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- (o) Section [BE]1010.1.9.4 Locks and latches, 2, of the International Fire Code, shall be amended by deleting it in its entirety.
- (p) Section 1030.2 Minimum size, of the International Fire Code, shall be amended by deleting the Exception.
- (q) Section 7.2.1.5.5 Key-Operated Locks, of the NFPA 101 Life Safety Code, shall be amended by deleting it in its entirety.
- (r) Section 6.1.14.4 Separated Occupancies, of the NFPA 101 Life Safety Code, shall be amended by deleting it in its entirety and substituting in lieu thereof the International Building Code, 2018 Edition separations.
- (s) Section 16.3.2.5 of the NFPA 101 Life Safety Code, shall be deleted in its entirety and substitute in lieu thereof the following:

16.3.2.5 Domestic cooking equipment capable of producing grease laden vapors shall be protected as required by NFPA 96.

- (t) The NFPA 101 Life Safety Code, shall be amended by deleting Chapter 24 One- and Two-Family Dwellings, in its entirety.

10-21. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, 6-54-501 to 6-54-504, one (1) copy of the International Fire Code, 2018 Edition, and one copy of the NFPA 101 Life Safety Code, 2018 Edition, has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

10-22. Violation. Any person who shall violate a provision of the International Fire Code or the NFPA 101 Life Safety Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

10-23. Presumed certification. Any person, corporation, or entity, who accepts or charges a fee or compensation of any kind for the accomplishment of any act covered under the provisions of the International Fire Code or the NFPA 101 Life Safety Code, shall, by the acceptance of such fee or compensation, be presumed to have certified simultaneously therewith that all such activity performed is in full compliance with the terms of the International Fire Code and the NFPA 101 Life Safety Code. Breach of the terms of such certification shall give

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rise to a private cause of action in favor of the aggrieved party against the party who accepts or charges the fee or compensation, as well as and in addition to any remedies enforceable by the municipality under the terms of the International Fire Code and the NFPA 101 Life Safety Code or otherwise.

10-24. Repeated inspections. A permit holder is required to contact the town office to request required inspections at such time as the construction is at the appropriate stage for the inspection to be completed. It is the responsibility of the permit holder to have the appropriate construction and improvements in place at the time a request for inspection is made. When a request for inspection is made and the fire official finds that the required construction and/or improvements are inadequate to perform the required inspection, a penalty fee shall be assessed. If a second request for inspection is made and the fire official finds that the required construction and/or improvements are inadequate to perform the required inspection, an additional penalty fee shall be assessed. The purpose of these reinspection fees is to recover costs incurred for additional follow-up inspections. The penalty fee shall be collected prior to scheduling another inspection and prior to the issuance of a certificate of occupancy.

Said penalty fee shall be assessed when the permit holder fails to have the required construction and improvements in place for the fire official to perform the appropriate requested inspection. The permit holder shall be responsible for notifying the town at such time as he/she is ready for the follow-up inspection to be undertaken.

10-25. Validity. If any section, subsection, sentence, clause or phrase 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 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder