ORDINANCE NO. 1099

AN ORDINANCE TO AMEND TITLE 12, BUILDING AND UTILITY CODES, CHAPTER 9, SECTIONS 12-901, 12-902, 12-905 AND TO REVISE CERTAIN SECTIONS, SO AS TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE AS THE OFFICIAL EXISTING BUILDING CODE OF THE CITY OF EAST RIDGE

WHEREAS, it is the desire of the City of East Ridge to adopt in all respects certain of the various International Codes relating to building, and

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by the City of East Ridge, Tennessee relating to construction and to maintenance of buildings within the corporate limits of said City and relating to public safety, health and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AS FOLLOWS: That Title 12, East Ridge City Code, Chapter 9, Section 12-901, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-901. Existing Building Code Adopted.

Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-516, and for the purpose of providing a concise set of regulations and procedures to effect safety in occupancy, the International Existing Building Code, 2018 Edition, as prepared by the International Code Council, is adopted and the same is incorporated herein by reference, subject to modifications and amendments as hereinafter provided, and shall be known and referred to as the International Existing Building Code.

BE IT FURTHER ORDAINED, That Section 12-902 be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-902. Amendments to Code Adopted.

The following sections of the International Existing Building Code, 2018 Edition, are hereby amended, as hereinafter provided:

1) Section 101.1 is amended as follows:

Section 101.1 Title. These regulations shall be known as the *Existing Building Code* of The City of East Ridge, hereinafter referred to as "this code."

2) Section 101 is amended as follows by adding a new subsection which shall read as follows:

Section 101.8. **Existing buildings or structures**

101.8 Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of the technical codes, provided that the alteration, repair or rehabilitation work conforms to the requirements of the technical codes for new construction. The building official shall determine the extent to which the existing system shall be made to conform to the requirements of the technical codes for new construction by applying the following standards:

(1) If, within any twelve (12) month period, alterations or repairs costing in excess of Thirty (30%) percent of the replacement value of the entire building are made to an existing building, such building shall be made to conform to the requirements of this code for new buildings.

(2) If an existing building is damaged by fire or otherwise in excess of thirty (30%) Percent of its replacement value before such damage is repaired, the entire building shall be made to conform to the requirements of this code for new buildings.

(3) For purposes of this section, the building official shall use the latest edition of R.S. Means Square Foot Costs Data, to determine the replacement cost of an existing building. The building official may require the replacement cost of an as existing building to be determined by a registered architect, engineer, licensed general contractor or other professional. Any such review shall be approved by the building official and all costs associated with such review shall be paid by the party asserting that the alterations and repairs are less than thirty (30%) percent of the replacement cost of the building at the time they are made.

3) **Section 104.2.1** Flood Hazard Areas is amended by adding the following language to the end of the subsection:

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

BE IT FURTHER ORDAINED, That section 12-905 be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-905. Appendices to the code adopted.

All appendices to the International Existing Building Code, 2018 Edition, are adopted in their entirety, and are hereby adopted as part of the official existing building code of the City of East Ridge.

BE IT FURTHER AND FINALLY ORDAINED That this ordinance take effect immediately after its passage, the public welfare of the City requiring it.

Passed first reading February 14, 2019

Passed second reading February 28, 2019

Brian W. Williams, Mayor

ATTEST:

Kenneth W. Custer, Jr, Assistant City Manager
(Interim City Manager)

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney