

THE OMNIBUS BUILDING, PLUMBING, ELECTRICAL, GAS, MODEL ENERGY, SWIMMING POOL, LIFE SAFETY, HANDICAPPED ACCOMMODATIONS AND MECHANICAL CODES AMENDMENTS ORDINANCE OF 2016 AMENDING TITLE 12, SECTIONS 12-101, 12-201, 12-301, 12-401, 12-601, 12-701, 12-801 AND 12-10-101 AND ADDING CHAPTER 14 WITH RESPECT TO THE ENFORCEMENT AND CIVIL PENALTY PROVISIONS RELATED TO ALL OF THE VARIOUS REGULATORY CODES FOUND IN TITLE 12 OF THE RED BANK CITY CODE

WHEREAS, pursuant to the authority of Tennessee Code Annotated Section 6-54-501, et seq., the City is authorized and required to regulate construction, alteration, repair, use, occupancy, location, and maintenance with respect to every building, structure, utility and/or appurtenances constructed, erected, or utilized and within the City; and

WHEREAS, uniform standards are necessary and desirable for the orderly administration of such ordinances, laws, rules and regulations; and

WHEREAS, it is necessary to periodically update the standards adopted and followed by the City; and

WHEREAS, it is necessary to clearly provide for enforcement and civil penalty with respect to the regulatory provisions in Chapters 1 through 13 of Title 12.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

Section 1. That Title 12, Chapter 1, Red Bank City Code Section 12-101, is hereby amended by deleting said Section 12-101 in its entirety and substituting, in its place and stead, the following:

12-101. (a) Building Code Adopted. Pursuant to authority granted by Tennessee Code Annotated Section 6-54-501, et seq., and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal and demolition of every building and/or any appurtenance connected to or attached to any structure, the International Building Code, 2012 edition, including Appendices A, C, F, G, H, I and K thereof, but specifically excluding Appendices B, D, E, H, J is hereby adopted as the official building code of the City of Red Bank by incorporating the same, herein by reference, by subject to further amendments as hereinafter set forth.

(b) International Residential Code Adopted. For the purposes of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal and demolition of every residential structure in the City of Red Bank, the International Residential Code, 2012 edition, including Appendices A through Q thereof, is hereby adopted as the official Residential Code of the City of Red Bank by incorporating the same herein by reference, but subject to further amendment(s) as hereafter set forth:

(i) Appendices L and O are not adopted and are specifically excluded.

(ii) The following subsections are modified or excluded as follows:

(a) Section 313.2 shall not apply to single family dwellings but shall apply only to two (2) family dwellings;

(b) Section R105.2 is amended by deleting Subsection 1 thereof and substituting:

One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15m²)

(c) Section R105.5 is amended by deleting subsection 1 thereof and substituting:

Section R105.5 Expiration Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within thirty (30) from the date of issuance.

- (d) Section R311.2, Exit Doors Required, is amended by deleting subsection 1 thereof and substituting:

Not less than two exit doors conforming to this section shall be provided for each dwelling unit. The required exit doors shall provide for direct access for habitable portions of the dwelling to the exterior, without requiring travel through a garage. Access to habitable levels not having an exit in accordance with this section shall be by ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

Exception: Travel through a garage is allowed when the exterior wall of the garage has an exit door meeting the requirements of Section R311.4.2.

Section R311.2.1 Door Type and Size The required exit door shall be a side-hinged door not less than 3 feet (914mm) in width and 6 feet 8 inches (2032mm) in height. Other doors shall not be required to comply with these minimum dimensions.

Exception: The second means of egress exit door shall be a side-hinged door or a side sliding door not less than 2 feet 8 inches (812mm) in width and 6 feet 8 inches (2032mm) in height.

- (e) Section R322 is amended by deleting Subsection 1 in its entirety and substituting:

Section R322 Flood Resistant Construction is deleted in its entirety and the following language shall be substituted in lieu thereof.

The appropriate Flood Hazard Regulations of the Red Bank Zoning Ordinance and the Federal Regulations referenced therein shall constitute the official regulations of the City of Red Bank with regard to any construction within the Flood Hazard Zone.

IRC Chapter 11 entitled Energy Efficiency of the 2012 International Residential Code is deleted in its entirety.

- (f) Section R322 is amended by deleting Subsection 1 in its entirety and substituting:

Section R403 Table R403.1 entitled Minimum Width of concrete or Masonry Footings is deleted in its entirety and the following Amended Table and subsection is adopted in lieu thereof:

TABLE R403.1
MINIMUM WIDTH OF CONCRETE OR MASONRY FOOTINGS
(Inches)”

LOAD BEARING VALUE OF SOIL (psf)				
	1,500	2,000	3,000	>/- 4,000
Conventional light-frame Construction				
1-story	16	16	16	16
2-story	19	16	16	16
3-story	27	21	16	16
4-inch brick veneer over light frame or 8-inch hollow concrete masonry				
1-story	16	16	16	16
2-story	25	20	16	16
3-story	36	28	20	16
8-inch solid or fully grouted masonry				

1-story	20	16	16	16
2-story	33	25	18	16
3-story	46	36	25	20

For SI: 1 inch = 25.4 mm, 1 pound per square foot = KN/m².

Where minimum footing width is 16 inches, a single Wythe of solid or fully Grouted 12-inch nominal concrete masonry units is permitted to be used.

R403.1.3.1 Foundations with Stem Walls is amended to provide that Foundations with stem walls shall be provided with a minimum of one No. 4 bar at the top of the wall and one No. 4 bar at the bottom of the footing.

Section 2. That Title 12, Chapter 2, Red Bank City Code Section 12-201, is hereby amended by deleting the present reference(s) therein to “2009 edition” of the ICC International Plumbing Code and substituting and inserting therein the “2012 edition” in each location in which it appears in Section 12-201, including the following appendices to the International Plumbing Code, 2012 Edition, and said Section 12-201 is further amended by specifically adopting Appendices B-Rates of Rainfall, C-Vacuum Drainage System, Degree Day Temperature, E-Sizing of Water Piping, and F-Structural Safety thereof and by adopting revised versions of the following subsections as part of the official Plumbing Code of the City.

Section 305.4.1 Sewer Depth: Sewer Depth is amended by substituting the words “twelve (12) inches” for the phrase “(number) inches (mm)” wherever such phrase appears within the subsection.

Section 504.6 Requirements for Discharge Piping: Section 504.6 (5) is amended by deleting a portion of the sentence “to the pan serving the water heater or storage tank”.

Section 903.1 Roof Extension: Roof Extension is amended by substituting the words “six (6) inches” for the phrase “(number) inches (mm)” wherever such phrase appears within this subsection.

Section 918 Air Admittance Valve: Air Admittance Valve is amended by adding a new section 918.9 which shall read as follows:
“918.9 – Any use of air admittance valves on fixture branches is subject to the discretion and approval of the Plumbing Official. The use of air admittance valves are prohibited on all new construction”.

Section 919 Engineering Vent Systems: Engineering Vent Systems is amended by deleting said section and all of its subsections in their entirety.

Section 3. That Title 12, Chapter 3, Red Bank City Code Section 12-301 (1), is hereby amended by deleting said section 12-301 (1) in its entirety and substituting in its place and stead, the following:

12-301. Electrical Code Adopted. (1) Pursuant to authority granted by Tennessee Code Annotated Section 6-54-501, et seq., and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for any other purposes, the National Electrical Code, 2011 edition, together with all amendments and appendices, unless otherwise expressly amended as detailed below, as now or hereafter prepared, approved, and adopted by the National Fire Protection Association, is hereby approved and incorporated by reference as the official electrical code of the City of Red Bank.

(2) The following sections of the National Electrical Code 2011 Edition are not adopted and instead, as hereinafter approved:

(a) Section 210.12 as written is deleted in its entirety and substitute in lieu thereof:

AFCI outlets shall be required in all bedrooms in any dwelling unit and shall be optional in all other rooms of a dwelling unit as previously required in Section 210.12 of the National Electrical

Code, 2005 Edition.

- (b) Sections 210.19 (A) (3) as written is deleted in its entirety and substitute in lieu thereof the requirement that all range tops shall be on separate wired circuits.
- (c) Section 210.52.C (2) and (3), are deleted in their entirety with no substitutions made.
- (d) Section 210.52 C (5) as written is amended to delete all reference to the subparagraph entitled "Exception" .
- (e) Section 338.10(B)(4)(a) is deleted in its entirety.

Section 4. That Title 12, Chapter 4, Red Bank City Code Section 12-401, Gas Code, is hereby amended by deleting the present reference(s) therein to the "2009 edition" and of the "International Gas Code" and substituting and inserting therein the "International Fuel Gas Code, 2012 Edition" in each location in which reference to "the 2009 edition of the International Gas Code" appears in Section 12-401.

Section 5. That Title 12, Chapter 6, Red Bank City Code Section 12-601, is hereby amended by deleting the present title thereof "Model Energy Code Adopted" and inserting in its place and stead "International Energy Conservation Code Adopted" and by deleting all reference in said Section 12-601 to "Model Energy Code, 1992 edition as prepared and maintained by the Counsel of American Building Officials" and substituting in lieu thereof "International Energy Conservation Code, 2009 edition" in each location in which "Model Energy Code, 1992 edition as prepared and maintained by the Counsel of American Building Officials" appears in Section 12-601.

Section 6. That Title 12, Chapter 7, Red Bank Code Section 12-701, is hereby amended by deleting the present section in its entirety and substituting in its place and stead, the following:

12-701. RESERVED: Note: the Red Bank City Code Title 12, Chapter 1, Section 12-101(b); the Swimming Pool Code is now a part of the International Residential Code; 2012 edition.

Section 7. That Title 12, Chapter 8, Red Bank City Code Section 12-801, is hereby amended by deleting said Section 12-801 in its entirety and substituting in its place and stead, the following:

12-801. Life Safety Code. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, for the purpose of prescribing regulations relating to fire safety, the "Life Safety Code," National Fire Protection Association Publication 101, 2012 edition, together with all amendments and appendices, approved and adopted and published by the National Fire Protection Association, but expressly excluding Section 24.3.5.1, is hereby adopted as the official Life Safety Code of the City of Red Bank by incorporating the same herein by reference. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-5021 (1) a copy of said life safety code has been filed with the city manager, and is available for public use and inspection. Said life safety code is hereby adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits.

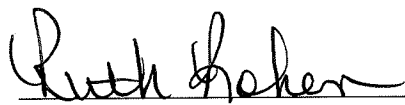
Section 8. That Title 12, Chapter 10, Red Bank City Code Section 12-10-101 is hereby amended by deleting the present reference(s) therein to the "2009 edition" of the International Mechanical Code and substituting and inserting therein the "2012 edition" in each location in which "2009 edition" appears in Section 12-10-101 and the "2012 edition" of the International Mechanical Code including Appendix A but excluding Appendix B is hereby specifically adopted as part of the official Mechanical Code of the City.

Section 9. That Chapter 14, Sections 14-101, et seq., is hereby enacted and adopted to provide for the enforcement and general penalty clause universally applicable to violations of the provisions, requirements and property regulations of Chapter 1 through 13, inclusive, of Title 12 of the Red Bank City Code:

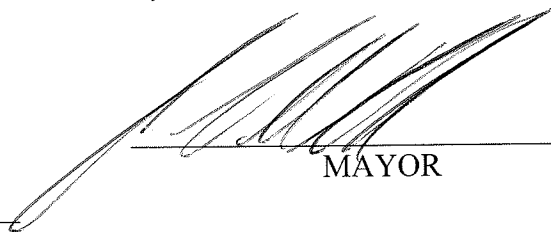
14-101. Enforcement of Violation; Civil Penalties. In addition to abatement of any condition as provided by any of the sections of Chapters 1 through 13 of Title 12, inclusive, hereinabove or hereinafter set forth, failure to remedy any such condition after Notice, is declared to be in violation of such particular Ordinance or code section cited in the Notice as to which the owners and/or occupants may be cited to City Court or to appear before the City Codes Administrative Hearing Officer to answer for such violations. Each day of a continued violation after notice shall constitute a separate offense and for each day that said condition is un-remedied, subject to the provisions of Tennessee Code Annotated Section 6-54-109, the offending owner and/or occupant may be fined, assessed the sum/civil penalty of up to \$500.00 per day by the City Judge or the City Codes Administrative Hearing Officer upon a finding of violation or of continued violation. The City Court Judge or the City Codes Administrative Hearing Officer have the authority and power to require the owner and/or occupant to abate any and all violations of any of the provisions of Chapters 1 through 13 of Title 12, inclusive. Additionally, the City Judge and/or Administrative Hearing Officer shall, upon proper proof, add the amount of the enforcement costs, including attorney fees and abatement costs, incurred by the City to the amount of the fine/civil penalty to be paid by the owner and/or occupant of the offending premises. In addition, the City Manager may file a Municipal Lien against the property found to be in violation to enforce the collection of the civil fine, civil penalty, enforcement costs, attorney fees, etc.

Section 10. Every section, sentence, clause, and phrase of this Ordinance is separate and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase. Every ordinance or part of an ordinance in conflict herewith shall be deemed to have been repealed to the extent of any such inconsistency.

Section 11. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.



City Recorder



MAYOR

October 4, 2016

Passed on First Reading

October 18, 2016

Passed on Second and Final Reading

Approved as to Form:



City Attorney

