TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER

1. BUILDING CODE.
2. PLUMBING CODE.
3. ELECTRICAL CODE.
4. GAS CODE.
5. HOUSING CODE.
6. MODEL ENERGY CODE.
7. RESTRICTIONS FOR BUILDINGS ON OR FACING THE PUBLIC SQUARE.

CHAPTER 1

BUILDING CODE[1]

SECTION

12-101. Building code adopted.
12-102. Modifications.
12-103. Available in recorder's office.
12-104. Violations.

12-101. 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, and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the Standard Building Code[2], 1994 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by

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[1]Municipal code references
Fire protection, fireworks, and explosives: title 7.
Planning and zoning: title 14.
Streets and other public ways and places: title 16.
Utilities and services: titles 18 and 19.

[2]Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

reference as a part of this code, and is hereinafter referred to as the building code. (1973 Code, § 4-101, modified)

12-102. Modifications. Whenever the building code refers to the "Chief Appointing Authority" or the "Chief Administrator," it shall be deemed to be a reference to the governing body of the municipality. When the "Building Official" or "Director of Public Works" is named it shall, for the purposes of the building code, mean such person as the municipal governing body shall have appointed or designated to administer and enforce the provisions of the building code. The schedule of permit fees set forth in Appendix "B" is amended so that the fees to be collected shall be exactly one-half of the sums therein prescribed. Provided, however, that the minimum fee for an inspection shall be $1.50. Section 107 of the building code is hereby deleted. (1973 Code, § 4-102)

12-103. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the building code with the above modifications has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1973 Code, § 4-103, modified)

12-104. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. (1973 Code, § 4-104)

CHAPTER 2

PLUMBING CODE[1]

SECTION

12-201. Plumbing code adopted.
12-202. Modifications.
12-203. Available in recorder's office.
12-204. Violations.

12-201. 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 alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the municipality, when such plumbing is or is to be connected with the municipal water or sewerage system, the Standard Plumbing Code,[2] 1994 edition, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code. (1973 Code, § 4-201, modified)

12-202. Modifications. Wherever the plumbing code refers to the "Chief Appointing Authority," the "Administrative Authority," or the "Governing Authority," it shall be deemed to be a reference to the governing body of this municipality.

Wherever "City Engineer," "Engineering Department," "Plumbing Official," or "Inspector" is named or referred to, it shall mean the person appointed or designated by the municipal governing body to administer and enforce the provisions of the plumbing code. Section 107 of the plumbing code is hereby deleted. (1973 Code, § 4-202)

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[1]Municipal code references
Cross connections: title 18.
Street excavations: title 16.
Wastewater treatment: title 18.
Water and sewer system administration: title 18.

[2]Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

12-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the plumbing code with the above modifications has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1973 Code, § 4-203, modified)

12-204. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified. (1973 Code, § 4-204)

CHAPTER 3

ELECTRICAL CODE[1]

SECTION

12-301. Electrical code adopted.
12-302. Available in recorder's office.
12-303. Permit required for doing electrical work.
12-304. Violations.
12-305. Enforcement.
12-306. Fees.

12-301. Electrical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 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 other purposes, the National Electrical Code,[2] 1993 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. (1973 Code, § 4-301, modified)

12-302. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1973 Code, § 4-302, modified)

12-303. Permit required for doing electrical work. No electrical work shall be done within this municipality until a permit therefor has been issued by the municipality. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician. (1973 Code, § 4-303)

12-304. Violations. It shall be unlawful for any person to do or authorize any electrical work or to use any electricity in such manner or under

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[1]Municipal code references
Fire protection, fireworks and explosives: title 7.

[2]Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code. (1973 Code, § 4-304)

12-305. Enforcement. The electrical inspector shall be such person as the city manager shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code. (1973 Code, § 4-305)

12-306. Fees. The electrical inspector shall collect the same fees as are authorized in Tennessee Code Annotated, § 68-102-143 for electrical inspections by deputy inspectors of the state fire marshal. (1973 Code, § 4-306)

CHAPTER 4

GAS CODE[1]

SECTION

12-401. Title and definitions.
12-402. Purpose and scope.
12-403. Use of existing piping and appliances.
12-404. Bond and license.
12-405. Gas inspector and assistants.
12-406. Powers and duties of inspector.
12-407. Permits.
12-408. Inspections.
12-409. Certificates.
12-410. Fees.
12-411. Violations and penalties.
12-412. Nonliability.

12-401. Title and definitions. This chapter and the code herein adopted by reference shall be known as the gas code of the municipality and may be cited as such.

The following definitions are provided for the purpose of interpretation and administration of the gas code.

(1) "Inspector" means the city manager or the person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting as such under this chapter by appointment of the city manager.

(2) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

(3) "Gas company" means any person distributing gas within the corporate limits or authorized and proposing to so engage.

(4) "Certificate of approval" means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.

(5) "Certain appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers. (1973 Code, § 4-401)

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[1]Municipal code reference
Gas system administration: title 19, chapter 2.

12-402. Purpose and scope. The purpose of the gas code is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of this chapter and to the Standard Gas Code,[1] 1994 edition, as the same may be hereinafter amended, which is hereby incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of the gas code shall be kept on file in the office of the city recorder for the use and inspection of the public. (1973 Code, § 4-402, modified)

12-403. Use of existing piping and appliances. Notwithstanding any provision in the gas code to the contrary, consumer's piping installed prior to the adoption of the gas code or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of the gas code. (1973 Code, § 4-403)

12-404. Bond and license. (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the city recorder a good and sufficient bond in the penal sum of $10,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of the gas code. The bond herein required shall expire on the first day of January next following its approval by the city recorder, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of said bond, the person desiring to do such work shall secure from the city recorder countersigned by the gas inspector, a non-transferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay any applicable license fees to the city recorder; provided, however, any license obtained after the 1st day of July of any year shall be computed at the rate of one half (1/2) of the annual fee.

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[1]Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such work on his own premises; provided, however, all such work must be done in conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees. (1973 Code, § 4-404)

12-405. Gas inspector and assistants. To provide for the administration and enforcement of the gas code, the office of gas inspector is hereby created. The inspector, and such assistants as may be necessary in the proper performance of the duties of the office, shall be appointed or designated by the city manager and the compensation for such office shall be determined at the time of the appointment. (1973 Code, § 4-405)

12-406. Powers and duties of inspector. (1) The inspector is authorized and directed to enforce all of the provisions of the gas code. Upon presentation of proper credentials, he may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of the gas code.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, which notice shall state that the same has been disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(3) It shall be the duty of the inspector to confer from time to time with representatives of the local health department, the local fire department, and the gas company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate officials from time to time for their consideration. (1973 Code, § 4-406)

12-407. Permits. (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the city recorder; however, permits

will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(2) When only temporary use of gas is desired, the inspector may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the consumer's gas piping to be used is given a test equal to that required for a final piping inspection.

(3) Except when work in a public street or other public way is involved the gas company shall not be required to obtain permits to set meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system.

(4) No permit shall be issued except upon proof that the applicant has obtained a comprehensive general products liability policy with limits of not less than twenty-five thousand dollars ($25,000) as to each accident for bodily injury, or fifty thousand dollars ($50,000) as to each accident for bodily injury, and twenty-five thousand dollars ($25,000) property damage, or fifty thousand dollars ($50,000) in the aggregate for all property damages.

(5) No permit shall be issued to any person for installation of gas appliances, facilities or equipment, unless such persons, firm, or corporation engaged to make such installations has been certified for fitness by the gas inspector. (1973 Code, § 4-407)

12-408. Inspections. (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the test shall be furnished by the installer of such piping. (1973 Code, § 4-408)

12-409. Certificates. The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of the gas code. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service. (1973 Code, § 4-409)

12-410. Fees. (1) The total fees for inspection of consumer's gas piping at one location (including both rough and final piping inspection) shall be $1.50 for one to five outlets, inclusive, and $0.50 for each outlet above five.

(2) The fees for inspecting conversion burners, floor furnaces, boilers, or central heating plants shall be $1.50 for each unit.

(3) The fees for inspecting vented wall furnaces and water heaters shall be $1.00 for each unit.

(4) If the inspector is called back, after correction of defects noted, an additional fee of $1.00 shall be made for each such return inspection.

(5) Any and all fees shall be paid by the person to whom the permit is issued. (1973 Code, § 4-410)

12-411. Violations and penalties. Any person who shall violate or fail to comply with any of the provisions of the gas code shall be guilty of a misdemeanor, and upon conviction thereof shall be fined under the general penalty clause for this code of ordinances, or the license of such person may be revoked, or both fine and revocation of license may be imposed. (1973 Code, § 4-411)

12-412. Nonliability. This chapter shall not be construed as imposing upon the municipality any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the municipality, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector. (1973 Code, § 4-412)

CHAPTER 5

HOUSING CODE

SECTION

12-501. Housing code adopted.
12-502. Modifications.
12-503. Available in recorder's office.
12-504. Violations.

12-501. Housing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the Standard Housing Code,[1] 1991 edition with 1992/1994 revisions, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the housing code. (1973 Code, § 4-501, modified)

12-502. Modifications. Wherever the housing code refers to the "Building Official" it shall mean the person appointed or designated by the city manager to administer and enforce the provisions of the housing code. Wherever the "Department of Law" is referred to it shall mean the city attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the city manager. Section 108 of the housing code is deleted. (1973 Code, § 4-502)

12-503. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the housing code with the above modifications has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1973 Code, § 4-503, modified)

12-504. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the housing code as herein adopted by reference and modified. (1973 Code, § 4-504)

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[1]Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

CHAPTER 6

MODEL ENERGY CODE[1]

SECTION

12-601. Model energy code adopted.
12-602. Modifications.
12-603. Available in recorder's office.
12-604. Violations and penalty.

12-601. Model energy 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 of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the Model Energy Code[2] 1992 edition, as prepared and maintained by The Council of American Building Officials, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code.

12-602. Modifications. Whenever the energy code refers to the "responsible government agency," it shall be deemed to be a reference to the City of Waynesboro. When the "building official" is named it shall, for the purposes of the energy code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the energy code.

12-603. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the energy code has

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[1]State law reference

Tennessee Code Annotated, § 13-19-106 requires Tennessee cities either to adopt the Model Energy Code, 1992 edition, or to adopt local standards equal to or stricter than the standards in the energy code.

Municipal code references

Fire protection, fireworks, and explosives: title 7.
Planning and zoning: title 14.
Streets and other public ways and places: title 16.
Utilities and services: titles 18 and 19.

[2]Copies of this code (and any amendments) may be purchased from The Council of American Building Officials, 5203 Leesburg, Pike Falls Church, Virginia 22041.

been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-604. Violations and penalty. It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to five hundred dollars ($500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 7

RESTRICTIONS FOR BUILDINGS ON OR FACING THE PUBLIC SQUARE

SECTION

12-701. Buildings constructed on combustible materials prohibited.
12-702. Application required.
12-703. Conditions in application; access to premises.
12-704. Permit application fee.
12-705. Violation and penalty.
12-706. Permit required for making repairs or erection of buildings.

12-701. Buildings constructed of combustible materials prohibited. No building shall be constructed of wood or other combustible materials on or facing the Public Square of the City of Waynesboro, or upon any building facing such public square, or within 300 feet of such public square. (Ord. #626, Oct. 1975)

12-702. Application required. No building or structure shall be erected or any repairs of additions to any building or structure made within the city limits of the City of Waynesboro, until application for a permit so to do shall first be applied for and obtained from the Board of Commissioners of the City of Waynesboro. Provided that this requirement shall not apply in any case where the cost of such repairs to be made upon any building or structure shall not exceed the sum of $500.00 when completed, unless such repairs, additions and construction is to be done upon the Public Square. (Ord. #626, Oct. 1975)

12-703. Conditions in application; access to premises. All applications for a permit to erect a building or structure or to make additions or repairs to any building or structure within the limits of the City of Waynesboro shall state the place, date, and nature of such construction or repairs, the kinds of materials to be used, for what the building will be used, and the amount of cash to be expended for such building or repairs. In the event, construction is to take place within the "Flood Control Area" as set forth in the Flood Insurance Act of 1969, then, the applicant must submit plans and equipment lists, materials, etc, and proposed building site to the city manager. In the event construction in the Flood Control Area would violate the Rules and Regulation of the Federal Flood Insurance Act of 1969, a building permit may be denied to said applicant. Such applications shall be made in writing and filed with the city recorder at city hall. All applications on file will be considered by the board of commissioners at its next regular meeting after same shall have been filed, and appropriate action taken. If a majority of the board of commissioners shall

act favorably upon such application, a permit will be issued by the city recorder, and all persons and corporations applying for and receiving a permit shall abide by and perform the terms thereof, and comply with the requirements of the permit. No construction or repairs shall be begun until such permit is granted, issued and delivered to the applicant.

The board of commissioners for such City of Waynesboro, or any agent, official or representative of such City of Waynesboro, shall have the right to go upon any premises where any construction or repairs are being carried on and inspect same at any and all times. (Ord. #626, Oct. 1975)

12-704. Permit application fee. A fee of $5.00 will be charged by the City of Waynesboro, for each building permit application. Fee payable at time of application. (Ord. #626, Oct. 1975)

12-705. Violation and penalty. It shall be unlawful for any person, firm or corporation to begin construction or repairs in the City of Waynesboro, for which a permit is required, before applying for or receiving a permit, so to do, as herein provided. For each and every violation of these provisions the offender shall be deemed guilty of violating this chapter, and upon trial before the city judge may be required to pay for each and every offense, a fine or forfeit to the City of Waynesboro in an amount of not less than twenty-five dollars ($25.00), nor more than fifty dollars ($50.00). Each day such construction or repair work is being carried on shall be deemed a separate offense. (Ord. #626, Oct. 1975)

12-706. Permit required for making repairs or erection of buildings. If any person, firm or corporation shall erect any building or structure, or make any repairs in violation of the provisions of this chapter, and without first applying for and obtaining a permit so to do, which may be deemed by a majority of the board of commissioners to be dangerous to the health of the citizens of the City of Waynesboro, or constitute a fire hazard, or a nuisance, or detrimental to the best interests of the citizens of the City of Waynesboro, such buildings, structures, additions and repairs may be declared a nuisance and abated as such by proper proceedings for such purpose, or by physically destroyed by any police officer of such City of Waynesboro. Any person offending and violating any of the provisions of this chapter, or who may require court action to abate any such nuisance or destruction of any building, structure, additions or repairs made without a permit so to do, as herein provided, shall pay all costs of effecting the provisions of this chapter, including court costs and a reasonable fee to the attorney representing the City of Waynesboro. (Ord. #626, Oct. 1975)