

## RESOLUTION TO ADOPT VARIOUS INTERNATIONAL AND ACCESSIBILITY CODES

**WHEREAS**, on October 21, 1999, the Hamblen County Board of Commissioners adopted the 1997 edition of various Standard Building Codes as published by the Southern Building Code Congress International Inc.; and

**WHEREAS**, the Hamblen County Board of Commissioners adopted an Amended Resolution on December 16, 1999 to include various appendices to the previously adopted building codes; and

**WHEREAS**, on December 20, 2011 Hamblen County Board of Commissioners restated its previous resolution by clarifying under which of the adopted codes inspections would be performed; and

**WHEREAS**, on October 18, 2007 the Hamblen County Board of Commissioners updated its building codes by adopting the 2006 Edition of various codes as published by the International Code Council as well as the 2002 North Carolina State Handicapped Code, Volume 1-C with 2004 Revisions; and

**WHEREAS**, it is now the desire of the Hamblen County Board of Commissioners to once again update its building codes by adopting the 2012 Edition of the herein enumerated codes, including the administrative provisions contained therein, as published by the International Code Council as well as re-adoption of the 2002 North Carolina State Handicapped Code, Volume 1-C with 2004 Revisions; and

**WHEREAS**, copy of this Resolution has been published in a newspaper having general circulation in Hamblen County as required by Tennessee Code Annotated § 5-20-120 (c);

**NOW, THEREFORE, BE IT RESOLVED** that the Hamblen County Board of Commissioners, meeting in regular session on April 23, 2015, hereby adopts the following 2012 Editions of the International Code Council's Codes and re-adopt the North Carolina State Building Code, Volume 1-C with 2004 Revisions, which have been filed of record in the County's Clerk's Office for more than ninety (90) days preceding this Resolution and in lieu of the current Hamblen County Building Codes:

-2012 International Building Code	-2012 International Fuel Gas Code
-2012 International Residential Code	-2012 International Property Maintenance Code
-2012 International Fire Code	-2012 International Energy Conservation Code
-2012 International Plumbing Code	-2012 North Carolina State Building Code,
-2012 International Mechanical Code	Volume 1-C with 2004 Revisions

**BE IT FURTHER RESOLVED** that the Hamblen County Board of Commissioners hereby further adopts that attached: Exhibit A-Supplemental Information (Amendments); Exhibit B-International Code Descriptions (including Appendices to be adopted); Exhibit C-Required Inspections and Permit Requirements; and Exhibit D-Fee Schedules, which Exhibits are hereby incorporated herein by reference in their entirety.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective May 1, 2015 following the adoption of this Resolution by the Hamblen County Board of Commissioners.

This is to certify that these minutes were approved by the Hamblen County Legislative Body on

May 21, 2015

Stancil Ford, Chairman

Linda Wilder, Hamblen County Clerk

## Exhibit A

### Supplemental Information to the International Code Text

**Where referenced in the International Codes, the following provisions shall apply:**

**Board of Appeals** shall mean the Hamblen County Construction Board of Adjustments and Appeals, except; where flood plain construction management and property maintenance issues are involved, in those cases the Hamblen County Board of Zoning and the Hamblen County Property Maintenance board shall act upon such issues.

**All Electrical requirements referenced** shall be deleted and the following inserted; *Compliance* with the current Rules and Regulations of the State of Tennessee as found in Chapter 0780-02-01 (Electrical Installations), as well as those of the appropriate local authority having jurisdiction, shall be considered *compliance* with all sections of the codes which reference electrical provisions.

**All Septic and Sewer requirements referenced** shall be deleted and the following inserted; Compliance with the current Rules and Regulations of the State of Tennessee as found in Chapter 0400-048-01 (Subsurface Sewage Disposal Systems), as well as those of the appropriate local authority having jurisdiction, shall be considered compliance with all sections of the codes which reference septic system or sanitary sewer provisions.

**All Stormwater requirements referenced** shall be deleted and the following inserted; Compliance with the rules and regulations of the Hamblen County Zoning, Subdivision and Storm Water Control Resolutions, as well as those of the appropriate state authority having jurisdiction, shall be considered compliance with all sections of the codes which reference storm water provisions current

**Storm Water Permit and Inspection requirements:** It shall be the responsibility of the owner or his authorized agent, or both, to ensure that a storm water permit is obtained and that all storm water run-off protective measures are properly installed and maintained in an adequate condition at all times prior to, and during, the construction process. At a minimum, a permit must be obtained and inspections shall be performed; 1) prior to any earth moving or land disturbance activities taking place, 2) once all protective measures are initially installed, 3) after significant rainfall event and every 72 hours when a State CGP is involved, and 4) after the site is properly stabilized but prior to the protective measures being removed.

These minimum inspections shall either be performed by Hamblen County authorized inspectors at the request of the owner or his authorized agent or by the state-authorized certified inspector when a State CGP is involved. In cases where a state-authorized certified inspector conducts the inspections, the documented inspection records shall be kept on the site and made readily available to county, state or federal officials upon request. For additional information and/or requirements concerning storm water permitting and inspections, see Hamblen County's Zoning, Subdivision, and Storm Water Control Resolutions or the TN Department of Environment and Conservation (TDEC) regulations, as applicable.

**Code Violations-Penalties:** In accordance with Tennessee Code Annotated (TCA) 5-30-105; any person, firm, corporation or agent who violates a provision of any code or fails to comply therewith, or with any of the provisions thereof, or violates a detailed statement or plan submitted and approved thereunder, commits a Class C Misdemeanor. Each such person, firm, corporation or agent commits a separate offense of each and every day or portion thereof during which any violation of any provisions of a code are committed or continued. In addition, TCA 5-1-121 provides that a monetary penalty of up to five hundred (\$500.00) may be imposed for each violation of a rule or regulation that the county legislative body is authorized to adopt. Furthermore, in addition to any fines and/or fines and/or penalties which may be levied hereunder a person, firm, corporation or agent found to be in violation may also be required to pay any reasonable attorney fees and all related court costs.

**Specific Amendments-See the following sections:**

International Building Code (IBC)

International Residential Code (IRC)

-Section R101.1 insert "Hamblen County" where indicated

-Section R105.2 under the sub-heading Buildings: 1. Replace the number 200 with the number 120.  
2. Delete all words after fences.  
4. Delete all words after tanks.  
10. Delete exemption entirely.

-Section R105.2 under the slab-heading Electrical: Delete entirely.

-Table R301.2 (1) shall read as follows:

CLIMATE AND GEOGRAPHIC DESIGN CRITERIA										
Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From:							
			Weathering	Frost Line Depth	Termite	Winter Design Temp	Ice Barrier Underlayment Requirement	Flood Hazards	Air Freezing Index	Mean Annual Temp
10	90	C	Severe	12	Mod-Heavy	18° f	No	7-3-2006	500	57°

-Section R302.5.1 delete "equipped with a self-closing device" and insert a period after the word "doors".

-Section R303.4 Insert the words "When implemented by the Building Official as directed by the Planning Commission.

-Section R313 add the words "Optional see TCA 68-120-101 (a) (8) for details" under the title. Also, delete the first sentence in the two subtitles and insert "When automatic fire sprinkler systems are installed the following shall apply"

-Section R403.1.1 insert "Unless permitted otherwise by the Building Official...shall be 24 inches wide by 12 inches thick..." Also, insert two footnotes at the bottom of Figure 403.1(1) about a monolithic floor slab with a perimeter footing and, the minimum foundation depth below finished grade.

-Section R501.3 insert the words (see TCA 68-120-101 (h) for applicability after 1/1/16.) to the end of Exception 2

-Section R502.11.4 delete the words "to the Building Official" and insert "for review and approval when required by the Building Official" in the first sentence.

-Section R802.10.1 delete the words (to the building official and approved) and replace them with the words (for review when required by the building official) in the first sentence.

-Table N1102.1.1/Insulation and for Zone 4, except marine: (make the following changes)

-Table N1102.1.3/(U –factors) Replace R-49 with R-38 in the ceiling (U.026 to .30)  
Replace R-20 or R-13+5 with R-13 in walls (U.057 to .082)  
Replace R-8/13 with R-5/10 in mass walls (U.098 to .141)

-Section N1102.2.6 (R402.2.6) after the first occurrence of the work "of" insert Table N1102.1.1. or.

-Section N1102.4.1 (R402.4.1.1) after the word "Installation" in the section title add the words "and visual inspection option", and after the word "construction" add the words "and be field verified."

-Section N1102.4.1.2 after the word "Testing" in title, insert "Optional" and, insert the words "when implemented by the Building Official as directed by the Planning Commission".

-Section N1103.1.1 after the word "Thermostat" in the title, insert "Optional" and, insert the words "When implemented by the Building Official as directed by the Planning Commission".

- Section N1103.2.2** before the “Duct tightness” in the second section insert the words “When implemented by the Building Official as directed by the Planning Commission”.
- Section N1103.5** delete “Mandatory” and add “**Optional**” in the section title and, delete “The building shall be provided with ventilation that meets” and insert “When buildings are provided with ventilation shall meet”.
- Section 1103.6/Equipment Sizing** insert the words “When implemented by the Building Official as directed by the Planning Commission
- Section 2503.5.1** deleted the words, “for piping systems other than plastic” in the first sentence after the word “or” and insert the words, “except when specifically allowed by the code official,” after the word “air” in the first sentence.
- Section P2603.5.1** insert twelve (12) in two places where indicated.
- Section P2904** add “**When required**” before the title and, **shall meet the following requirements**” after the title.
- Delete Part VII Electrical**-Delete this Part entirely (Chapters 34 thru 43)

### **International Property Maintenance Code (IPMC)**

- Section 101.1/Title** insert “Hamblen County” where indicated.
- Section 101.2/Scope** delete “all existing” and insert the word “related” and, delete all words following “standards” to the first semicolon.
- Section 103.5 /Fees** delete entire subsection
- Section 301.3/Vacant structures and land** delete the words “or vacant land” from the sentence.
- Section 302.4 Weeds** insert 12 inches where indicated
- Section 304.14/Insert Screens** delete entire subsection
- Section 305/Interior Structure** delete entire section
- Section 307.1/General** delete the words “and interior” in the first sentence
- Chapters 4, 5, 6 and 7** delete these chapters entirely

## Exhibit B

### International Code Descriptions

**International Building Code (IBC)**-Applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenance connected or attached to such building or structure.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and energy responders during emergency operations.

**International Residential Code (IRC)**-Applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one and two-family dwellings and townhouses not more than three stories above-grade in height with a separate means of egress and their accessory structures.

The purpose of this code is to provide the minimum requirements to safeguard the public health, safety and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the building environment.

**International Property Maintenance Code (IPMC)**-Applies to all existing, residential and non-residential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities; the responsibility of owners, operators and occupants; the occupancy of existing structure and premises, and for administration, enforcement, and penalties.

The purpose of the code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

**Exhibit C**  
**Requirement Inspections to Comply with the ICC Technical Codes**

The following code inspections will be conducted by Hamblen County, excluding septic/sewer and electrical.

**Building Code**

(See section 109.3 for complete listing)

**Residential Code**

(See section R109.1 for a complete listing)

- 1. Foundation inspection:** To be made after trenches are excavated and any reinforcement bars or rods are in place and forms erected, if applicable, and prior to concrete being poured.
- 2. Frame inspection:** To be made after the roof, all framing members, fire blocking and bracing is in place; and after all electrical wiring, plumbing pipes, drains, chimneys, ducts and vents are complete.
- 3. Final inspection:** To be made after the building is completed and ready for occupancy.

**Plumbing Code**

- 1. Underground inspection:** To be made after trenches or ditches are excavated and bedded, piping installed, and before any backfill is put in place.
- 2. Rough-in inspection:** To be made after the roof, framing, fire blocking, fire stopping, draft stopping and bracing is in place and all sanitary storm water distributing piping is completely roughed in, and prior to the installation of wall or ceiling membranes. This inspection shall include pressure tests.
- 3. Final Inspection:** To be made after the building is complete, all plumbing, fixtures are in place and properly connected, and the structure is ready for occupancy.

**Mechanical Code**

- 1. Underground inspection:** To be made after trenches or ditches are excavated, underground duct and fuel piping installed and before any back fill is put in place.
- 2. Rough-in inspection:** To be made after the roof, framing, fire blocking and bracing is in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.
- 3. Final inspection:** To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

**Gas Code**

- 1. Rough piping inspection:** To be made after all new piping authorized by a permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. This inspection may include a pressure test.
- 2. Final piping inspection:** To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
- 3. Final inspection:** To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to insure compliance with all the requirements of the code and to assure that the installation and construction of the gas system is in accordance with the approved permit.

**Septic/Sewer and Electrical**

- 1. To comply with state laws concerning permitting and inspection requirements:** Contact the local sewer system and electrical service provider(s) and/or TDEC, as may be appropriate, for details.

## Technical Code Permit Requirements

### **Permits in General:**

When applying for a permit, an applicant shall first complete the application form as prescribed by the Planning Commission Office, submitting both a site plan and a floor plan of the proposed work. In addition, an applicant must present any license or permit required by state law or local resolution and have proof of septic or sewer availability. Once the application is processed (normally 24 hours) the applicant shall then present payment in an acceptable form or may then pick-up the permit.

All permits, once issued, are non-transferable. All work done under such permit shall be subject to regular inspection requirements and fees as well as other applicable laws and regulations. The permit shall become void if the authorized work is not commenced within 180 days after its issuance, or if the permitted work is suspended or abandoned for a period of 180 days thereafter. The building official is authorized to grant one or more extensions of time, not exceeding 180 days each, provided a written request is submitted by the permit holder and justifiable cause is demonstrated.

Every permit shall expire two (2) years from the date of issue or upon the issuance of the certificate of occupancy (C.O.) unless 1.) the inspector determines that substantial progress has been made in the work authorized by the permit; and 2) the permit holder is granted an extension of time, as described above, after submitting a written request to the building official.

### **Contractor's Responsibilities:**

It shall be the duty of every contractor who enters into contracts for the installation or repair of building, plumbing, mechanical or gas systems for which a permit is required to comply with adopted state and local rules and regulations concerning licensing. No building permit shall be issued until a copy of either a certificate of insurance or a workers' compensation policy is provided as evidence of the existence of workers' compensation insurance. This insurance requirement does not apply to persons not required by TCA 50-6-405 and 406 to obtain workers' compensation coverage.

### **Property Owner's Permit:**

The insurance requirement mentioned above does not apply to any person who performs, or supervises; work on such person's own property in such person's own county of residence, provided such person shall present or sign an affidavit which attests to their exemption from the requirement. Pursuant to 68-6-103 an individual may obtain only one (1) property owner's permit within a twenty four (24) month period.

### **When Required:**

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure; or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical or plumbing system; the installation of which is regulated by the technical codes, or cause any such work to be done, shall first make contact with the code official and obtain the required permit prior to initiation of the work.

The following allowed exception from the permit requirement of a code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the code or any other laws or regulations of this state or the local jurisdiction.

### **Ordinary Minor Repairs:**

Ordinary minor household repairs may be made with the approval of the building official without a permit, provided that such repairs shall not violate any of the provisions of the technical codes.

### **Fees:**

A permit shall not be issued until the required fee prescribed has been paid, and an amendment to a permit shall not be released until the additional fee (if any) has been paid.

**Work Commencing Before Permit Issuance:**

Any person who commences any work on a building, plumbing, mechanical or gas system before obtaining the necessary permit(s) shall be subject to a double fee of the required building permit.

**Refund Policy:** Any monetary fees paid to the Planning Commission office such as those for a permit, subdivision plat approval, rezoning, variance request, etc.... are non-refundable once paid. Exceptions: The full amount of any fee may be refunded if the fee was erroneously paid or collected or if a written request is made within 30 day of the payment date based on an extreme circumstance occurring to the applicant or the applicant's immediate family.