

AMENDED
10-29-2024ORDINANCE

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE CITY CODE BY ADOPTING THE LATEST VERSIONS OF THE INTERNATIONAL BUILDING CODES, WITH AMENDMENTS, AND DELETING THE EXISTING RELATED SECTIONS FOR "BUILDINGS AND BUILDING REGULATIONS," CODIFIED AT CHAPTER 6, ARTICLES 6-1 THROUGH 6-107.

ORDINANCE NO: O-125-2024REQUESTED BY: Plans ReviewPREPARED BY: Law DepartmentAPPROVED ON 1STREADING: 10-15-2024APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY

MEASURE: 10-29-2024MINUTE BOOK: 88 PAGE _____

WHEREAS, Tennessee Code Annotated §§ 6-54-501 through 6-54-506 provides for the adoption of any building code or portions thereof by a municipality by reference; and

WHEREAS, the 2018 editions of the *International Building Codes* were previously adopted and amended by the Knoxville City Council (the "Building Code"); and

WHEREAS, building construction techniques continue to evolve in order to ensure health, safety, and welfare while incorporating new construction methods and materials; and

WHEREAS, the recently released 2024 edition of the International Construction Codes provide the most up-to-date regulations for construction; and

WHEREAS, adoption of these codes will keep the City of Knoxville in good standing with

the State of Tennessee; and

WHEREAS, this code was evaluated by staff, discussed with stakeholders, and determined to be appropriate for adoption and public meetings were held on July 29 and August 7, 2024; and

WHEREAS, staff recommends adoption of the amendments as proposed, with an implementation date of January 1, 2025; and

WHEREAS, one (1) copy of the 2024 edition of the *International Building Code*, with amendments as set forth herein, has been filed in the office of the City Recorder for public use, inspection, and examination and will be kept available for public use, inspection and examination until at least January 1, 2025 when said Codes are adopted; and

WHEREAS, at its October 29, 2024 meeting, the Council of the City of Knoxville amended this ordinance and Exhibit A to strike out the adoption of the 2024 Energy Conservation Code and the proposed amendments to the Knoxville City Code, Chapter 6, Articles 6-51 and 6-52; and

WHEREAS, an emergency exists in that it is necessary for the immediate preservation of the public peace, property, health and safety that this Ordinance take effect immediately upon its passage.

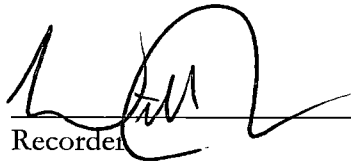
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE:

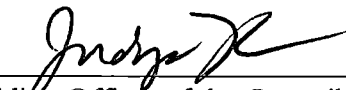
SECTION 1: The following 2024 *International Building Codes*, as published by the International Code Council, are adopted by reference: the International Building Code, Residential Building Code, Existing Building Code, Swimming Pool and Spa Code, Green Construction Code, Gas Code, Mechanical Code, and Plumbing Code.

SECTION 2: The text of the Knoxville City Code, Chapter 6, Articles 6-1 through 6-107, regarding the *International Building Codes* of the City of Knoxville is hereby amended as shown on the attached Exhibit A, with the exception of any changes proposed for Articles 6-51 and 6-52, which is incorporated herein by reference.

SECTION 3: An emergency is declared to exist in that it is necessary for the immediate preservation of the public peace, property, health and safety that this Ordinance take effect immediately upon its passage.

SECTION 4: This Ordinance shall take effect on January 1, 2025, the welfare of the City requiring it.


Recorder


Presiding Officer of the Council

Chapter 6 BUILDINGS AND BUILDING REGULATIONS¹

ARTICLE I. IN GENERAL

Sec. 6-1. Information to be included on plot plans and structural plans.

All survey plot plans submitted pursuant to this chapter shall show the existing and proposed drainage, utility easements, utility connections, building setbacks, and parking areas including ingress and egress. Structural plans shall show all details required by the building, mechanical, electrical, plumbing and gas codes.

(Code 1962, § 10-1(a))

Sec. 6-2. Signatures of approval for building permits.

No building permit shall be issued until all signatures of approval have been obtained from the wastewater control system, the traffic engineer's office, the city engineer's office, the fire prevention bureau, ~~the metropolitan planning commission~~ Knoxville Knox County Planning, and the inspections bureau.

(Code 1962, § 10-1(b))

Sec. 6-3. Reserved.

Editor's note(s)—Ord. No. O-107-2022, § 7, adopted August 23, 2022, amended the Code by repealing former § 6-3 in its entirety. Former § 6-3 pertained to exceptions to building permit requirement, and derived from the Code of 1962, § 10-1(d).

Sec. 6-4. Fees.

- (a) All fees and charges collected under the provisions of this chapter shall inure exclusively to the use and benefit of the plans review and building inspections department for operations associated with plans review and building inspections activities. The excess of revenues less operating costs may be transferred to the general fund for general operations.
- ~~(b) Whenever a request is made by any person for an inspection of property to determine whether or not it complies with the local city codes for any Federal Housing Administration or Veterans' Administration loan commitment, or any other request of a similar nature involving preparation of a special report, an initial filing fee in the amount of twenty five dollars (\$25.00) shall be paid at the time the request is made, and such fee shall include one (1) reinspection of the property.~~

¹Cross reference(s)—City property generally, § 2-706 et seq.; airports and aircraft, Ch. 3; civil emergency, Ch. 9; electricity, Ch. 10; fire prevention and protection, Ch. 11; flood damage prevention and control, Ch. 12; garbage, trash and refuse, Ch. 13; horticulture, Ch. 14; parks and recreation, Ch. 20; public transportation, Ch. 21; streets and sidewalks, Ch. 23; trailers and portable buildings, Ch. 25; waterways, Ch. 27; subdivision regulations, App. A; zoning ordinance, App. B.

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- ~~(1) If the structure fails to pass after the first reinspection, an additional fee of twenty-five dollars (\$25.00) will be required for any two (2) succeeding inspections until such time as the structure has passed inspection.~~
- ~~(2) The fee specified in subsections (b) and (b)(1) of this subsection applies to family-type dwellings containing from one (1) to four (4) units only. An additional fee of five dollars (\$5.00) per unit shall be made for such structures exceeding four (4) units.~~
- ~~(3) All fees must be collected prior to any physical inspection of properties. Once any fee has been paid, it shall not be refundable for any reason whatever.~~
- ~~(4) This fee shall be for the purpose of defraying the costs of making an inspection, preparing a report, and to cover any related administrative costs involved.~~

(Code 1962, § 10-2; Ord. No. O-167-2011, § 1, 11-29-11)

Sec. 6-5. Fire District.

- (a) The Fire District shall be all property zoned as follows:
- (1) DK downtown Knoxville districts.
 - (2) SW south waterfront districts.
 - (3) CU Cumberland Avenue districts.
- (b) The requirements of the Fire District do not apply to any residential structures regulated by Knoxville City Code, Chapter 6, article IIA, residential building code.
- (c) Whenever any property is rezoned or in any way receives a zoning classification defined in subsection (a) of this section, that property shall at that time be classified and become a part of the Fire District without the necessity of any action on the part of the council or any other agency of the city.

(Ord. No. O-246-07, § 1, 11-6-07; Ord. No. O-212-2013, § 1, 10-29-13; Ord. No. O-12-2021, § 1, 1-26-21)

Editor's note(s)—Ord. No. O-246-07, § 1, adopted November 6, 2007, amended the Code by repealing former § 6-5, and adding new §§ 6-5—6-7. Former § 6-5 pertained to the fire district, and derived from the Code of 1962, § 17-2; Ord. No. O-491-95, adopted September 28, 1995; and Ord. No. O-31-99, adopted January 26, 1999.

Secs. 6-6—6-30. Reserved. State Laws Adopted

(A) The City of Knoxville shall not prohibit less than six (6) stories of Group R-2 occupancy, as defined in the building code adopted by the department of commerce and insurance, division of fire prevention, to be served by a single exit if:

- (i) The building has not more than six (6) stories above grade plane;
- (ii) The building does not contain more than four (4) dwelling units on any floor;
- (iii) An exterior stairway or interior exit stairway is provided;
- (iv) A corridor separates each dwelling unit entry or exit door from the door to an interior exit stairway, including any related exit passageway on each floor, and the dwelling unit doors do not open directly into an interior exit stairway, but may open directly into an exterior stairway;

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- (v) There is no more than twenty feet (20') of travel to the exit stairway from the entry/exit door of any dwelling unit;
 - (vi) Travel distance measured in accordance with the building code adopted by the department of commerce and insurance, division of fire prevention, does not exceed one hundred twenty-five feet (125');
 - (vii) Other occupancies in the same building do not have access to the Group R-2 occupancy portion of the building or with the single-exit stairway. For purposes of this subdivision (a)(11)(A), parking garages and occupied roofs accessory to the Group R-2 occupancy may have access to the exit stairway;
 - (viii) The exit serving the Group R-2 occupancy does not discharge through any other occupancy, including an accessory parking garage; and
 - (ix) There are no openings within ten feet (10') of unprotected openings into the stairway other than required exit doors having a one-hour, fire-resistive rating;

(B) The City of Knoxville shall not mandate automatic fire sprinkler systems for three-family dwellings and four-family dwellings where structures are under five thousand square feet (5,000 sq. ft.) in area and less than three (3) stories in height and where two-hour fire-resistance-rating for wall, floor, and ceiling separation assemblies is met.

Editor's note(s)—Ord. No. O-172-2018, §§ 3 and 4, adopted November 20, 2018, amended the Code by repealing former §§ 6-6 and 6-7, respectively. Former § 6-6 pertained to the Second Fire District, and section 6-7 pertained to mixed use occupancies. Both sections derived from Ord. No. O-246-07, adopted November 6, 2007.

ARTICLE II. BUILDING CODE²

Sec. 6-31. Adopted.

The International Building Code, ~~2018~~ 2024 edition, and Appendices D as amended by this article, is hereby adopted as the building code of the City of Knoxville ("building code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-149-99, §§ 1, 13, 5-4-99; Ord. No. O-39-03, § 1, 2-4-03; Ord. No. O-248-07, § 1, 11-06-07; Ord. No. O-221-2012, § 1, 12-11-12; Ord. No. O-180-2018, § 1, 11-20-18)

Sec. 6-32. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

²Editor's note(s)—Ord. No. O-149-99, § 14, approved May 4, 1999, repealed Ord. No. O-190-95, approved April 25, 1995, which comprised former §§ 6-31 and 6-32 of this article relative to the building code. §§ 1—13 of Ord. No. O-149-99 added similar new provisions as set out in §§ 6-31 and 6-32.

Cross reference(s)—Electrical code, § 10-26 et seq.; fire prevention code, § 11-21 et seq.

Add a newly created *Section 101.4.8 Electrical*.

The provisions of NFPA 70: National Electrical Code or the most recently adopted electrical code shall apply to the electrical components, equipment, and systems used in buildings and structures as covered in this code.

Amend *Section 103* to rename the section "Department of Plans Review and Inspections."

Delete the text of *Section 103.1 Creation of enforcement agency* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Delete the text of *Section 104.8 Liability* in its entirety and substitute the following:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Delete *Sections 105.1.1* and *105.1.2* in their entirety and substitute the following:

105.1.1 Demolition Delay for Structures Listed or Eligible for Listing on the Historic Structures Inventory.

When the Department receives an application for a demolition permit for a structure which is listed or is eligible for listing on the Historic Structures Inventory, either individually or as a contributing historic structure, but is not within a local historic overlay district (H-1) or neighborhood conservation overlay district (NC-1), the Department shall not issue a demolition permit for the structure until the Historic Preservation Planner of the Knoxville-Knox County Metropolitan Planning Commission reviews the demolition permit application. Structures determined to be of local historic significance may be added to the Historic Structures Inventory by the Historic Preservation Planner. For structures to be added to the Historic Structures Inventory, the property owner shall be notified of the determination in writing via the U.S. Postal Service, to be delivered to the property owner's address as listed by the Knox County Property Assessor. The Historic Preservation Planner must provide a written determination of the property's historic status to the Building Official within seven (7) calendar days of submission of a completed permit application. The Building Official shall provide written notification to the applicant that a 60-day delay will be imposed or issue the demolition permit within three (3) days of receipt of the Planner's determination. The Building Official shall issue, if still requested, the demolition permit within sixty (60) days of submission of a completed permit application, unless a longer period is agreed upon by the applicant and the Building Official.

Add a newly created *Section R105.1.1.2* entitled "Demolition Delay Not Applicable to ~~Unsafe Buildings~~ dangerous structures" to read as follows:

105.1.2 Demolition Delay Not Applicable to Dangerous Structures ~~Unsafe Buildings~~. If the Building Official has declared a structure "Dangerous" ~~building, structure, or system as unsafe~~, as defined by the International Code Council in ~~Section 104.12 of the Building Code~~, the demolition delay shall not be required.

Add newly created *Sections 105.1.3, 105.1.4, and 105.1.5* to read as follows:

105.1.3 Intent of Demolition Delay. The demolition delay required is intended to mitigate planned demolition with documentation, salvage, dismantling of historic structures for educational purposes, relocation, or other appropriate measures. The Building Official is required to approve the demolition within sixty (60) days of the permit application, unless a longer period is agreed upon by the applicant and the Building Official. The demolition delay is not intended to eliminate a property owner's right to demolish the structure.

105.1.4 Demolition Review for Structures under Tenn. Code Ann. § 7-51-1201. When the Department receives an application for a demolition permit for a structure which, individually or as part of a group of structures, may meet the criteria of Tenn. Code Ann. § 7-51-1201 as determined by the historic zoning commission, but is not included within a historic overlay or neighborhood conservation overlay district, the Building Official shall not issue a demolition permit for the structure and shall refer the application to the Knoxville Historic Zoning Commission for review and recommendation to the Knoxville City Council for the final decision. The procedure for application for such demolition permit and the review of such demolition shall be pursuant to the procedures set forth in the City of Knoxville Code of Ordinances, Appendix B, Article V, Section 24.

105.1.5 Applicable Definitions. For the purposes of Subsection 105.1.2, the Historic Structures Inventory means the current list maintained by the Knoxville-Knox County ~~Metropolitan~~ Planning ~~Commission~~ Historic Preservation Planner, which includes structures and districts listed by the Keeper of the National Register of Historic Places, National Park Service; structures and districts considered eligible for National Register listing by the Tennessee State Historic Preservation Office; and individual structures deemed to be of local historic significance; and Contributing Historic Structure means a structure listed or eligible for listing on the Historic Structures Inventory that has been identified as making a contribution to the historical and/or architectural significance of an overall district. Non-contributing structures are identified as not making this contribution.

Amend the text of *Section 105.2 Work exempt from permit* by replacing the last sentence of the first paragraph with the following:

Building permits shall not be required for the following while Zoning approval is required.

~~Amend Delete~~ the text of *Section 105.5 Expiration* ~~by deleting the last two sentences in its entirety~~ and substituting the following:

~~Every permit issued shall become invalid after 365 days. Permits may be renewed annually.~~

~~Amend the second sentence of Section 108.1 General by substituting 365 days for 180 days:~~

Every permit shall become invalid after the following timeframes based on the project valuation:

- Valuation less than \$500,000 will expire in 1 calendar year from date of issuance.
- Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from date of issuance.
- Valuation exceeding \$20,000,000 will expire in 3 calendar years from date of issuance.
- All related MEP permits will expire in the same timeframe. All stand alone MEP permits will expire in 1 calendar year from date of issuance.

Delete the text of *Section 109.2 Schedule of permit and inspection fees* in its entirety and substitute the following:

The fees for building or structure work shall be as identified in the Fee Schedule, as adopted by City Council resolution.

Delete the text of *Section 109.4 Work commencing before permit issuance* and substitute the following:

Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council resolution, in addition to the required permit fees.

~~Add a newly created Section 111.2.1 Certificate of completion to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued. This Certificate is proof that the permit has received a Final Inspection, and for certain types of permits is proof of release for use and authorization for connection to a utility system.~~

~~Delete Section 111.3 Temporary occupancy in its entirety and without substitution.~~

Delete the text of *Section 113 Board of Appeals* in its entirety and substitute the following:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

113.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

113.4 Qualifications. The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

113.5 Terms. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued

absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

113.6 Quorum and Voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

113.7 Secretary of the Board. The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

Add a newly created Section 117 entitled "License Requirements of Contractors" to read as follows:

117.1 Contractor's responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.

117.2 Enforcement of state requirements. All contractors whose contract exceeds \$25,000 must provide a company name, current state license number, the state assigned license limit, and the state assigned classification to the department prior to a permit being issued. All contractors performing work on residential structures, as defined by the State, whose contract is more than \$3,000 and less than \$25,000, must be licensed by the State as a Home Improvement Contractor and provide to the department the company name and the current state license number prior to a permit being issued. All owners and contractors must provide evidence of workman's compensation coverage, when required by Tennessee Code Annotated, prior to the permit being issued. Nothing in this section shall prohibit an owner from securing a permit, without a licensed contractor, provided they fall within the definition of owner as defined by Tennessee Code Annotated.

117.3 License/registration. All contractors requesting permits must be licensed by the state and complete such forms and pay such fees identified in the Fee Schedule adopted by City Council resolution. Applications and fees are to be submitted to the City of Knoxville Plans Review and Building Inspections.

Amend Chapter 16, Structural Design, as follows:

Amend Table 1604.5 Risk Category of Buildings and Other Structures as follows:

Table 1604.5

RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES

RISK CATEGORY		NATURE OF OCCUPANCY
I	Buildings and other structures that represent a low hazard to human life in the event of failure, including but not limited to: — Agriculture facilities. — Certain temporary facilities. — Minor storage facilities.	
II	Buildings and other structures except those listed in Risk Categories I, III, and IV	
III	Buildings and other structures that represent a substantial hazard to human life in the event of failure, including but not limited to:	
	⌘	Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300.

	*	Buildings and other structures containing one or more public assembly spaces, each having an occupant load greater than 300 and a cumulative occupant load of the public assembly spaces greater than 2,500.
	*	Buildings and other structures containing Group E or Group I-4 occupancies or combination thereof, with an occupant load greater than 250.
	*	Buildings and other structures containing educational occupancies for students above the 12th grade with an occupant load greater than 500.
	*	Group I-2, Condition 1 occupancies with 50 or more care recipients.
	*	Group I-2, Condition 2 occupancies not having emergency surgery or emergency treatment facilities.
	*	Group I-3 occupancies.
	*	Any other occupancy with an occupant load greater than 5,000. ^a
	*	Power-generating stations, water treatment facilities for potable water, wastewater treatment facilities and other public utilities not included in Risk Category IV.
	*	Buildings and other structures not included in Risk Category IV containing quantities of toxic or explosive materials that: —Exceed the maximum allowable quantities per control area as given in Table 307.1(1) or 307.1(2) or per outdoor control area in accordance with the International Fire Code; and Are sufficient to pose a threat to the public if released. ^b
IV		Buildings and other structures designated as essential facilities, including but not limited to:
	*	Group I-2, Condition 2 occupancies having emergency surgery or emergency treatment facilities.
	*	Ambulatory care facilities having emergency surgery or emergency treatment facilities.
	*	Fire, rescue, ambulance and police stations and emergency vehicle garages.
	*	Designated earthquake, hurricane, and other emergency shelters.
	*	Designated emergency preparedness, communications and operations centers and other facilities required for emergency response.
	*	Power-generating stations and other public utility facilities required as emergency backup facilities for Risk Category IV structures.
	*	Buildings and other structures containing quantities of highly toxic materials that: —Exceed maximum allowable quantities per control area as given in Table 307.1(2) or per outdoor control area in accordance with the International Fire Code; and Are sufficient to pose a threat to the public if released. ^b
	*	Aviation control towers, air traffic control centers and emergency aircraft hangers.
	*	Buildings and other structures having critical national defense functions.
	*	Water storage facilities and pump structures required to maintain water pressure for fire suppression.

a. —For purposes of occupant load calculation, occupancies required by Table 1004.5 to use gross floor area calculations shall be permitted to use net floor areas to determine the total occupant load.

b. —Where approved by the building official, the classification of buildings and other structures as Risk Category III or IV based on their quantities of toxic, highly toxic or explosive materials is permitted to

~~be reduced to Risk Category II, provided that it can be demonstrated by a hazard assessment in accordance with Section 1.5.3 of ASCE 7 that a release of the toxic, highly toxic or explosive materials is not sufficient to pose a threat to the public.~~

Delete *Section 1612.3 Establishment of flood hazard areas* in its entirety (including *Section 1612.3.1* and *1612.3.2*) and substitute in lieu thereof the following:

[A] *1612.3 Establishment of flood hazard areas.* Flood hazard areas shall be determined in accordance with the regulations enforced by the City of Knoxville Department of Engineering.

Amend Chapter 29, *Plumbing Systems*, as follows:

~~Amend the text of Section [P] 2902.3.3 Location of toilet facilities in occupancies other than malls.~~

~~In occupancies other than covered and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).~~

~~Exceptions:~~

- ~~1. The location and maximum distances of travel to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum distance of travel are approved.~~
- ~~2. The location and maximum distances of travel to required public and employee facilities in Group S occupancies shall be permitted to exceed that required by this section, provided that the location and maximum distance of travel are approved.~~

Amend Chapter 31, *Special Construction*, as follows:

Amend the text of the first sentence in *Section 3103.1 General* by substituting "365 days" for "180 days."

Amend Chapter 32, *Encroachments into the Public Right-of-Way*, as follows:

Delete the text of *Section 3202.1.1 Structural support* and substitute the following:

A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the lot lines.

~~Amend the text of Section 3202.2 Encroachments above grade and below 8 feet in height by substituting "9 feet" for "8 feet" in the section title and first sentence.~~

~~Amend the text of Section 3202.3 Encroachments 8 feet or more above grade by substituting "9 feet" for "8 feet" in the section title and first sentence.~~

~~Amend the section title and text of Section 3202.3.2 Windows, balconies, architectural features and mechanical equipment by deleting "balconies" from the section title and first sentence and by adding the following sentence as the last sentence:~~

~~Balconies are prohibited to encroach into the public right of way.~~

Amend Appendix D, *Fire Districts*, as follows:

Delete the text of *Section D101.1.1 Mapping* and substitute in lieu thereof the following:

The Fire District shall include such territory or portion as outlined in the Knoxville City Code § 6-5. Whenever, in such ordinance creating and establishing a Fire District, reference is made to the Fire District, it shall be construed to mean the Fire District designated and referred to in this Appendix.

Delete the text of *Section D101.2 Establishment of area* in its entirety and substitute the following:

For the purpose of this code, the fire district shall include territory or area as described in Chapter 6, Article 1, Section 6-5 of the City Code.

Delete *Sections D101.2.1 Adjoining blocks, D101.2.2 Buffer zone, and D101.2.3 Developed blocks* in their entirety with no substitution.

(Ord. No. O-149-99, § 2—12, 5-4-99; Ord. No. O-156-00, § 1, 4-18-00; Ord. No. O-178-01, § 1, 5-29-01; Ord. No. O-490-02, § 1, 12-10-02; Ord. No. O-371-03, § 1, 10-14-03; Ord. No. O-100-05, § 1, 5-10-05; Ord. No. O-160-07, § 1, 7-17-07; Ord. No. O-248-07, § 2, 11-6-07; Ord. No. O-38-08, § 1, 2-26-08; Ord. No. O-221-2012, § 2, 12-11-12; Ord. No. O-17-2014, §§ 1, 2, 1-21-14; Ord. No. O-75-2015, § 1, 5-26-15; Ord. No. O-20-2016, § 1, 2-2-16; Ord. No. O-37-2018, § 1, 3-27-18; Ord. No. O-180-2018, § 1, 11-20-18; Ord. No. O-31-2022, § 1, 3-22-22)

Sec. 6-33. Demolition permits for property under H-1 or NC-1 review.

Application for and issuance of demolition permits for buildings or structures on property for which an application has been filed for rezoning to and designation as an H-1 historic overlay district or an NC-1 neighborhood conservation overlay district shall be subject to article IV, § 14, subsection L or article IV, § 22, subsection H, respectively, of the zoning ordinance.

(Ord. No. O-119-00, § 1, 4-4-00; Ord. No. O-79-05, § 1, 3-29-05)

Secs. 6-34—6-40. Reserved.

ARTICLE IIA. RESIDENTIAL BUILDING CODE

Sec. 6-41. Adopted.

The International Residential Building Code for One-, Two-family Dwellings, ~~2018~~ 2024 edition, and Appendices ~~E, F, H, K, Q, R, and S~~ BA, BB, BC, BD, BF, BI, BJ, BK, BL, BM, and BN as amended by this article, is hereby adopted as the Residential Building Code of the City of Knoxville ("residential building code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-78-07, § 1, 4-28-07; Ord. No. O-218-2012, § 1, 12-11-12; Ord. No. O-182-2018, § 1, 11-20-18)

Sec. 6-42. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section R103* to rename the section "Department of Plans Review and Inspections."

Delete the text of *Section R103.1 Creation of enforcement agency* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Delete the text of *Section R104.8 Liability* in its entirety and substitute the following:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or

their adequacy. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Add a newly created *Section R105.1.1* entitled "Demolition Delay for Structures Listed or Eligible for Listing on the Historic Structures Inventory" to read as follows:

When the Department receives an application for a demolition permit for a structure which is listed or is eligible for listing on the Historic Structures Inventory, either individually or as a contributing historic structure, but is not within a local historic overlay district (H-1) or neighborhood conservation overlay district (NC-1), the Department shall not issue a demolition permit for the structure until the Historic Preservation Planner of the Knoxville-Knox County ~~Metropolitan Planning Commission~~ reviews the demolition permit application. Structures determined to be of local historic significance may be added to the Historic Structures Inventory by the Historic Preservation Planner. For structures to be added to the Historic Structures Inventory, the property owner shall be notified of the determination in writing via the U.S. Postal Service, to be delivered to the property owner's address as listed by the Knox County Property Assessor. The Historic Preservation Planner must provide a written determination of the property's historic status to the Building Official within seven (7) calendar days of submission of a completed permit application. The Building Official shall provide written notification to the applicant that a 60-day delay will be imposed or issue the demolition permit within three (3) days of receipt of the Planner's determination. The Building Official shall issue, if still requested, the demolition permit within sixty (60) days of submission of a completed permit application, unless a longer period is agreed upon by the applicant and the Building Official.

Add a newly created *Section R105.1.1.2* entitled "Demolition Delay Not Applicable to ~~Unsafe Buildings~~ dangerous structures" to read as follows:

If the Building Official has declared a structure "~~Dangerous~~" ~~building, structure, or system as unsafe~~, as defined by the International Code Council ~~in Section 104.12 of the Residential Building Code~~, the demolition delay shall not be required.

Add a newly created *Section R105.1.1.3* entitled "Intent of Demolition Delay" to read as follows:

The demolition delay required is intended to mitigate planned demolition with documentation, salvage, dismantling of historic structures for educational purposes, relocation, or other appropriate measures. The Building Official is required to approve the demolition within sixty (60) days of the permit application, unless a longer period is agreed upon by the applicant and the Building Official. The demolition delay is not intended to eliminate a property owner's right to demolish the structure.

Add a newly created *Section R105.1.1.4* entitled "Demolition Review for Structures under Tenn. Code Ann. § 7-51-1201" to read as follows:

When the Department receives an application for a demolition permit for a structure which, individually or as part of a group of structures, may meet the criteria of Tenn. Code Ann. § 7-51-1201 as determined by the historic zoning commission, but is not included within a historic overlay or neighborhood conservation overlay district, the Building Official shall not issue a demolition permit for the structure and shall refer the application to the Knoxville Historic Zoning Commission for review and recommendation to the Knoxville City

Council for the final decision. The procedure for application for such demolition permit and the review of such demolition shall be pursuant to the procedures set forth in the City of Knoxville Code of Ordinances, Appendix B, Article V, Section 24.

Add a newly created *Section [A] R105.1.1.5* entitled "Applicable Definitions" to read as follows:

For the purposes of Subsection R105.1.1, the Historic Structures Inventory means the current list maintained by the Knoxville-Knox County ~~Metropolitan~~ Planning ~~Commission~~ Historic Preservation Planner, which includes structures and districts listed by the Keeper of the National Register of Historic Places, National Park Service; structures and districts considered eligible for National Register listing by the Tennessee State Historic Preservation Office; and individual structures deemed to be of local historic significance; and Contributing Historic Structure means a structure listed or eligible for listing on the Historic Structures Inventory that has been identified as making a contribution to the historical and/or architectural significance of an overall district. Non-contributing structures are identified as not making this contribution.

Amend the text of *Section R105.2 Work exempt from permit* by replacing the last sentence of the first paragraph with the following:

Building permits shall not be required for the following while Zoning approval is required.

Amend the text of *Section 105.5 Expiration* by deleting the last two sentences and substituting the following:

Every permit issued shall become invalid after 365 days. Permits may be renewed annually.

~~Amend the second sentence of Section 108.1 General by substituting 365 days for 180 days:~~

~~Amend the second sentence of Section R107.1 General by substituting 365 days for 180 days:~~

Delete the text of *Section R108.2 Schedule of Permit and Inspection Fees permit* in its entirety and substitute the following:

Applications for approval shall be accompanied by a fee in accordance with a Fee Schedule adopted by City Council resolution.

Delete the text of *Section R108.6 Work commencing before permit issuance* in its entirety and substitute the following:

Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council resolution, in addition to the required permit fees.

~~Add a newly created Section R110.3.1 entitled "Certificate of Completion" to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued. This Certificate is proof that the permit has received a Final Inspection, and for certain types of permits is proof of release for use and authorization for connection to a utility system.~~

~~Delete Section R110.4 Temporary occupancy in its entirety and without substitution.~~

Delete *Section R112 Board of Appeals* in its entirety and substitute the following:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

R112.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply

or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

R112.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

R112.4 Qualifications. The board shall consist of members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City pursuant to the provisions of Chapter 11, Article II of the Knoxville City Code, who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

R112.5 Terms. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

R112.6 Quorum and Voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

R112.7 Secretary of the Board. The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

~~Add a newly created Section R115 entitled "License Requirements of Contractors" to read as follows:~~

~~*R115.1 Contractor's Responsibilities.* It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~*R115.2 Enforcement of State Requirements.* All contractors whose contract exceeds \$25,000 must provide a company name, current state license number, the state assigned license limit, and the state assigned classification to the department prior to a permit being issued. All contractors performing work on residential structures, as defined by the State, whose contract is more than \$3,000 and less than \$25,000, must be licensed by the State as a Home Improvement Contractor and provide to the department the company name and the current state license number prior to a permit being issued. All owners and contractors must provide evidence of workman's compensation coverage, when required by Tennessee Code Annotated, prior to the permit being issued. Nothing in this section shall prohibit an owner from securing a permit, without a licensed contractor, provided they fall within the definition of owner as defined by Tennessee Code Annotated.~~

~~*R115.3 License/Registration.* All contractors requesting permits must be licensed by the state and complete such forms and pay such fees identified in the Fee Schedule adopted by City Council resolution. Applications and fees are to be submitted to the City of Knoxville Plans Review and Building Inspections.~~

Amend Chapter 3, Building Planning, as follows:

Amend Table R301.2 (1) Climatic and Geographic Design Criteria by inserting the following values:

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design				Seismic Design Category ^f	Subject to Damage From		
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c
10 PSF	90	No	No	No	C	Severe	12 inches	Moderate to Heavy

Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
19° F	No		210	59.4

Delete Table R301.2 (1) Climatic and Geographic Design Criteria Footnote "g" and substitute in lieu thereof the following:

g. Flood hazard areas shall be as determined by the City of Knoxville Department of Engineering.

Delete Table R301.2 (1) Climatic and Geographic Design Criteria Footnote "n" and substitute in lieu thereof the following:

n. Values to be determined from Table 1a or 1b from ACCA Manual J as deemed necessary by the ~~Plumbing/Gas/Mechanical~~ Mechanical / Electrical / Plumbing Chief.

Amend Section 309 to include the word "Optional" at the end of the title.

Amend Section R314.6 Power Source relating to Smoke Alarms is amended to create Exception 3 that shall read:

Exception 3. Interconnection and hardwiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior walls or ceiling finishes exposing the structure.

Section N1102.5.1.2 (R402.5.1.2) Testing is replaced with Section N1102.4.2.1 Testing Option and Section N1102.4.2.2 Visual Inspection from 2009 IRC.

Section N1103.3.7 (R403.3.3) Duct System Testing and Section N1103.3.8 (R403.3.8) Duct System Leakage are optional.

Table N1102.1.3 (R402.1.3) Insulation and Fenestration Requirement by Component and Table N1102.1.2 (R402.1.2) MAXIMUM ASSEMBLY U-FACTORS AND FENESTRATION are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U-Factor from 2009 IRC.

~~Delete Section R313 Automatic Fire Sprinkler Systems in its entirety and substitute the following:~~

~~R313 AUTOMATIC FIRE SPRINKLER SYSTEMS (Optional), see Tennessee Code Annotated § 68-120-101(a)(8).~~

~~R313.1 Townhouse automatic fire sprinkler systems. When an automatic residential fire sprinkler system is installed in townhouses, the following shall apply. An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.~~

~~R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904.~~

~~R313.2 One and two family dwellings automatic fire systems. When an automatic residential fire sprinkler system is installed in one and two family dwellings, the following shall apply.~~

~~Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.~~

~~R313.2. Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.~~

~~Amend the text of Section R322.1.7 Protection of water supply and sanitary sewage systems by replacing the last sentence with the following:~~

~~New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into systems and discharges from systems into floodwaters in accordance with the plumbing provisions of this code, Chapter 3 of the International Private Sewage Disposal Code, and the water and sewer utility provider.~~

~~Amend the text of Section R404.4 Retaining walls by replacing the second sentence and inserting a new third sentence with the following:~~

~~Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding, 2.0 against overturning, and 3.0 bearing capacity of the soil. The design shall be approved by the City of Knoxville Department of Engineering.~~

~~Amend Table P3005.4.2 Maximum Number of Fixture Units Allowed to be Connected to the Building Drain, Building Drain Branches or the Building Sewer by inserting a newly created footnote "c.", to read as follows:~~

~~No building sewer shall be less than four inch (4") diameter in size.~~

~~Amend Chapter 44 Referenced Standards by deleting "ASCE/SEI 7-16: Minimum Design Loads and Associated Criteria for Buildings and Other Structures" and substitute "ASCE/SEI 7-10 Minimum Design Loads for Buildings and Other Structures."~~

~~Delete Appendix E Manufactured Housing Used as Dwellings in its entirety and substitute the following:~~

~~Section AE101 Scope.~~

~~AE101.1 General. The inspections required by this Code shall not apply to manufactured homes as exempted by the State of Tennessee, but shall apply to any construction or installation of decks, porches, steps or other structures or equipment. All manufactured homes shall pass a final inspection and have a Certificate of Occupancy issued.~~

(Ord. No. O-78-07, § 1, 4-28-07; Ord. No. O-247-07, § 1, 11-6-07; Ord. No. O-140-2010, §§ 1—10, 10-5-2010; Ord. No. O-218-2012, § 2, 12-11-12; Ord. No. O-28-2014, §§ 1—4, 2-4-14; Ord. No. O-160-2014, § 1, 7-22-14; Ord. No. O-21-2016, § 1, 2-2-16; Ord. No. O-45-2018, § 1, 3-27-18; Ord. No. O-182-2018, § 1, 11-20-18; Ord. No. O-11-2021, § 1, 1-26-21; Ord. No. O-29-2022, § 1, 3-22-22)

Secs. 6-43—6-50. Reserved.

ARTICLE IIB. ENERGY CONSERVATION CODE

Sec. 6-51. Adopted.

The International Energy Conservation Code, 2018 edition, as modified by the provisions of this article, is hereby adopted as the Energy Conservation Code of the City of Knoxville ("energy conservation code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-249-07, § 1, 11-6-07; Ord. No. O-219-2012, § 1, 12-11-12; Ord. No. O-181-2018, § 1, 11-20-18)

Sec. 6-52. Amendments.

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section C101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Delete *Section C104.3 Work commencing before permit issuance* in its entirety and substitute the following:

Any person who commences work before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council resolution, in addition to the required permit fees.

Delete the text of *Section C109 Board of Appeals* in its entirety and substitute the following:

C109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed

by the applicable governing authority and shall hold office at its pleasure. The board may adopt rules of procedure for conducting business.

C109.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

C109.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

C109.4 Qualifications. The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

C109.5 Terms. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

C109.6 Quorum and Voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

C109.7 Secretary of the Board. The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

(Ord. No. O-40-2018, § 1, 3-27-18; Ord. No. O-181-2018, § 1, 11-20-18; Ord. No. O-32-2022, § 1, 3-22-22)

ARTICLE IIC. EXISTING BUILDING CODE

Sec. 6-53. Adopted.

The International Existing Building Code, ~~2018~~ 2024 edition, as modified by the provisions of this article, is hereby adopted as the Existing Building Code of the City of Knoxville ("existing building code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-242-08, § 1, 12-30-08; Ord. No. O-226-2012, § 1, 12-11-12; Ord. No. O-179-2018, § 1, 11-20-18)

Sec. 6-54. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section [A] 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section 103* to rename the section "Department of Plans Review and Inspection."

Delete the text of *Section [A] 103.1 Creation of enforcement agency* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Amend *Section 104* to rename the section "Duties and Powers of the Building Official."

Delete the text of *Section [A] 104.8 Liability* in its entirety and substitute the following:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Add a newly created *Section [A] 104.12* entitled "Unsafe Buildings or Systems" to read as follows:

All buildings or structures which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings. All such unsafe buildings or structures are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition.

Delete Sections [A] 105.1.1 and [A] 105.1.2 in their entirety and substitute the following:

[A] 105.1.1 *Demolition Delay for Structures Listed or Eligible for Listing on the Historic Structures Inventory.* When the Department receives an application for a demolition permit for a structure which is listed or is eligible for listing on the Historic Structures Inventory, either individually or as a contributing historic structure, but is not within a local historic overlay district (H-1) or neighborhood conservation overlay district (NC-1), the Department shall not issue a demolition permit for the structure until the Historic Preservation Planner of the Knoxville-Knox County Metropolitan Planning Commission reviews the demolition permit application. Structures determined to be of local historic significance may be added to the Historic Structures Inventory by the Historic Preservation Planner. For structures to be added to the Historic Structures Inventory, the property owner shall be notified of the determination in writing via the U.S. Postal Service, to be delivered to the property owner's address as listed by the Knox County Property Assessor. The Historic Preservation Planner must provide a written determination of the property's historic status to the Building Official within seven (7) calendar days of submission of a completed permit application. The Building Official shall provide written notification to the applicant that a 60-day delay will be imposed or issue the demolition permit within three (3) days of receipt of the Planner's determination. The Building Official shall issue, if still requested, the demolition permit within sixty (60) days of submission of a completed permit application, unless a longer period is agreed upon by the applicant and the Building Official.

[A] 105.1.2 *Demolition Delay Not Applicable to Dangerous Structures Unsafe Buildings.* If the Building Official has declared a structure "Dangerous" building, structure, or system as unsafe, as defined by the International Code Council in Section 104.12 of the Building Code, the demolition delay shall not be required.

Add newly created Subsections [A] 105.1.3, [A] 105.1.4, and [A] 105.1.5, to read as follows:

[A] 105.1.3 *Intent of Demolition Delay.* The demolition delay required is intended to mitigate planned demolition with documentation, salvage, dismantling of historic structures for educational purposes, relocation, or other appropriate measures. The Building Official is required to approve the demolition within sixty (60) days of the permit application, unless a longer period is agreed upon by the applicant and the Building Official. The demolition delay is not intended to eliminate a property owner's right to demolish the structure.

[A] 105.1.4 *Demolition Review for Structures under Tenn. Code Ann. § 7-51-1201.* When the Department receives an application for a demolition permit for a structure which, individually or as part of a group of structures, may meet the criteria of Tenn. Code Ann. § 7-51-1201 as determined by the historic zoning commission, but is not included within a historic overlay or neighborhood conservation overlay district, the Building Official shall not issue a demolition permit for the structure and shall refer the application to the Knoxville Historic Zoning Commission for review and recommendation to the Knoxville City Council for the final decision. The procedure for application for such demolition permit and the review of such demolition shall be pursuant to the procedures set forth in the City of Knoxville Code of Ordinances, Appendix B, Article V, Section 24.

[A] 105.1.5 *Applicable Definitions.* For the purposes of Subsection 105.1.1, the Historic Structures Inventory means the current list maintained by the Knoxville-Knox County Metropolitan Planning Commission Historic Preservation Planner, which includes structures and districts listed by the Keeper of the National Register of Historic Places, National Park Service; structures and districts considered eligible for National Register listing by the Tennessee State Historic Preservation Office; and individual structures deemed to be of local historic significance; and Contributing Historic Structure means a structure listed or eligible for listing on the Historic

Structures Inventory that has been identified as making a contribution to the historical and/or architectural significance of an overall district. Non-contributing structures are identified as not making this contribution.

Amend the text of *Section [A] 105.2 Work exempt from permit* by replacing the last sentence of the first paragraph with the following:

Building permits shall not be required for the following while Zoning approval is required.

~~Amend-Delete~~ the text of *Section [A] 105.5 Expiration* ~~by deleting the last two sentences in its entirety~~ and substituting the following:

- Every permit shall become invalid after the following timeframes based on the project valuation:
 - o Valuation less than \$500,000 will expire in 1 calendar year from permit issuance.
 - o Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from permit issuance.
 - o Valuation exceeding \$20,000,000 will expire in 3 calendar years from permit issuance.
- All related MEP permits will expire in the same timeframe. All stand-alone MEP permits will expire in 1 calendar year from permit issuance.

Amend the second sentence of *Section [A] 107.1 General* by substituting 365 days for 180 days.

Delete the text of *Section [A] 108.2 Schedule of permit fees* in its entirety and substitute the following:

The fees for building or structure work shall be as identified in the Fee Schedule, as adopted by City Council resolution.

Delete the text of *Section [A] 108.4 Work commencing before permit issuance* and substitute the following:

Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council resolution, in addition to the required permit fees.

~~Add a newly created Section [A] 110.2.1 Certificate of completion to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued. This Certificate is proof that the permit has received a Final Inspection, and for certain types of permits is proof of release for use and authorization for connection to a utility system.~~

Delete the text of *Section 112 Board of Appeals* in its entirety and substitute the following:

[A] 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board may adopt rules of procedure for conducting business.

[A] 112.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] 112.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

[A] 112.4 *Qualifications.* The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] 112.5 *Terms.* Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

[A] 112.6 *Quorum and Voting.* A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

[A] 112.7 *Secretary of the Board.* The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

~~Add newly created Section [A] 118 License Requirements of Contractors to read as follows:~~

~~[A] 118.1 Contractor's responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~[A] 118.2 Enforcement of state requirements. All contractors whose contract exceeds \$25,000 must provide a company name, current state license number, the state assigned license limit, and the state assigned classification to the department prior to a permit being issued. All contractors performing work on residential structures, as defined by the State, whose contract is more than \$3,000 and less than \$25,000, must be licensed by the State as a Home Improvement Contractor and provide to the department the company name and the current state license number prior to a permit being issued. All owners and~~

~~contractors must provide evidence of workman's compensation coverage, when required by Tennessee Code Annotated, prior to the permit being issued. Nothing in this section shall prohibit an owner from securing a permit, without a licensed contractor, provided they fall within the definition of owner as defined by Tennessee Code Annotated.~~

~~[A] 118.3 License/registration. All contractors requesting permits must be licensed by the state and complete such forms and pay such fees identified in the Fee Schedule adopted by City Council resolution. Applications and fees are to be submitted to the City of Knoxville Department of Plans Review and Building Inspections.~~

(Ord. No. O-242-08, § 2, 12-30-08; Ord. No. O-226-2012, § 2, 12-11-12; Ord. No. O-22-2016, § 1, 2-2-16; Ord. No. O-38-2018, § 1, 3-27-18; Ord. No. O-179-2018, § 1, 11-20-18; Ord. No. O-30-2022, § 1, 3-22-22)

ARTICLE IID. INTERNATIONAL SWIMMING POOL AND SPA CODE³

Sec. 6-55. Adopted.

The International Swimming Pool and Spa Code, ~~2018~~ 2024 edition as modified by the provisions of this article, is hereby adopted as the Swimming Pool and Spa Code of the City of Knoxville ("swimming pool and spa code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-173-2018, § 2, 11-20-18)

Sec. 6-55.01. Amendments.

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section 103* to rename the section "Duties and Powers of the Building Official."

Delete the text of *Section [A] 103.1 Creation of enforcement agency* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Delete the text of *Section [A] 103.4 Liability* in its entirety and substitute the following:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or

³Editor's note(s)—Ord. No. O-173-2018, §§ 1 and 2, adopted November 20, 2018, amended the Code by repealing former art. IID, § 6-55, and adding a new art. IID. Former art. IID pertained to the International Performance Code for Buildings and Facilities, and derived from Ord. No. O-220-2012, adopted December 11, 2012.

illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Amend *Section 104* to rename the section "Duties and Powers of the Building Official."

Delete the text of *Section 105.5 Expiration* in its entirety and substitute the following:

- Every permit shall become invalid after the following timeframes based on the project valuation:
 - o Valuation less than \$500,000 will expire in 1 calendar year from permit issuance.
 - o Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from permit issuance.
 - o Valuation exceeding \$20,000,000 will expire in 3 calendar years from permit issuance.
- All related MEP permits will expire in the same timeframe. All stand-alone MEP permits will expire in 1 calendar year from permit issuance.

~~Amend the text of *Section [A] 105.5.3 Expiration* by deleting the last two sentences and substituting the following:~~

~~Every permit issued shall become invalid after 365 days. Permits may be renewed annually.~~

Delete the text of *Section [A] 105.6.1 [A] 109.4 Work commencing before permit issuance* and substitute the following:

Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council resolution, in addition to the required permit fees.

Delete the text of *Section [A] 105.6.2 109.2 Fee schedule* in its entirety and substitute the following:

The fees for building or structure work shall be as identified in the Fee Schedule, as adopted by City Council resolution.

Delete the text of *Section [A] 105.6.3 109.6 Fee refunds* in its entirety and substitute the following:

The building official is authorized to establish a refund policy.

Delete the text of *Section 108 112 Means of Appeal* in its entirety and substitute the following:

[A] 108.1 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

[A] 108.2 112.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] 108.3 112.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a

building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

[A] ~~108.4~~ 112.4 *Qualifications.* The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] ~~108.5~~ 112.5 *Terms.* Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

[A] ~~108.6~~ 112.6 *Quorum and Voting.* A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

[A] ~~108.7~~ 112.7 *Secretary of the Board.* The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

Add a newly created Section 109 entitled "License Requirements of Contractors" to read as follows:

~~[A] 109.1 Contractor's responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~[A] 109.2 Enforcement of state requirements. All contractors whose contract exceeds \$25,000 must provide a company name, current state license number, the state assigned license limit, and the state assigned classification to the department prior to a permit being issued. All contractors performing work on~~

~~residential structures, as defined by the State, whose contract is more than \$3,000 and less than \$25,000, must be licensed by the State as a Home Improvement Contractor and provide to the department the company name and the current state license number prior to a permit being issued. All owners and contractors must provide evidence of workman's compensation coverage, when required by Tennessee Code Annotated, prior to the permit being issued. Nothing in this section shall prohibit an owner from securing a permit, without a licensed contractor, provided they fall within the definition of owner as defined by Tennessee Code Annotated.~~

~~{A} 109.3 License/registration. All contractors requesting permits must be licensed by the state and complete such forms and pay such fees identified in the Fee Schedule adopted by City Council resolution. Applications and fees are to be submitted to the City of Knoxville Department of Plans Review and Building Inspections.~~

(Ord. No. O-173-2018, § 2, 11-20-18; Ord. No. O-36-2022, § 1, 3-22-22)

ARTICLE IIE. INTERNATIONAL GREEN CONSTRUCTION CODE

Sec. 6-55.1. Adopted.

Chapters 1 through 12 and Appendix B of the International Green Construction Code, 2012 edition, are hereby adopted as the Green Construction Code of the City of Knoxville ("Green Construction Code") and are made a part of this article by reference as though copied herein in full, with amendments set out in this article.

(Ord. No. O-27-2014, § 1, 2-4-14; Ord. No. O-151-2014, § 1, 6-24-14)

Sec. 6-55.2. Amendments.

Amend *Chapter 1, Scope and Administration*, as follows:

Delete the text of *Section 101.3 Scope* in its entirety and substitute the following:

This Code shall apply for use on a voluntary basis to the design, construction, addition, alteration, change of occupancy, relocation, replacement, repair, equipment, building site, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures and to the site on which the building is located. Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of this Code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. Quality control of materials and workmanship is not within the scope of this Code except as related to the purposes stated herein. Occupancy classifications shall be determined in accordance with the International Building Code.

Amend *Section 103* to rename the section "Duties and Powers of the Building Official."

Delete the text of *Section 107.1 Fees* in its entirety and substitute the following:

The fees for work shall be as identified in the Fee Schedule, as adopted by City Council resolution.

Delete the text of *Section ~~108 Board of Appeals~~ 110 Means of Appeal* in its entirety and substitute the following:

~~108.1~~ **110.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby

created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

~~108.2~~ **110.2** *Limitations on authority.* A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

~~108.3~~ **110.3** *Application.* The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

~~108.4~~ **110.4** *Qualifications.* The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

~~108.5~~ **110.5** *Terms.* Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

~~108.6~~ **110.6** *Quorum and Voting.* A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

~~108.7~~ 110.7 *Secretary of the Board.* The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

Amend *Chapter 3 Jurisdictional Requirements and Life Cycle Assessment* as follows:

Delete *Table 302.1 Requirements Determined by The Jurisdiction* in its entirety and substitute with the following:

TABLE 302.1 REQUIREMENTS DETERMINED BY THE JURISDICTION

Section	Section Title or Description and Directives	Jurisdictional Requirements
CHAPTER 1. SCOPE		
101.3 Exception 1.1	Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade plane with a separate means of egress, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	Yes
101.3 Exception 1.2	Group R-3 residential buildings, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	Yes
101.3 Exception 1.3	Group R-2 and R-4 residential buildings four stories or less in height above grade plane, their accessory structures, and the site or lot upon which these buildings are located, shall comply with ICC 700.	Yes
CHAPTER 4. SITE DEVELOPMENT AND LAND USE		
402.2.1	Flood hazard area preservation, general	Yes
402.2.2	Flood hazard area preservation, specific	Yes
402.3	Surface water protection	Yes
402.5	Conservation area	Yes
402.7	Agricultural land	Yes
402.8	Greenfield sites	Yes
407.4.1	High-occupancy vehicle parking	Yes
407.4.2	Low-emission, hybrid and electric vehicle parking	Yes
409.1	Light pollution control	Yes
CHAPTER 5. MATERIAL RESOURCE CONSERVATION AND EFFICIENCY		
503.1	Minimum percentage of waste material diverted from landfills	50%
CHAPTER 6. ENERGY CONSERVATION, EFFICIENCY AND CO ₂ e EMISSION REDUCTION		
302.1, 302.1.1, 602.1	zEPI of Jurisdictional Choice - The jurisdiction shall indicate a zEPI of 46 or less in each occupancy for which it intends to require enhanced energy performance.	No requirement
604.1	Automated demand response infrastructure	Yes
CHAPTER 7. WATER RESOURCE CONSERVATION, QUALITY AND EFFICIENCY		
702.7	Municipal reclaimed water	No
CHAPTER 8. INDOOR ENVIRONMENTAL QUALITY AND COMFORT		
804.2	Post-Construction Pre-Occupancy Baseline IAQ Testing	Yes
807.1	Sound transmission and sound levels	Yes
CHAPTER 10. EXISTING BUILDINGS		
1007.2	Evaluation of existing buildings	Yes
1007.3	Post Certificate of Occupancy zEPI, energy demand, and CO ₂ e emissions reporting	Yes

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(Ord. No. O-27-2014, § 1, 2-4-14; Ord. No. O-151-2014, § 1, 6-24-14; Ord. O-19-2016, § 1, 2-2-16; Ord. No. O-42-2018, § 1, 3-27-18; Ord. No. O-38-2022, § 1, 3-22-22)

ARTICLE III. GAS CODE⁴

Sec. 6-56. Adopted.

The International Fuel Gas Code, 2018 edition, and Appendices A, B, C, and D, as modified by the provisions of this article, is hereby adopted as the Fuel Gas Code of the City of Knoxville ("fuel gas code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-146-99, §§ 1, 6, 5-4-99; Ord. No. O-79-07, § 1, 4-24-07; Ord. No. O-223-2012, § 1, 12-11-12; Ord. No. O-178-2018, § 1, 11-20-18)

Sec. 6-57. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section [A] 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section 103 (IFGC)* to rename the section as "Department of Plans Review and Inspections."

Amend *Section 103 General* by deleting the text of the section in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Amend *Section [A] 103.4 Liability* by adding the following as the first sentence:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy.

Delete the text of *Section [A] 103.4.1 Legal Defense* in its entirety and substitute the following:

No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

⁴Editor's note(s)—Ord. No. O-146-99, § 7, approved May 4, 1999, repealed Ord. No. O-192-95, approved April 25, 1995, which comprised former §§ 6-56 and 6-57 of this article relative to the gas code. Sections 1—6 of Ord. No. O-146-99 added similar new provisions as set out in §§ 6-56 and 6-57.

Cross reference(s)—Electrical code, § 10-26 et seq.; fire prevention codes, § 11-21 et seq.

Amend *Section 104 (IFGC)* to rename the section as "Duties and Powers of the Building Official."

~~Amend the text of Section [A] 106.5.3 Expiration by deleting the last sentence and substituting the following:
Every permit issued shall become invalid after 365 days. Permits may be renewed annually.~~

Delete the text of *Section 105.3 Expiration* in its entirety and substitute the following:

- Every permit shall become invalid after the following timeframes based on the project valuation:
 - o Valuation less than \$500,000 will expire in 1 calendar year from permit issuance.
 - o Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from permit issuance.
 - o Valuation exceeding \$20,000,000 will expire in 3 calendar years from permit issuance.
- All related MEP permits will expire in the same timeframe. All stand-alone MEP permits will expire in 1 calendar year from permit issuance.

Delete *Section [A] 106.5.4 105.5.4 Extensions* in its entirety without substitution.

Delete the text of *Section [A] 106.6.1 108.4 Work commencing before permit issuance* in its entirety and substitute the following:

Any person who commences work on a gas system before obtaining the necessary permits shall be subject to fees indicated in the Fee Schedule, as adopted by City Council, in addition to the required permit fees.

Delete the text of *Section [A] 106.6.2 Fee schedule 108.2 Schedule of permit fees* in its entirety and substitute the following:

The fees for gas work shall be incorporated into, as appropriate, a mechanical permit or plumbing as identified in the Fee Schedule, as adopted by City Council.

Delete the text of *Section [A] 106.6.3 108.6 Fee refunds* in its entirety and substitute the following:

The building official is authorized to establish a refund policy.

~~Add a newly created Section [A] 107.4.1 entitled "Certificate of Completion" to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued to the permit holder. This certificate is proof that the permit has received a Final Inspection, and for certain types of permits, is proof of release for use and of authorization for connection to a utility system.~~

Delete the text of *Section 109 112 Means of Appeal* in its entirety and substitute the following:

[A] ~~109.1~~ 112.1 *General*. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

[A] ~~109.2~~ 112.2 *Limitations on authority*. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] ~~109.3~~ 112.3 *Application*. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a

building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

[A] ~~109.4~~ 112.4 *Qualifications*. The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] ~~109.5~~ 112.5 *Terms*. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

[A] ~~109.6~~ 112.6 *Quorum and Voting*. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

[A] ~~109.7~~ 112.7 *Secretary of the Board*. The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

~~Add a newly created Section 111 (IFGC) entitled "License Requirements of Contractors" to read as follows:~~

~~[A] 111.1 Contractor's Responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~[A] 111.2 License and Registration. All contractors requesting permits must be licensed by the City annually and complete such forms and pay such fees identified in the Fee Schedule adopted by Council. Applications and fees are to be submitted to the City of Knoxville Department of Plans Review and Building Inspections.~~

~~{A} 111.3 Necessity of License. No person, firm, or corporation shall engage in or work at a business of gas installation or gas contracting in the Knoxville city limits, unless duly licensed by the City or excepted as provided herein. Exceptions:~~

- ~~1. Nothing in this ordinance shall prohibit a homeowner from securing a permit to install, alter or replace the homeowner's gas system at the homeowner's principle single family residence provided:
 - ~~a. The residence is not a manufactured home or a condemned house, a town house or a condominium or a fire damaged residence.~~
 - ~~b. Such work is done by the homeowner and/or immediate family, such as parents, grandparents, brothers, sisters, and children.~~
 - ~~c. The work is not associated with a residence that is for sale, lease, rent, or other similar purpose.~~
 - ~~d. The same homeowner may not be issued more than one (1) permit in any five (5) year period at different locations.~~
 - ~~e. In the event the homeowner's work is found to be unacceptable, the homeowner's permit shall be voided by the building official.~~~~
- ~~2. Any person who holds a license issued by a governmental organization having a test standard and grade requirement equal to or superior to that of this code may be issued a similar license without another examination subject to meeting all conditions established by the building official.~~
- ~~3. Companies licensed by the State as CMC, CMC-A, and CMC-C gas contractors will be permitted to perform gas work within their state classifications without local testing.~~

~~{A} 111.3.1 License Requirements. Each license issued in accordance with the provisions of this ordinance shall specify the name of the person who has passed the appropriate examination as provided herein, and such person shall be designated as the license holder. A license holder shall not hold a mechanical or plumbing license for more than one company, firm, or corporation at the same time. In the event a license holder becomes disabled due to illness or accident, dies, or is no longer employed by the company for which the person is the license holder, the company may petition the building official for approval to employ another license holder to supervise all work under existing permits for a period not to exceed ninety (90) days. No additional permits may be issued during this ninety (90) day period.~~

~~When gas work is being performed, the appropriately licensed mechanical contractor, mechanical installer, plumbing contractor, or plumbing installer shall be responsible for and in charge of the work. It shall be the responsibility of the licensed mechanical contractor, mechanical installer, plumbing contractor, or plumbing installer to ensure Code compliant work and installation.~~

~~{A} 111.3.2 Class of Contractor's License Classifications. Any person who performs any gas work in the Knoxville city limits shall be the holder of, or employed by the holder of, one of the following listed mechanical licenses:~~

~~A Mechanical Contractor License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of refrigeration and gas HVAC systems as authorized by Tennessee Code Annotated § 62-6-111.~~

~~To qualify for a Mechanical Contractor License a person shall possess a valid state mechanical license with a classification of CMC or CMC-C.~~

~~A Mechanical Installer License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of refrigeration and gas HVAC systems as authorized by Tennessee Code Annotated § 62-6-111 for projects less than \$25,000.~~

~~To qualify for a Mechanical Installer License a person shall demonstrate four (4) years relevant experience with relevant references and either (1) a passing score for the state CMC or CMC-C~~

~~examination without the business and law management exam or (2) a passing score for the state LLE examinations.~~

~~A Plumbing Contractor License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of plumbing and gas piping systems as authorized by Tennessee Code Annotated § 62-6-111.~~

~~To qualify for a Plumbing and Gas Piping Contractor License a person shall possess a valid state plumbing license with a classification of CMC or CMC-A.~~

~~A Plumbing Installer License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of plumbing and gas piping systems as authorized by Tennessee Code Annotated § 62-6-111 for projects less than \$25,000.~~

~~To qualify for a Plumbing and Gas Piping Installer License a person shall demonstrate four (4) years relevant experience with relevant references and either (1) a passing score for the state CMC or CMC-A examination without the business and law management exam or (2) a passing score for the state LLP examinations.~~

~~[A] 111.3.3 – Violations. Any person who performs any gas work in the Knoxville city limits shall be a licensed mechanical contractor, licensed mechanical installer, plumbing contractor, or plumbing installer, or employee thereof. It shall be unlawful for any person holding a mechanical or plumbing license issued hereunder to allow the use of the same directly or indirectly by any other person for the purpose of obtaining a permit to do gas work in the Knoxville city limits. Any license holder who shall violate a provision of this code or fail to comply with any of the provisions thereof or violate a detailed statement of plan submitted and approved thereunder, shall be subject to license suspension or revocation as determined by the building official.~~

(Ord. No. O-146-99, §§ 2—5, 5-4-99; Ord. No. O-175-01, § 1, 5-29-01; Ord. No. O-491-02, § 1, 12-10-02; Ord. No. O-182-04, § 1, 10-12-04; Ord. No. O-79-07, § 2, 4-24-07; Ord. No. O-223-2012, § 2, 12-11-12; Ord. No. O-23-2016, § 1, 2-2-16; Ord. No. O-41-2018, § 1, 3-27-18; Ord. No. O-178-2018, § 1, 11-20-18; Ord. No. O-35-2022, § 1, 3-22-22)

Secs. 6-58—6-80. Reserved.

ARTICLE IV. MECHANICAL CODE⁵

Sec. 6-81. Adopted.

The International Mechanical Code, 2018 edition, and Appendix A, as modified by the provisions of this article, is hereby adopted as the Mechanical Code of the City of Knoxville ("mechanical code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-150-99, §§ 1, 4, 5-4-95; Ord. No. O-80-07, § 1, 4-24-07; Ord. No. O-222-2012, § 1, 12-11-12; Ord. No. O-177-2018, § 1, 11-20-18)

⁵Editor's note(s)—Ord. No. O-150-99, § 5, approved May 4, 1999, repealed Ord. No. O-189-95, approved April 25, 1995, which comprised former §§ 6-81 and 6-82 of this article relative to the mechanical code. Sections 1—4 of Ord. No. O-189-95 added similar new provisions as set out in §§ 6-81 and 6-82.

Cross reference(s)—Electrical code, § 10-26 et seq.; fire prevention codes, § 11-21 et seq.

Sec. 6-82. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section [A] 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section 103* to rename the section "Department of Plans Review and Inspections."

Delete *Section [A] 103.1 General* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Amend *Section [A] 103.4 Liability* by adding the following as the first sentence:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy.

Delete the text of *Section [A] 103.4.1 Legal Defense* in its entirety and substitute the following:

No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Amend *Section 104* to rename the section "Duties and Powers of the Building Official."

Delete the text of *Section 105.4.3 Expiration* in its entirety and substitute the following:

- Every permit shall become invalid after the following timeframes based on the project valuation:
 - o Valuation less than \$500,000 will expire in 1 calendar year from permit issuance.
 - o Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from permit issuance.
 - o Valuation exceeding \$20,000,000 will expire in 3 calendar years from permit issuance.
- All related MEP permits will expire in the same timeframe. All stand-alone MEP permits will expire in 1 calendar year from permit issuance.

~~Amend the text of *Section [A] 106.4.3 Expiration* by deleting the last sentence and substituting the following:~~

~~Every permit issued shall become invalid after 365 days. Permits may be renewed annually.~~

Delete *Section [A] ~~106.4.4~~ 105.4.4 Extensions* in its entirety without substitution.

Delete the text of *Section [A] ~~106.5.1~~ 108.4 Work commencing before permit issuance* in its entirety and substitute the following:

Any person who commences work on a mechanical system before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council, in addition to the required permit fees.

Delete the text of *Section [A] ~~106.5.2 Fee schedule~~ 108.2 Schedule of permit fees* in its entirety and substitute the following:

The fees for mechanical work shall be as identified in the Fee Schedule, as adopted by City Council.

Delete the text of Section [A] ~~106.5.3 Fee refunds~~ 108.3 Refunds in its entirety and substitute the following:

The building official is authorized to establish a refund policy.

~~Renumber Section [A] 107.4.1 as [A] 107.4.2.~~

~~Add a newly created Section [A] 107.4.1 entitled "Certificate of Completion" to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued to the permit holder. This certificate is proof that the permit has received a Final Inspection, and for certain types of permits, is proof of release for use and of authorization for connection to a utility system.~~

Delete Section ~~109~~ 112 Means of Appeal in its entirety and substitute the following:

[A] ~~109.1~~ 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

[A] ~~109.2~~ 112.2 Limitations on authority. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] ~~109.3~~ 112.3 Application. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

[A] ~~109.4~~ 112.4 Qualifications. The board shall consist of members who are appointed by the Mayor and qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City pursuant to the provisions of Chapter 11, Article II of the Knoxville City Code, who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] ~~109.5~~ 112.5 Terms. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for

staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

[A] ~~109.6~~ ~~112.6~~ *Quorum and Voting.* A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

[A] ~~109.7~~ ~~112.7~~ *Secretary of the Board.* The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

Add a newly created Section 111 entitled "License Requirements of Contractors" to read as follows:

~~[A] 111.1 Contractor's Responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~[A] 111.2 License/Registration. All contractors requesting permits must be licensed by the City annually and complete such forms and pay such fees identified in the Fee Schedule adopted by Council. Applications and fees are to be submitted to the City of Knoxville Department of Plans Review and Building Inspections.~~

~~[A] 111.3 Necessity of License. No person, firm, or corporation shall engage in or work at a business of mechanical installation or mechanical contracting in the Knoxville city limits, unless duly licensed by the City or excepted as provided herein.~~

Exceptions:

- ~~1. Nothing in this ordinance shall prohibit a homeowner from securing a permit to install, alter or replace the homeowner's mechanical system at the homeowner's principle single family residence providing:~~
 - ~~a. The residence is not a manufactured home or a condemned house, a townhouse or a condominium or a fire damaged residence.~~
 - ~~b. Such work is done by the homeowner and/or immediate family, such as parents, grandparents, brothers, sisters, and children.~~
 - ~~c. The work is not associated with a residence that is for sale, lease, rent, or other similar purpose.~~
 - ~~d. The same homeowner may not be issued more than one (1) permit in any five (5) year period at different locations.~~
 - ~~e. In the event the homeowner's work is found to be unacceptable, the homeowner's mechanical permit shall be voided by the building official.~~
- ~~2. Any person who holds a license issued by a governmental organization having a test standard and grade requirement equal to or superior to that of this code may be issued a similar license without another examination subject to meeting all conditions established by the building official.~~

~~3. — Companies licensed by the State as CMC and CMC-C Mechanical Contractors will be permitted to perform mechanical work within their state classifications without local testing.~~

~~[A] 111.3.1 License Requirements. Each license issued in accordance with the provisions of this ordinance shall specify the name of the person who has passed the appropriate examination as provided herein, and such person shall be designated as the license holder. A license holder shall not hold a mechanical license for more than one company, firm, or corporation at the same time. In the event a license holder becomes disabled due to illness or accident, dies, or is no longer employed by the company for which the person is the license holder, the company may petition the building official for approval to employ another license holder to supervise all work under existing permits for a period not to exceed ninety (90) days. No additional permits may be issued during this ninety (90) day period.~~

~~When mechanical work is being performed, the appropriately licensed mechanical contractor or mechanical installer shall be responsible for and in charge of the work. It shall be the responsibility of the licensed mechanical contractor or mechanical installer to ensure Code compliant work and installation.~~

~~[A] 111.3.2 Class of Contractor's License Classifications. Any person who performs any mechanical work in the Knoxville city limits shall be the holder of, or employed by the holder of, one of the following listed mechanical licenses:~~

~~A Mechanical Contractor License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of refrigeration and mechanical systems and installation of gas piping as authorized by Tennessee Code Annotated § 62-6-111.~~

~~To qualify for a Mechanical Contractor License a person shall possess a valid state mechanical license with a classification of CMC or CMC-C.~~

~~A Mechanical Installer License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of refrigeration and mechanical systems and installation of gas piping as authorized by Tennessee Code Annotated § 62-6-111 for projects less than \$25,000.~~

~~To qualify for a Mechanical Installer License a person shall demonstrate 4 years relevant experience with relevant references and either (1) a passing score for the state CMC or CMC-C examination without the business and law management exam or (2) a passing score for the state LLE examination.~~

~~[A] 111.3.3 Violations. Any person who performs any mechanical work in the Knoxville city limits shall be a licensed mechanical contractor, licensed mechanical installer, or employee thereof. It shall be unlawful for any person holding a mechanical license issued hereunder to allow the use of the same directly or indirectly by any other person for the purpose of obtaining a permit to do mechanical work in the Knoxville city limits. Any license holder who shall violate a provision of this code or fail to comply with any of the provisions thereof, or violate a detailed statement of plans submitted and approved thereunder, shall be subject to license suspension or revocation as determined by the building official.~~

Amend Chapter 11 Refrigeration as follows:

Delete Section ~~1101.10~~ 1101.9 Locking Access Port Caps in its entirety without substitution.

(Ord. No. O-150-99, § 2, 3, 5-4-99; Ord. No. O-179-01, § 1, 5-29-01; Ord. No. O-489-02, § 1, 12-10-02; Ord. No. O-183-04, § 1, 10-12-04; Ord. No. O-80-07, § 2, 4-24-07; Ord. No. O-222-2012, § 2, 12-11-12; Ord. No. O-24-16, § 1, 2-2-16; Ord. No. O-43-2018, § 1, 3-27-18; Ord. No. O-177-2018, § 1, 11-20-18; Ord. No. O-34-2022, § 1, 3-22-22)

Secs. 6-83—6-105. Reserved.

ARTICLE V. PLUMBING CODE⁶

Sec. 6-106. Adopted.

The International Plumbing Code, ~~2018~~ 2024 edition, and Appendices B, C, D, and E, as modified by the provisions of this article, is hereby adopted as the Plumbing Code of the City of Knoxville ("plumbing code") and is made a part of this article by reference as though copied herein in full.

(Ord. No. O-148-99, §§ 1, 6, 5-4-99; Ord. No. O-81-07, § 1, 4-24-07; Ord. No. O-224-2012, § 1, 12-11-12; Ord. No. O-175-2018, § 1, 11-20-18)

Sec. 6-107. Amendments.

The code adopted by this article is amended as set out in this section:

Amend *Chapter 1, Scope and Administration*, as follows:

Amend *Section [A] 101.1 Title* by adding the "City of Knoxville" as the name of jurisdiction.

Amend *Section 103* to rename the section "Department of Plans Review and Inspections."

Delete the text of *Section [A] 103.1 General* in its entirety and substitute the following:

The Department of Plans Review and Inspections is hereby created and the official in charge thereof shall be known as the building official, also known as the code official.

Amend *Section [A] 103.4 Liability* by adding the following as the first sentence:

The inspection or permitting of any work by any jurisdiction, under the requirements of any section of this code, shall not be construed in any court as a warranty of the physical condition of such building or plan or their adequacy.

Delete the text of *Section [A] 103.4.1 Legal Defense* in its entirety and substitute the following:

No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building or plan, or for any failure of any component of such, which may occur subsequent to such inspection or permitting. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Amend *Section 104* to rename the section "Duties and Powers of the Building Official."

⁶Editor's note(s)—Ord. No. O-148-99, § 7, approved May 4, 1999, repealed Ord. No. O-193-95, approved April 25, 1995, which comprised former §§ 6-106 and 6-107 of this article relative to the plumbing code. Sections 1—6 of Ord. No. O-148-99 added similar new provisions as set out in §§ 6-106 and 6-107.

Cross reference(s)—Electrical code, § 10-26 et seq.; fire prevention codes, § 11-21 et seq.

Delete the text of *Section 105.5.3 Expiration* in its entirety and substitute the following:

- Every permit shall become invalid after the following timeframes based on the project valuation:
 - o Valuation less than \$500,000 will expire in 1 calendar year from permit issuance.
 - o Valuation \$500,000 to \$20,000,000 will expire in 2 calendar years from permit issuance.
 - o Valuation exceeding \$20,000,000 will expire in 3 calendar years from permit issuance.
- All related MEP permits will expire in the same timeframe. All stand-alone MEP permits will expire in 1 calendar year from permit issuance.

~~Amend the text of Section [A] 106.5.3 Expiration by deleting the last sentence and substituting the following:~~

~~Every permit issued shall become invalid after 365 days. Permits may be renewed annually.~~

Delete Section [A] ~~106.5.4~~ 105.5.4 *Extensions* in its entirety without substitution.

Delete the text of Section [A] ~~106.6.1~~ 108.4 *Work commencing before permit issuance* in its entirety and substitute the following:

Any person who commences work on a plumbing system before obtaining the necessary permits shall be subject to fees as indicated in the Fee Schedule, as adopted by City Council, in addition to the required permit fees.

Delete the text of [A] ~~106.6.2 Fee schedule~~ 108.2 *Schedule of permit fees* in its entirety and substitute the following:

The fees for plumbing work shall be as identified in the Fee Schedule, as adopted by City Council.

Delete the text of [A] ~~106.6.3 Fee refunds~~ 108.6 *Refunds* in its entirety and substitute the following:

The building official is authorized to establish a refund policy.

~~Add a newly created Section [A] 107.5.1 entitled "Certificate of Completion" to read as follows:~~

~~Upon satisfactory completion of a permit, a Certificate of Completion may be issued to the permit holder. This Certificate is proof that the permit has received a Final Inspection, and for certain types of permits, is proof of release for use and authorization for connection to a utility system.~~

Delete the text of Section ~~109~~ 112 *Means of Appeal* in its entirety and substitute the following:

[A] ~~109.1~~ 112.1 *General*. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Appeals Board (hereinafter referred to as the "board"). The board shall be appointed by the Mayor and shall hold office at his or her pleasure. The board may adopt rules of procedure for conducting business.

[A] ~~109.2~~ 112.2 *Limitations on authority*. A person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] ~~109.3~~ 112.3 *Application*. The application for appeal shall be filed on a form obtained from the building official within thirty (30) days from the calendar date the decision is rendered by the building official. Application for appeal must be filed within ten (10) days prior to the monthly meeting date. In the case of a

building or structure that, in the opinion of the building official, is unsafe or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

[A] ~~109.4~~ 112.4 *Qualifications*. The board shall consist of nine (9) members appointed by the Mayor and who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. This board shall consist of the following:

1. (1) State Registered Architect
2. (1) Contractor with a Building Contractor's License
3. (1) Person with experience, training and full knowledge of fire service and/or knowledge of the applicable fire prevention codes as adopted by the City who shall have had at least 10 years' experience within the field represented
4. Consumer Representative
5. State Licensed Mechanical Engineer
6. Licensed Mechanical Contractor
7. Licensed Plumbing Contractor
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] ~~109.5~~ 112.5 *Terms*. Board members shall be appointed to staggered terms of five (5) years each, provided that members may be appointed to terms shorter than five (5) years when necessary to provide for staggered terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Board members may continue to serve until reappointed or replaced. Official misconduct, neglect of duty, or continued absence of any member from required meetings of the Board shall, at the discretion of the Mayor, render any such member subject to immediate removal from office.

[A] ~~109.6~~ 112.6 *Quorum and Voting*. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. If the board's vote results in a tie, the motion shall fail. In the event of a tied vote, the Board shall not be required to continue the item for consideration at a future meeting. A board member shall not act in a case in which said member has a personal, financial, or other interest and shall recuse himself or herself from all participation when the matter is formally presented to the Board for consideration. Any board member who has been recused shall immediately leave the room or shall be seated with the other members of the public who are present. The recused board member shall not give testimony in favor or in opposition of any application being considered by the board. Once the matter has been concluded, the member shall be reseated with the board.

[A] ~~109.7~~ 112.7 *Secretary of the Board*. The building official or designee shall act as secretary of the Board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

Add a newly created Section 111 entitled "License Requirements of Contractors" to read as follows:

~~[A] 111.1 Contractor's Responsibilities. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings or structures for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.~~

~~[A] 111.2 License/Registration. All contractors requesting permits must be licensed by the City annually and complete such forms and pay such fees identified in the Fee Schedule adopted by Council. Applications and fees are to be submitted to the City of Knoxville Department of Plans Review and Building Inspections.~~

~~{A} 111.3 Necessity of License. No person, firm, or corporation shall engage in or work at a business of plumbing installation or plumbing contracting in the Knoxville city limits, unless duly licensed by the City or excepted as provided herein.~~

~~Exceptions:~~

- ~~1. Nothing in this ordinance shall prohibit a homeowner from securing a permit to install, alter or replace the homeowner's plumbing system at the homeowner's principle single-family residence providing:
 - ~~a. The residence is not a manufactured home or a condemned house, a townhouse or a condominium or a fire-damaged residence.~~
 - ~~b. Such work is done by the homeowner and/or immediate family, such as parents, grandparents, brothers, sisters and children.~~
 - ~~c. The work is not associated with a residence that is for sale, lease, rent, or other similar purpose.~~
 - ~~d. The same homeowner may not be issued more than one (1) permit in any five (5) year period at different locations.~~
 - ~~e. In the event the homeowner's work is found to be unacceptable, the homeowner's plumbing permit shall be voided by the building official.~~~~
- ~~2. Any person who holds a license issued by a governmental organization having a test standard and grade requirement equal to or superior to that of this Code may be issued a similar license without another examination subject to meeting all conditions established by the building official.~~
- ~~3. Companies licensed by the State as CMC; and CMC A Plumbing Contractors will be permitted to perform plumbing work within their state classifications without local testing.~~

~~{A} 111.3.1 License Requirements. Each license issued in accordance with the provisions of this ordinance shall specify the name of the person who has passed the appropriate examination as provided herein, and such person shall be designated as the license holder. A license holder shall not hold a plumbing license for more than one company, firm, or corporation at the same time. In the event a license holder becomes disabled due to illness or accident, dies, or is no longer employed by the company for which the person is the license holder, the company may petition the building official for approval to employ another license holder to supervise all work under existing permits for a period not to exceed ninety (90) days. No additional permits may be issued during this ninety (90) day period.~~

~~When plumbing work is being performed, the appropriately licensed plumbing contractor or plumbing installer shall be responsible for and in charge of the work. It shall be the responsibility of the licensed plumbing contractor or plumbing installer to ensure Code compliant work and installation.~~

~~{A} 111.3.2 Class of Contractor's License Classifications. Any person who performs any plumbing work in the Knoxville city limits shall be the holder of, or employed by the holder of, one of the following listed plumbing licenses:~~

~~A Plumbing Contractor License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of plumbing and gas piping systems as authorized by Tennessee Code Annotated § 62-6-111.~~

~~To qualify for a Plumbing Contractor License a person shall possess a valid state plumbing license with a classification of CMC or CMC A.~~

~~A Plumbing Installer License shall entitle the holder thereof to engage in the business of and to secure permits for the installation, alteration, maintenance and repair of plumbing and gas piping systems as authorized by Tennessee Code Annotated § 62-6-111 for projects less than \$25,000.~~

~~To qualify for a Plumbing Installer License a person shall demonstrate four (4) years relevant experience with relevant references and either (1) a passing score for the state CMC or CMC-A examination without the business and law management exam or (2) a passing score for the state LLP examinations.~~

~~[A] 111.3.3 Violations. Any person who performs any plumbing work in the Knoxville city limits shall be a licensed plumbing contractor, licensed plumbing installer, or an employee thereof. It shall be unlawful for any person holding a license issued hereunder to allow the use of the same directly or indirectly by any other person for the purpose of obtaining a permit to do plumbing work in the Knoxville city limits. Any license holder who shall violate a provision of this code or fail to comply with any of the provisions thereof or violate a detailed statement of plan submitted and approved thereunder, shall be subject to license suspension or revocation as determined by the building official.~~

~~Amend Chapter 4, *Fixtures, Faucets and Fixture Fittings*, as follows:~~

~~Amend the text of Section 403.3.3 Location of toilet facilities in occupancies other than malls.~~

~~In occupancies other than covered and open mall buildings, the required *public* and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).~~

~~Exceptions:~~

- ~~1. The location and maximum distances of travel to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum distance of travel are *approved*.~~
- ~~2. The location and maximum distances of travel to required public and employee facilities in Group S occupancies shall be permitted to exceed that required by this section, provided that the location and maximum distance of travel are *approved*.~~

~~Amend Chapter 7 *Sanitary Drainage* as follows:~~

~~Add a newly created Subsection [A] 708.10 entitled "Locations" to read as follows:~~

~~Cleanouts shall be required on all laterals that are installed under an existing or proposed roadway. Cleanouts at the property line will not be required on laterals that tie in to sewer lines located on easements, unless the lateral crosses a roadway. Cleanouts should be located on the property line in most cases. However, where a long lateral crosses another private property the cleanout should be located on the road right-of-way. In that case, a four (4) inch line may be installed upstream of the cleanout to the property line. The cleanout installation will be the responsibility of the plumber tying on to the lateral that is extended to the right-of-way line.~~

~~Amend Table 710.1(1) *Building Drains and Sewers* by a newly created footnote, "b.", to read as follows:~~

~~No building sewer shall be less than four inches (4") in size.~~

(Ord. No. O-148-99, §§ 2—5, 5-4-99; Ord. No. O-177-01, § 1, 5-29-01; Ord. No. O-493-02, § 1, 12-10-02; Ord. No. O-495-02, § 1, 12-10-02; Ord. No. O-184-04, § 1, 10-12-04; Ord. No. O-38-05, § 1, 2-1-05; Ord. No. O-24-07, § 2, 4-24-07; Ord. No. O-241-08, § 1, 12-30-08; Ord. No. O-139-2010, §§ 1, 2, 10-5-2010; Ord. No. O-224-2012, § 2, 12-11-12; Ord. No. O-25-2016, § 1, 2-2-16; Ord. No. O-44-2018, § 1, 3-27-18; Ord. No. O-175-2018, § 1, 11-20-18; Ord. No. O-33-2022, § 1, 3-22-22)