

TITLE

AN ORDINANCE TO AMEND TITLE 12, TITLED "BUILDING, UTILITY, ETC. CODES," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "BUILDING CODE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW CHAPTER 2, TITLED "BUILDING CODE," TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION, AND TO PROVIDE FOR ANY NECESSARY AMENDMENTS THERETO.

WHEREAS, the City of Oak Ridge adopted by reference the International Building Code, 2006 edition; and

WHEREAS, the City desires to adopt the 2012 edition of the International Building Code and to provide for any necessary amendments thereto, which furthers the City efforts to lessen conflicts between the various codes; and

WHEREAS, the language in Section 12-203, Manufactured Homes, remains unchanged.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 12, titled "Building, Utility, Etc. Codes," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 2, titled "Building Code," in its entirety and substituting therefor a new Chapter 2, titled "Building Code," which new chapter shall read as follows:

Chapter 2

Building Code

Sec. 12-201. International Building Code adopted.

The International Building Code, 2012 edition, including Appendices A, C, F, G, H and K, are hereby adopted by reference and shall become a part of this chapter as if copied herein verbatim, except as such code may be in conflict with other provisions of this chapter, in which event such other provisions of this chapter shall prevail.

Sec. 12-202. Amendments.

- (1) Generally. The building code and the appendices adopted by § 12-201 are hereby amended as set out in this section. All references to section numbers in the text of this section shall be considered as if followed by the words "of the building code," unless clearly indicated to the contrary. In all places where the building code requires the insertion of the jurisdiction name, the City of Oak Ridge, Tennessee, shall be inserted.
- (2) Titles and designations. Titles and designations used in the building code shall be changed to conform with the proper city titles and departments as follows:
 - (a) "Building official" shall mean the City Manager or the City Manager's designee.
 - (b) "Board of appeals" shall mean the City's Board of Building and Housing Code Appeals.
 - (c) "Chief appointing authority" shall mean City Manager.
 - (d) "Department of law" shall mean City Attorney.

- (3) Appendix H. Appendix H is hereby amended as follows:
- (a) Section H101.2, Signs exempt from permits. Delete subsection 1 in its entirety.
 - (b) Section H102.1, General. Delete the definitions for "Ground Sign" and "Roof Sign" in their entirety.
 - (c) Section H104, Identification. Section H104 is hereby deleted in its entirety.
 - (d) Section H105.2 Permits, drawings and specifications. In the first sentence, delete the word "shall" and replace with "may."
 - (e) Section H110, Roof Signs. Section H110 is hereby deleted in its entirety.
 - (f) Section H114.1, General. In the first sentence, delete the word "roof."

- (4) Section 103.1, Creation of enforcement agency. Section 103.1 is hereby deleted in its entirety and is replaced with the following:

Section 103.1, Building Official. The provisions of this code shall be enforced by the Building Official.

- (5) Section 105.2, Work exempt from permit. This section is hereby amended by deleting all items listed under the heading "Building," except for items numbered 7, 11 and 13, which shall remain in their entirety.
- (6) Section 105, Permits. Section 105 is hereby amended by adding the following new subsections:
- (a) Section 105.8, Contractor License. It shall be the duty of every contractor or builder who shall make contracts for the erection or construction or repair of buildings for which a permit is required in the city and every contractor or builder making such contracts, and subletting the same, or any part thereof, to pay a privilege license tax as provided by ordinance and to register his or her name in a book provided for the purpose with the code enforcement administrator, giving full name, residence, and place of business, and in case of removal from one place to another in the city to have made corresponding change in said register accordingly.
 - (b) Section 105.9, Liability Insurance. Any contractor doing work requiring a city building permit shall present evidence of liability insurance with coverage in an amount acceptable to the city manager.
 - (c) Section 105.10, Workers' Compensation Insurance. Any contractor doing work requiring a city building permit shall present evidence of workers' compensation insurance in compliance with state regulations.

- (7) Section 107.2.5, Site plan. Section 107.2.5 is hereby amended by inserting the following sentence in between the first and second sentences:

The building official may require a boundary line survey prepared by a licensed land surveyor. Such boundary line survey may be required after the footers or foundation is in place, in which case it shall show the location of the footers or foundation in relation to required setback requirements.

- (8) Section 113.1, Generally. Section 113.1 is hereby deleted in its entirety and replaced with the following:

The board of appeals shall hear all appeals provided for in this chapter in accordance with rules and regulations established by such board for such appeals, which rules and regulations shall not be inconsistent with the provisions of this code. The board shall meet at such regular intervals as determined necessary by the board, but shall meet within fifteen (15) days after a notice of appeal under this chapter has been received. Every decision shall be promptly filed in writing in the office of the code enforcement administrator, and shall be open to public inspection, and a copy shall be mailed to the appellant at the address contained in the notice of appeal.

The provisions of this section shall become effective August 1, 1991.

- (9) Section 113.2, Limitations on authority. Section 113.2 is hereby amended by adding the following to the end of the section:

Notice of appeal shall be in writing and filed within sixty (60) days after the decision is rendered by the Building Official and/or the Fire Official. The required fee established by City policy shall accompany such notice of appeal.

- (10) Section 113, Board of Appeals. Section 113 is hereby amended by adding the following new subsections:

- (a) Section 113.4, Unsafe or Dangerous Building. In case of a building or structure which, in the opinion of the Building Official, is unsafe or dangerous, the board may on request of the Building Official shorten the time for appeal.
- (b) Section 113.5, Appeals from Fire, Plumbing, Electrical, Residential, Mechanical and Property Maintenance Inspectors' Decision. The board of appeals shall act as the board which hears appeals from the decisions of the fire inspector on interpretations of the fire code, the electrical inspector on interpretations of the electric code, the plumbing inspector on interpretations of the plumbing code, the building inspector on interpretations of the residential code, the mechanical inspector on interpretations of the mechanical code and the property maintenance inspector on interpretations of the property maintenance code, as well as acting as the appeals board under this code.
- (c) Section 113.6, Variances. The board of appeals, when appealed to and after a hearing, may vary the application of any provision of the fire code, electrical code, plumbing code, residential code, mechanical code, property maintenance code, and this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of that particular code, or when the interpretation of the Building Official, the Fire Official, the electrical inspector, the mechanical inspector, the property maintenance inspector, or the plumbing inspector should be modified or reversed, provided, however, the board of appeals also finds all of the following:
1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.

2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
 3. That granting the variance requested will not confer on the applicant any special privilege that is denied to other buildings, structures or service systems.
 4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
 5. That the grant of the variance will be in harmony with the general intent and purpose of the adopted code and will not be detrimental to the public health, safety and general welfare.
- (d) Section 113.7, Action. The board of appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. If the decision be to vary or modify the application of the building, fire, electric, plumbing or property maintenance code, or if it varies or modifies an order of the Building Official, Fire Official, or the plumbing, electrical, or property maintenance inspector, the board's decision shall indicate how the variation or modification is made and any condition on which it is made. All decisions shall indicate the reasons therefor.
- (e) Section 113.8, Decisions are final. Every decision of the board of appeals shall be final, subject, however, to such remedy as any aggrieved party might have in law or at equity.
- (11) Section 114.4, Violation penalties. Section 114.4 is hereby deleted in its entirety and replaced with the following:
- Any person, firm, corporation, or agent who shall violate any provisions of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, demolish or move any structure or has erected, constructed, altered, repaired, moved or demolished a building or structure in violation of a detailed statement or drawing submitted and approved thereunder, or who shall fail to comply with such an order as affirmed or modified by the city court or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in § 1-107 of this code of ordinances. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- (12) Section 903, Automatic Sprinkler Systems. This section is hereby amended as follows:
- (a) The square footage amounts referred to in certain sections of Section 903 are hereby deleted and replaced as follows:
- (1) In Sections 903.2.1.1, 903.2.1.3, 903.2.1.4, 903.2.9.1, and 903.2.9.2 (requiring sprinkler systems to be installed at a square footage threshold), replace the number 12,000 with the number 10,000.
 - (2) In Sections 903.2.4, 903.2.7, and 903.2.9 (requiring sprinkler systems to be installed at a square footage threshold), replace the number 12,000

with the number 10,000, and replace the number 24,000 with the number 20,000.

- (3) In Section 903.2.3 (requiring sprinkler systems to be installed at a square footage threshold in Educational Occupancies), replace the number 12,000 with the number 10,000.

(b) Section 903.2.13, Additional Sprinkler Requirements.

- (1) Sprinkler system in new construction. Except where more stringent requirements are stipulated elsewhere in the building code, all new commercial and residential buildings of ten thousand (10,000) square feet or more shall be equipped with an approved automatic sprinkler system.
- (2) Sprinkler system in large additions to buildings. Any new addition, which is more than ten thousand (10,000) square feet, connected to an existing building of any size, shall be equipped with an approved automatic fire sprinkler system. The new addition shall either:
 - (a) Be separated from the existing building by two-hour or greater construction, or
 - (b) Have the sprinkler system extend to cover the existing construction as well as the new addition
- (3) Sprinkler system in small additions to buildings. Any new addition of more than five thousand (5,000) square feet but less than ten thousand (10,000) square feet that does not increase the size of the complete facility (existing plus new addition) to more than ten thousand (10,000) square feet shall be equipped with a complete automatic fire detection system or fire sprinkler system. The new addition with the automatic fire detection or fire sprinkler system installed shall either:
 - (a) Be separated from the existing building by two-hour or greater construction, or
 - (b) Have the fire detection or fire sprinkler system extend to cover the existing construction as well as the new addition.
- (4) Sprinkler system in additions to unsprinklered buildings. Any new addition that will increase the size of the complete facility (existing building plus new addition) to more than ten thousand (10,000) square feet shall either:
 - (a) Be separated from the existing construction by a non-penetrated, four-hour fire wall and have an automatic fire detection system installed in the new addition and the existing building; or
 - (b) Be separated from the existing construction by a two-hour or greater fire wall, and have an automatic fire detection system installed in both the new addition and the existing building; or

- (c) Be separated from the existing construction by a two-hour or greater fire wall, and have an automatic fire sprinkler system installed in the new addition; or
- (d) Have an automatic fire sprinkler system installed in the entire facility, both the new addition and the existing building.

The term "automatic fire sprinkler system" means a system meeting the requirements of the latest edition of the applicable National Fire Protection Association standard for the installation of sprinkler systems.

- (5) Fire sprinkler systems shall be installed when required by the City of Oak Ridge Standard Construction Requirements and Details, specifically Section 602(2), Adequate Fire Protection, which is reprinted here:

In any one or more of the conditions listed below, the developer or builder shall provide a means for adequate fire protection including but not limited to the installation of a domestic sprinkler system complying with applicable codes, the installation of an additional fire hydrant capable of supplying adequate flow, or the installation of a booster pump to increase flow to an acceptable level at the structure.

- (a) Any part of the building is more than five hundred (500) feet from a hydrant measured along an accessible roadway; or
- (b) The nearest hydrant provides a water supply of less than five hundred (500) gpm in residential areas or one-thousand (1000) gpm in non-residential areas at twenty pounds per square inch residual pressure at periods of peak demand.
- (c) The elevation difference between the highest floor of the referenced structure and the nearest hydrant prevents adequate water flow and pressure for fire protection at that structure.

- (6) Detection system or sprinkler system for smaller buildings. Except where more stringent requirements are stipulated in the building code, all buildings of greater than five thousand (5,000) square feet hereafter constructed shall be equipped with an automatic fire detection system, approved by the fire chief, using UL listed equipment, and monitored through an approved central station facility, or an approved automatic sprinkler system monitored as outlined above, except where four-hour non-penetrated fire walls divide the building into units of less than five thousand(5,000) square feet.

- (7) Open parking garages, exception to sprinkler requirement.

- (a) Open parking garage shall mean a structure, or portion thereof, that is used for the parking or storage of private motor vehicles with openings described as follows:
 - (i) For natural ventilation purposes, the exterior side of the structure shall have uniformly distributed openings on

two (2) or more sides. The area of such openings in exterior walls on a tier must be at least twenty percent (20%) of the total perimeter wall area of each tier. The aggregate length of the openings considered to be providing natural ventilation shall constitute a minimum of forty percent (40%) of the perimeter of the tier. Interior walls shall be at least twenty percent (20%) open with uniformly distributed openings.

(ii) Exception. Openings are not required to be distributed over forty percent (40%) of the building perimeter where the required openings are uniformly distributed over two opposing sides of the building.

(b) An open parking garage shall not be required to be equipped with an approved automatic fire sprinkler system provided the following requirements are met:

(i) The open parking garage is above ground;

(ii) No space for human occupancy shall be located below, within or above the open parking garage except as ancillary to the operation of the open parking garage;

(iii) Two (2) or more sides of the open parking garage shall be open and accessible to aerial fire apparatus;

(iv) Attached structure(s) shall be separated from the open parking garage by a wall with a minimum of a two-hour fire rating certified by a competent engineer;

(v) A standpipe system, meeting the requirements of NFPA 14, shall be provided with outlets no more than one hundred and thirty (130) feet from any point within the open parking garage;

(vi) A fire hydrant shall be provided within one hundred (100) feet of the fire department supply connection to the standpipe system; and

(vii) The open parking garage shall comply with all applicable requirements of the model codes adopted by the city.

(c) Exception. If a model code adopted by the city requires the open parking garage to be equipped with an approved automatic sprinkler system, the provisions of this section shall not apply and the open parking garage shall be equipped with an approved automatic sprinkler system.

(13) Section 1013.2, Where required. Section 1013.2 is amended by deleting the first sentence and replacing it with the following sentence:

Guards shall be located along open-sided walking surfaces or ground surfaces, mezzanines, industrial equipment platforms, retaining walls, stairways, ramps, landings and any other locations that are located more than 30inches (762mm) above the floor or grade below.

- (14) Chapter 11 Accessibility is hereby deleted in its entirety.
- (15) Section 1612.3, Establishment of flood hazard areas. Section 1612.3 is hereby amended to specify the City has two flood insurance studies which are as follows: Flood Insurance Study for Anderson County, Tennessee, and Incorporated Areas, effective January 17, 2007, and Flood Insurance Study for Roane County, Tennessee, and Incorporated Areas, effective September 28, 2007.
- (16) Section 3410.2, Applicability. Section 3410.2 is hereby amended by inserting the required date as "the date of the adoption of the first building code regulations in the City of Oak Ridge, Tennessee."

Sec. 12-203. Manufactured Homes.

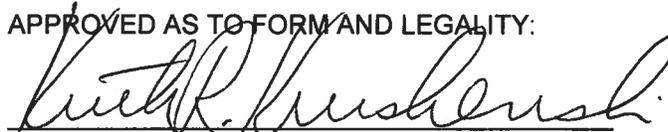
- (1) Defined. A manufactured home is a residential dwelling unit which:
 - (a) Contains one thousand (1,000) or more square feet of living space;
 - (b) Is composed of one (1) or more components, each of which was substantially assembled in a manufacturing plant;
 - (c) Is transported to the homesite on its own chassis;
 - (d) Was constructed after June 1, 1976 and meets or exceeds construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction;
 - (e) Has a length not exceeding four (4) times its width; and
 - (f) Has a width of at least twenty (20) feet.
- (2) Standards. Manufactured homes shall comply with the Federal "Manufactured Home Construction and Safety Standards" dated August 11, 1987, including any subsequent revisions or amendments thereto, and shall comply with the following provisions:
 - (a) The pitch of the roof shall have a minimum vertical rise of two and two-tenths (2.2) feet for each twelve (12) feet of horizontal run and the finish shall be with a type of shingle commonly used in standard residential construction.
 - (b) The exterior siding shall consist predominantly of vinyl or aluminum lap siding, wood or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction.
 - (c) The home shall be installed on a permanent foundation system in accordance with all applicable requirements of the building code.
 - (d) Stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in accordance with the building code.
 - (e) The moving hitch, wheels and axles, and transporting lights shall be removed.
 - (f) All utilities shall be permanently connected to a public utility system in accordance with all applicable city codes, provided an approved septic tank is acceptable where public sewer is not available.

- (g) A manufactured home unit shall bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by an agency approved by the Secretary of the Department of Housing and Urban Development.

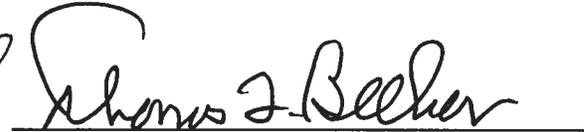
Section 2. There shall be a ninety (90) day grace period from the effective date of the ordinance to allow City Staff time to educate the development community and local contractors on the changes.

Section 3. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



Thomas L. Beehan, Mayor



Diana R. Stanley, City Clerk

First Reading: 10/08/2012
Publication Date: 10/15/2012
Second Reading: 10/22/2012
Publication Date: 10/29/2012
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