ORDINANCE NO. 1093

AN ORDINANCE TO AMEND TITLE 12, BUILDING AND UTILITY CODES, CHAPTER 1, TO AMEND VARIOUS SECTIONS AND CERTAIN APPENDICES OF THESE CODES AS REVISED AND AMENDED TO PROVIDE FOR ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2018 EDITION; INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION; THE ADOPTION OF THE ANSI NATIONAL STANDARD AS THE OFFICIAL HANDICAP AND ACCESSIBILITY CODE OF THE CITY OF EAST RIDGE; ENERGY CONSERVATION CODE, 2018 EDITION, TO PROVIDE FOR AND AMEND AND REVISED FEE SCHEDULE WITH RESPECT TO ALL BUILDING RELATED CODES 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: and

WHEREAS, it is appropriate to provide for a revised fee schedule with respect to all of the building related codes of the City of East Ridge;

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AS FOLLOWS:

Section 1. That Title 12, Building and Utility Codes, Chapter 1, Building Code, Section 12-101, be and the same hereby is amended by deleting the present section in its entirety and inserting in lieu thereof a new section 12-101 to be in words and figures as follows:

Section 12-101. Building Code Adopted.

Pursuant to authority granted by Tennessee Code Annotated, §§ 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 or structure or any appurtenance connected or attached to any building or structure, the International Building Code, 2018 Edition, and the International Residential Code, 2018 Edition, as prepared and adopted by the International Code Congress, is hereby adopted and incorporated by reference as a part of this Code and is hereinafter referred to as the Building Code.

Section 12-105. Appendices to Code Adopted (Revised)

The following appendices to the International Building Code 2018 Edition, and the International Residential Code, 2018 Edition, and as further amended in this chapter, are hereby adopted as part of the official Building Codes of The City:

a. International Building Code, 2018 Edition

Appendix A – Employee Qualifications
Appendix C - Agricultural Buildings
Appendix D – Fire District, as amended
Appendix F – Rodent Proofing
Appendix J – Grading, as amended

b. International Residential Code, 2018 Edition

Appendix A – Sizing and Capacities of Gas Piping
Appendix B – Sizing of Venting Systems
Appendix C – Exit Terminals of Mechanical Draft
Appendix J – Existing Buildings and Structures

Section 12-106. Amendments to Code Adopted. (Revised)

The following sections and appendices of the International Building Code, 2012 Edition, are hereby amended, as hereinafter provided:

a. Section 107.2 is amended by adding a new Subsection 107.2.9 and other new subsections through 107.2.13 which shall read as follows:

107.2.9 Requirements. When required by the building official, two or more copies of specifications, and of drawings drawn to scale with sufficient clarity and detail to indicate the nature and character of the work, shall accompany the application for a permit. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes, Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

107.2.10 Additional data. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal.

107.2.11 Design professional. The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of

architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following;

1. All Group A, E and I occupancies.
2. Buildings and structures two stories or more high.
3. Buildings and structures 5,000 sq ft or more in area.

For all other buildings and structures, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

Exception: Group R3 buildings, regardless of size, shall require neither a registered architect or engineer, nor a certification that an architect or engineer is not required.

107.2.12 Structural and fire resistance integrity. Plans for all buildings shall indicate how required structural and fire resistance integrity will be maintained where a penetration of a required fire resistant wall, floor or partition will be made for electrical, gas, mechanical, plumbing and communication conduits, pipes and systems. Such plans shall also indicate in sufficient detail how the fire integrity will be maintained where required fire resistant floors intersect the exterior walls and where joints occur in required fire resistant construction assemblies.

107.2.13 Affidavits. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For Buildings and Structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The building official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official copies of inspections reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical, or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances. Affidavits will only be accepted by the building official where emergency or extraordinary circumstances are established. If sufficient evidence of emergency or extraordinary circumstances is shown, the building official shall have discretion to issue permits based upon affidavits without stamped drawings.

b. Section 109.2 is amended by adopting a non-refundable fee schedule for all building permits which shall be as follows:

109.2 NON-REFUNDABLE PERMIT FEES

Total Valuation	Fee
$1,000 and less	No fee, unless inspection required, in which case a $25.00 fee for each inspection shall be charged.
$1,001 to $50,000	$25.00 for the first $1,000.00 plus $5.00 for each additional thousand or fraction thereof, to and including $50,000.00
$50,001 to $100,000	$270.00 for the first $50,000.00 plus $4.00 for each additional thousand or fraction thereof, to and including $100,000.00
$100,001 to $500,000	$470.00 for the first $100,000 plus $3.00 for each additional thousand or fraction thereof, to and including $500,000
$500,001 and up	$1,670.00 for the first $500,000 plus $2.00 for each additional thousand or fraction thereof

109.2.1 MOVING FEE

For the moving of any building or structure, the fee shall be $100.00

109.2.2 DEMOLITION FEES

For the demolition of any building or structure, the fee shall be:

Residential Structures (maximum of 4 units)	$100.00
Non-Residential and Apartments	$200.00

109.2.3 PENALTIES

Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled in accordance with section 109.4 of the International Building Code, 2018 Edition, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work or from any other penalties prescribed herein.

109.2.4 OTHER FEES

Certificates of Occupancy (New Facility)	$50.00
Certificates of Occupancy (Conditional)	$50.00
Certificates of Occupancy (Existing Facility)	$50.00
Zoning Letter	$50.00
Code Compliance Letter (Basic)	$50.00
Code Compliance Letter (Detailed)	$0.05/sf
Permit Transfer	$25.00
Re-inspections	$25.00
Rezoning Application	$200.00
Variance Application	$400.00
Use on Review	$75.00
Tree Permit	$10.00
Street Cut	$200.00
Plan Checking Fee	30% of Bldg. Permit Fee
Planning Commission Fee	$75.00

- Non-Refundable Permit Fees

Total Valuation	Fee
$1,000 or less	No fee, unless inspection required, in which case a $25.00 fee for each inspection shall be charged.

- Other Fees

Re-inspections	$ 35.00
Plan Checking Fee < 5,000 Sq. ft	30% of Bldg. Permit Fee
Plan Checking Fee > 5,000Sq.ft	Third Party Review by ICC
Consultation Base Fee. Hourly after 30 minutes	$35.00

All of the fees in 109.2.4 shall be nonrefundable unless in the determination of the City Council of East Ridge, the department has not completed sufficient review to justify the entire fees for Construction Plans Review due to the withdrawal of an application prior to review. In such incidents any proportional refund shall be the sole discretion of the City Council of East Ridge.

e. **Section 109.4** Work commencing before permit issuance shall be amended by adding a new sentence at the end of that subsection which shall state as follows;

Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees.

f. That any reference to the International Sewage Disposal Code, and/or the International Electrical Code shall be deleted from the reference standards in Chapter 35 of the International Building Code and all such references shall be construed to Reference the appropriate official codes adopted by the City of East Ridge.

g. By adopting Appendix D in its entirety with the exception of D101.2, D101.2.1, D101.2.2, and D101.2.3, which sections are deleted in their entirety and the Following language is substituted in lieu thereof:

D101.2 Establishment of Area. The fire district of the City of East Ridge is Fully described at East Ridge City Code 7-101.

h. By adopting Appendix J in its entirety with the exceptions of J103, J104, J110 which sections deleted in their entirety.

Section 2. Title 12 Building and Utility Codes Chapter 1 section 12-101 of the East Ridge city code be further amended to add the following amended sections of the International Residential Code, 2018 edition, as hereinafter provided:

a) **Section R105.2** is amended by deleting subsection 1 in its entirety and substituting in lieu thereof the following:

(1) 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.

b) **Section R108.2** Schedule of fees is deleted in its entirety and the following language shall be substituted in lieu thereof:

All fees approved by the City under § 109.2 of the International Building Code, as amended, shall be collected in the same manner under this section.

c) **R311.2** Exit doors required. 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 from the 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 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 R311.2.1

d) **R311.2.1** Door type and size. The required exit door shall be a side hinged door not less than 3 feet in width and 6 feet 8 inches 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 in width and 6 feet 8 inches in height.

e) **Section R313.2.** One and Two Family Dwelling Automatic Fire Systems is deleted in its entirety.

f) **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 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 within the Flood Hazard Zone.

(g) **Section R-313.1** – When four or more townhomes are connected, an automatic residential fire sprinkler system shall be installed with a minimum of one-hour fire separation. When less than four units are connected, there shall be a minimum two-hour fire separation or one-hour fire separation with the installation of an automatic residential fire sprinkler system.

h) **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-BEARIING 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 = 0.0479 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 stemwalls. Foundations with stemwalls 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.

g) Any reference to the International Existing Building Code, the International Property Maintenance Code shall be deleted from the reference standards in Chapter 44 of the International Residential Code and all such references within the International Residential Code shall be construed to reference the appropriate official codes adopted by the City of East Ridge.

Section 3. That Title 12, Building and Utility Codes, Chapter 1, be and the same hereby is amended to revise section 12-107, Handicap and Accessibility Code adopted, with said section to be in words and figures as follows;

Section 12-107.Handicap and Accessibility Code adopted. (Revised)

American National Standard. Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1-2017), one (1) copy of which has been placed on file in city hall and shall be kept there for the use and inspection of the public, is hereby adopted as the Official Handicap and Accessibility Code of the City.

Section 4. That Title 12, Building and Utility Codes, Chapter 6, be and the same hereby is deleted in its entirety and substituting in lieu thereof the following;

Section 12-601. Energy Code Adopted.

The International Energy Conservation Code, 2018 Edition, one (1) copy of which is, and has been on file in the office of city hall for more than (15) days, is hereby adopted as the official Energy Code of the city.

Section 5. That this Ordinance shall become effective immediately after its passage, but the Building Official shall have discretion to accept drawings and designs based upon the 2012 International Building Code and the amendments of that Code adopted by the City Council upon a showing of significant financial effect upon existing projects.

BE IT FURTHER ORDAINED that this ordinance take effect from and 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