

ORDINANCE

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO AMEND THE KNOXVILLE CITY CODE, CHAPTER 6, ARTICLE II, § 6-32 BY AMENDING THE 2012 INTERNATIONAL BUILDING CODE REGARDING THE SCOPE AND COMPOSITION OF THE APPEALS BOARD AND CONDENSING OR CLARIFYING OTHER ENFORCEMENT AND ADMINISTRATIVE PROVISIONS.

ORDINANCE NO: O-37-2018

REQUESTED BY: Plans Review

PREPARED BY: Law Department

APPROVED ON 1ST

READING: 3-13-2018

APPROVED ON 2ND

READING: 3-27-2018

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: 82 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 2012 edition of the *International Building Code* was previously adopted and amended by the Knoxville City Council (the “Building Code”); and

WHEREAS, the currently adopted International Codes and the National Electrical Code for the City of Knoxville are currently served by several separate appeals board; and

WHEREAS, the City desires to streamline the administrative function of construction appeals and therefore has proposed a single appeals board at the recommendation of the Chief Building Official and Director of Plans Review and Inspections; and

WHEREAS, the Construction Appeals Board (“CAB”) will serve as a single construction

appeals board for all discipline related international codes and the National Electric Code; and

WHEREAS, a portion of the professional and qualified individuals from all boards will be combined for the CAB; and

WHEREAS, these amendments to the Code create the CAB and limit the scope of authority of the CAB by eliminating variances, which are not appropriate for life safety codes; and

WHEREAS, these amendments to the Code also eliminate superfluous language that was adopted previously as a newly created chapter to make the Code easier to use; and

WHEREAS, one (1) copy of the 2012 edition of the *2012 International Building Code*, with amendments as set forth herein, has been filed in the office of the City Recorder fifteen (15) days prior to the adoption of this Ordinance, and has been kept available for public use, inspection and examination, in accordance with Tennessee Code Annotated § 6-54-502.

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

SECTION 1: The text of the Knoxville City Code, Chapter 6, Article II, § 6-32 regarding the Building Code of the City of Knoxville is hereby deleted in its entirety and substituted with the language as shown on the attached Exhibit A, which is incorporated by reference.

SECTION 2: This Ordinance shall take effect seventeen (17) days from and after its passage, the welfare of the City requiring it.


Recorder

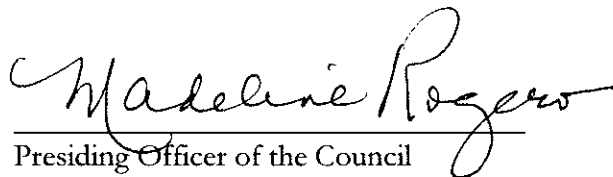

Presiding Officer of the Council

EXHIBIT A

Chapter 6, Article II, § 6-32

AMEND Chapter 1, Scope and Administration, as follows:

ADD a newly created Section [A] 101.4.7 **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 [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] 104.8 **Liability** in its entirety and **SUBSTITUTE** the following: The inspection or permitting of any residential building or plan by any jurisdiction, under the requirements 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 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 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 **Unsafe Buildings or Systems**. 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 Unsafe Buildings.** If the Building Official has declared a building, structure, or system as unsafe, as defined in Section 104.12 of the Building Code, the demolition delay shall not be required.

ADD newly created Sections [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 105.1.2, 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.

DELETE the text of Section [A] 105.2 **Work exempt from permit** in its entirety and **SUBSTITUTE** the following: Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Fences.
2. Roofing only where the first layer of shingles is kept intact and the second layer of shingles is applied.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Guttering.
5. Siding.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to detached one- and two-family dwellings.

DELETE the text of Section [A] 105.7 **Placement of Permit** in its entirety and **SUBSTITUTE** the following: Work requiring a permit shall not commence until the permit holder or agent thereof posts the permit card and street number in a conspicuous place on the premises. The permit shall be protected from the weather and readily accessible. The street address number shall be readable from the street in numbers not less than three (3) inches high and wide and not less than twenty-four (24) inches nor more than sixty (60) inches above the ground. This permit card and street address number shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the building official.

ADD a newly created Section [A] 106.1.1. titled **Storage and Factory-Industrial Occupancies** to read as follows: It shall be the responsibility of the owner, agent, proprietor or occupant of Group S and Group F occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent architect or engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit shall be filed with the Department.

DELETE the text of Section [A] 107.1 **General** in its entirety and **SUBSTITUTE** the following: Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared and sealed by a registered design professional where required by Tennessee law. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

ADD a newly created Section [A] 107.2.5.2 **Hazardous Occupancies** to read as follows: The building official may require the following:

1. General Site Plan. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment, cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored.

2. Building Floor Plan. A building floor plan drawn to a legible scale which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous materials storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

DELETE the text of Section [A] 108.1 **General** in its entirety and **SUBSTITUTE** the following: The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall include a time limit not to exceed three hundred sixty five (365) days per temporary permit, with portable buildings limited to three (3) consecutive three hundred sixty five (365) day permits.

DELETE the text of Section [A] 109.2 **Schedule of Permit and Inspection Fees** in its entirety and **SUBSTITUTE** the following: On buildings or structures requiring a permit, a fee for each permit shall be paid as required, in accordance with this section:

1. *Plans review fees:* Application for approval shall be accompanied by a non-refundable fee in accordance with the following schedule:

One and Two Family Dwellings

New..... \$60.00
Additions..... \$35.00
Swimming Pool and Accessory Structures..... \$35.00

All other Buildings and Structures

\$0.00 up to and including \$50,000.99 total valuation..... \$55.00
\$50,001.00 up to and including \$100,000.99 total valuation..... \$110.00
\$100,001.00 up to and including \$200,000.99 total valuation..... \$220.00
\$200,001.00 up to and including \$300,000.99 total valuation..... \$330.00
\$300,001.00 up to and including \$500,000.99 total valuation..... \$440.00
\$500,001.00 up to and including \$1,000,000.99 total valuation..... \$550.00

\$1,000,001.00 up to and including \$1,500,000.99 total valuation..... \$660.00
 \$1,500,001.00 up to and including \$2,000,000.99 total valuation..... \$770.00
 \$2,000,001.00 up to and including \$2,500,000.99 total valuation..... \$880.00
 \$2,500,001.00 up to and including \$3,000,000.99 total valuation..... \$990.00
 \$3,500,001.00 or more total valuation..... \$1,100.00

After the submitted plans have been reviewed, an additional \$100.00 review fee per additional review will be charged after the second revision to the original plan submitted (if revisions are necessary).

2. *Building permit fees:* The non-refundable fee for a building permit for new construction, additions, alteration, or repair to existing structures shall be based upon total valuation of such construction, addition, alteration or repair in accordance with the following schedule. If circumstances warrant, the Building Official may consider a request for refund and the amount to be refunded, if any. The following fees are based on total value of labor and materials.

Valuation	Permit Fee
\$0.00 up to and including \$100.99 total valuation	No Fee
\$101.00 up to and including \$2,000.99 total valuation	\$50.00
\$2,001.00 up to and including \$50,000.99 total valuation	\$50.00 for the first \$2,000 plus \$4.50 for each additional thousand or fraction thereof
\$50,001.00 up to and including \$100,000.99 total valuation	\$266.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof
\$100,001.00 up to and including \$500,000.99 total valuation	\$466.00 for the first \$100,000 plus \$3.50 for each additional thousand or fraction thereof
\$500,001.00 up to and including \$1,000,000.99 total valuation	\$1,866.00 for the first \$500,000 plus \$3.00 for each additional thousand or fraction thereof
\$1,000,001.00 or more total valuation	\$3,366.00 for the first \$1,000,000 plus \$2.50 for each additional thousand or fraction thereof

ADD a newly created Section [A] 109.2.1 entitled **Reinspection** to read as follows:

Required Inspections & First Reinspection..... No Charge
 Second Reinspection..... \$25.00
 Third Reinspection..... \$50.00
 Each Subsequent Reinspection..... \$50.00

A reinspection is defined as an inspection made by the Building Inspector after the request has been made by the license holder or agent thereof for deficiencies noted at a prior inspection. Upon the occasion of an inspection or reinspection, a written notification of deficiencies should be filed with the permit holder.

ADD a newly created Section [A] 109.2.2 entitled **Existing building use permit** to read as follows: When an existing building or portion of an existing building is vacated or vacant and prior to the space being occupied by a new tenant and where a building permit is not required by this Code, each new tenant shall first submit an application for a Use Permit. The non-refundable fee for this permit shall be \$50.00. A Use Permit is not required when a Plans Review Application and a

Building Permit have been issued for the new tenant or when the new tenant is classified as a Group R-2 or Group R-3 Occupancy by this Code.

ADD a newly created [A] 109.2.3 **Temporary permit** to read as follows: When a temporary building or structure is requested as noted in Section 108 of this code or when a temporary use is requested as noted in the City of Knoxville Code of **Ordinance Chapter 25**, an application shall be submitted for a Temporary Permit. Such permit shall include a time limit not to exceed three hundred sixty-five (365) days per temporary permit, with portable buildings limited to three (3) consecutive three hundred sixty-five (365) day permits. The non-refundable fee for this permit is \$100.00.

ADD a newly created Section [A] 109.2.4 **Moving permit** to read as follows: When a building or structure is to be moved into or out of the City of Knoxville, an application shall be submitted for a Moving Permit. The non-refundable fee for this permit is \$100.00. This fee shall be in addition to any permit required for the foundation and repair or renovation of the building.

ADD a newly created Section [A] 109.2.5 **Demolition permit** to read as follows: When a building or structure is to be demolished, an application shall be submitted for a Demolition Permit. The non-refundable fee for this permit shall be as follows:

Demolition for any building or structure housing one or two families: \$30.00 for the first story plus \$20.00 for each additional story

Demolition of any building or structure housing more than two families, commercial, schools, institutional, assembly storage or industrial uses: \$55.00 for the first story and \$25.00 for each additional story

ADD a newly created Section [A] 109.2.6 **Board fees** to read as follows: A notice of appeal filed under Section 109.4 of this Code shall be accompanied by a non-refundable fee as follows:

One and Two Family Dwellings..... \$100.00

Maximum Number of Separate Code Sections..... 4

All Other Structures..... \$200.00

Maximum Number of Separate Code Sections..... 4

ADD a newly created Section [A] 109.2.7 **Special inspection fees** to read as follows: When a special inspection not associated with an issued building permit, such as On-Site Liquor, Certificate of Occupancy, or other special requests, is made the applicant shall first pay a Special Inspection Fee of \$50.00 per visit.

ADD a newly created Section [A] 109.2.8 **Other fees** to read as follows:

Administrative letter for code compliance..... \$50.00

Zoning Letter..... \$50.00

DELETE the text of Section [A] 109.4 **Work Commencing Before Permit Issuance** and **SUBSTITUTE** the following: Any person who commences any work on a building or structure without obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees. Where such permit fees exceed \$1,000 that part of the permit fee in excess of \$1,000 shall not be doubled.

ADD a newly created Section [A] 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. This certificate does not grant authority to occupy or connect a new building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

DELETE Section [A] 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:

[A] 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.

[A] 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.

[A] 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.

[A] 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 Class 1 Gas / Mechanical Contractor
7. Licensed Class 1 Master Plumber
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] 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.

[A] 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. 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] 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 [A] 114.5 **No New Permits** to read as follows: No new permits shall be issued to a person guilty of violating any provision of this code until the work done in violation of this code has been corrected to the satisfaction of the building official.

ADD a newly created Section 117 entitled **License Requirements of Contractors** to read as follows:

[A] 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*.

[A] 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.

[A] 117.3 **License/Registration.** All contractors requesting permits must be licensed and/or registered by the city annually and complete such forms and pay such fees as required by the Building official.

AMEND Chapter 9, Fire Protection Standards, as follows:

AMEND the header and text of Section [A] 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more by replacing "1,000 or more" with "more than 300" in the header and the text.

AMEND Section [A] 907.2.11.1 **Group R-1** by adding a fourth category as follows:

4. In each garage or storage area with a six foot or wider door to the outside.

AMEND Section [A] 907.2.11.2 **Groups R-2, R-3, R-4 and I-1** by adding a fourth category as follows:

4. In each private garage or storage area with a six foot or wider door to the outside.

AMEND Chapter 10, Means of Egress, as follows:

AMEND Section [A] 1029.1 **General** by adding a fourth exception to the numbered list to read as follows:

4. In all locations zoned C-2, in other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of 903.3.1.2.

AMEND [A] 1029.2 **Minimum size** by deleting the exception in its entirety without substitution.

AMEND Chapter 16, Structural Design, as follows:

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 17, Structural Tests and Special Exceptions, as follows:

DELETE the text of [A] 1701.1 **Scope** in its entirety and **SUBSTITUTE** the following: The provisions of this chapter shall govern the quality, workmanship and requirements for materials requiring special inspections and tests as determined by the building official.

AMEND Chapter 29, Plumbing Systems, as follows:

DELETE the text of Section [A] 2901.1 in its entirety and **SUBSTITUTE** the following: The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section

1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code.

AMEND Chapter 31, Special Construction, as follows:

DELETE the text of Section [A] 3103.1.1 **Permit required** in its entirety and **SUBSTITUTE** the following: Temporary structures that cover an area greater than four hundred (400) square feet (37.16 m²), including connecting areas or spaces with a common means of egress or entrance, shall not be erected, operated, or maintained for any purpose without obtaining a Temporary or Annual Permit from the building official.

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

ADD a newly created Section [A] 3201.5 entitled **General** to read as follows: A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has made application and received approval from the Director of Engineering or designee for the lines of the public street on which the applicant proposes to build, erect or locate said building.

DELETE the text of Section 3202.3.1 **Awnings, canopies, marquees and signs** in its entirety and **SUBSTITUTE** in lieu thereof the following: Within all zoning districts, except the C-2 Central Business District, awnings, canopies and marquees shall not exceed three feet. Within the C-2 Central Business District, an awning, canopy, or marquee may extend across the front yard and over public property as follows:

- a. Fixed, with nine-foot minimum clearance above sidewalk - not to exceed more than two-thirds of width of sidewalk.
- b. Fixed, with fourteen foot minimum clearance above sidewalk - may extend to curb.
- c. Movable (metal or canvas), with eight-foot minimum clearance above sidewalk - not to extend more than five feet of width of sidewalk.

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 Section D101.2 **Establishment of area** (including Sections D101.2.1, D101.2.2, and D101.2.3) in its entirety without substitution.

DELETE Section D102.2.5 Structural fire rating in its entirety without substitution.

AMEND Section D102.2.9 **Roof structures** by adding the following sentence to the end of the paragraph: Decks on roofs shall be of non-combustible construction or fully sprinkled. Decks must be constructed of non-combustible material if the total aggregate area of the roof-top exceeds 600 square feet.

DELETE Appendix H, *Signs*, in its entirety and **SUBSTITUTE** in lieu thereof the following:

Section H101 General

H101.1 General. For general sign information see Appendix B Zoning Regulations, Article VIII, of the Knoxville City Code.

Section H102 Location

H102.1 Location restrictions. A sign shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or so as to prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for legal ventilation.

Section H103 Structural Requirements

H103.1 Design required. All signs 32 square feet or more in area and/or 25 feet or more in height shall have plans prepared by an architect or engineer who has a certificate or registration from the Board of Architectural and Engineering Examiners, as provided in the Tennessee Code Annotated, Title 62, Chapter 2, as amended, and shall affix and sign this seal to said drawing, specification and accompanying data, or who is exempt by the State statutes from the requirements of having such a certificate.

H103.2 Wind pressure. In the design and erection of all outdoor advertising display signs, the effect of wind shall be carefully considered. All signs shall be constructed to withstand the wind pressure as specified in Section 1609 of this code.

H103.3 Working stresses. In all outdoor advertising display signs, the allowable working stresses shall conform to the requirements of Section 1609 of this code.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23 of this code.
2. The working strength of chains, cables, guys, or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys, or steel.

Section H104 Construction.

H104.1 Wood on soil. Wherever anchors or supports consist of wood embedded in the soil, the wood shall be pressure treated with an approved preservative.

H104.2 Roof sign clearance. All roof signs shall be so constructed as to leave a clear space of not less than six (6) feet (1829 mm) between the roof level and the lowest part of the sign and shall have at least five (5) feet (1524 mm) clearance between the vertical supports thereof. No portion of any roof sign structure shall project beyond an exterior wall.

Exception: Signs on flat roofs with every part of the roof accessible.

H104.3 Roof sign material. Every roof sign shall be constructed entirely of steel construction, including the upright supports and braces, except that only the ornamental molding and battens behind the steel facing and the decorative latticework may be of wood construction.

H104.4 Roof sign loads. The bearing plates of all roof signs shall distribute the load directly to or upon masonry walls, steel roof girders, columns or beams. The building shall be designed to avoid overstress of these members.

H104.5 Roof sign height. A roof sign having a tight or solid surface shall not be at any point over twenty-four (24) feet (7315 mm) above the roof level.

H104.6 Roof sign attachments. Open roof signs in which the uniform open area is not less than 40% of total gross area may be erected to a height of seventy-five (75) feet (22.9 m) on buildings of Type I or Type II construction and on other type buildings to a height of forty (40) feet (12.2m). All such signs shall be thoroughly secured to the building upon which they are installed, erected or constructed by iron, metal anchors, bolts, supports, chains, stranded cables, steel rods or braces and they shall be maintained in good condition.

H104.7 Wall sign attachments. Wall signs attached to exterior walls of solid masonry, concrete or stone, shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8 -inch (9.5 mm) diameter and shall be embedded at least five (5) inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

H104.8 Projecting Signs.

H104.8.1 Attachments. All projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys, or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure.

H104.8.2 Load support. The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than 3/8-inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of at least 45° (0.78 rad) with the horizontal to resist the dead load and at an angle of 45° (0.78 rad) or more with the face of the sign to resist the specified wind

pressure. If such projecting sign exceeds 30 square feet (2.8 m^2) in one facial area, there shall be provided at least two (2) supports on each side not more than 8 feet (2438 mm) apart to resist the wind pressure.

H104.8.2.1 Attachment of supports. All supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum 5/8-inch (15.9 mm) bolt or lag screw, by an expansion shield. Turnbuckles shall be placed in all chains, guys, or steel rods supporting projecting signs.

H104.8.2.2 Wall mounting details. Chains, cables, guys, or steel rods used to support the live or dead load of projecting signs may be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an unbraced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.

H104.8.3 Installation height. A projecting sign shall not be erected on the wall of any building so as to project above the roof or cornice wall or above the roof level where there is no cornice wall; except that a sign erected at a right angle to the building, the horizontal width of which sign is perpendicular to such a wall and does not exceed eighteen (18) inches (457 mm), may be erected to a height not exceed two (2) ft (610 mm) above the roof or cornice wall or above the roof level where there is no cornice wall. A sign attached to a corner of a building and parallel to the vertical line of such corner shall be deemed to be erected at a right angle to the building wall.

H105 Use of Plastic Materials

H105.1 Burn rate. Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than 2 1/2 inches per minute (1.06 mm/s) when tested in accordance with ASTM D 635 shall be deemed approved plastics and may be used as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.

H105.2 Site Limitations.

H105.2.1 Electric sign faces. Individual plastic facings of electric signs shall not exceed 200 sq ft (18.6 m^2) in area.

H105.2.2 Area limitation. If the area of a display surface exceeds 200 sq ft (18.6 m^2), the area occupied or covered by approved plastics shall be limited to 200 sq ft (18.6 m^2) plus 50% of the difference between 200 sq ft (18.6 m^2) and 2,000 sq ft (186 m^2). The area of plastic on a display surface shall not in any case exceed 1,100 sq ft (102 m^2).

H105.2.3 Plastic appurtenances. Letters and decorations mounted upon an approved plastic facing or display surface may be made of approved plastics.

AMEND Appendix K Administrative Provisions as follows:

AMEND Section K103.1 **Permits required** by adding the following sentence to the end of the section: "Compliance with the State of Tennessee electrical inspectors permitting and inspection requirements shall be deemed to comply with the regulations contained herein."

AMEND Section K106.1 **General** by deleting the word "shall" and insert the word "may" in its place.

EXHIBIT A

Chapter 6, Article II, § 6-32

AMEND Chapter 1, Scope and Administration, as follows:

ADD a newly created Section [A] 101.4.7 **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 [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] 104.8 **Liability** in its entirety and **SUBSTITUTE** the following: The inspection or permitting of any residential building or plan by any jurisdiction, under the requirements 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 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 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 **Unsafe Buildings or Systems**. 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 Unsafe Buildings.** If the Building Official has declared a building, structure, or system as unsafe, as defined in Section 104.12 of the Building Code, the demolition delay shall not be required.

ADD newly created Sections [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 105.1.2, 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.

DELETE the text of Section [A] 105.2 **Work exempt from permit** in its entirety and **SUBSTITUTE** the following: Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Fences.
2. Roofing only where the first layer of shingles is kept intact and the second layer of shingles is applied.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Guttering.
5. Siding.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to detached one- and two-family dwellings.

DELETE the text of Section [A] 105.7 **Placement of Permit** in its entirety and **SUBSTITUTE** the following: Work requiring a permit shall not commence until the permit holder or agent thereof posts the permit card and street number in a conspicuous place on the premises. The permit shall be protected from the weather and readily accessible. The street address number shall be readable from the street in numbers not less than three (3) inches high and wide and not less than twenty-four (24) inches nor more than sixty (60) inches above the ground. This permit card and street address number shall be maintained in such position by the permit holder until the Certificate of Occupancy or Completion is issued by the building official.

ADD a newly created Section [A] 106.1.1. titled **Storage and Factory-Industrial Occupancies** to read as follows: It shall be the responsibility of the owner, agent, proprietor or occupant of Group S and Group F occupancies, or any occupancy where excessive floor loading is likely to occur, to employ a competent architect or engineer in computing the safe load capacity. All such computations shall be accompanied by an affidavit from the architect or engineer stating the safe allowable floor load on each floor in pounds per square foot uniformly distributed. The computations and affidavit shall be filed with the Department.

DELETE the text of Section [A] 107.1 **General** in its entirety and **SUBSTITUTE** the following: Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared and sealed by a registered design professional where required by Tennessee law. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

ADD a newly created Section [A] 107.2.5.2 **Hazardous Occupancies** to read as follows: The building official may require the following:

1. General Site Plan. A general site plan drawn at a legible scale which shall include, but not be limited to, the location of all buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment, cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard classes and the maximum quantities per hazard class of hazardous materials stored.

2. Building Floor Plan. A building floor plan drawn to a legible scale which shall include, but not be limited to, all hazardous materials storage facilities within the building and shall indicate rooms, doorways, corridors, exits, fire rated assemblies with their hourly rating, location of liquid tight rooms, and evacuation routes. Each hazardous materials storage facility shall be identified on the plan with the hazard classes and quantity range per hazard class of the hazardous materials stored.

DELETE the text of Section [A] 108.1 **General** in its entirety and **SUBSTITUTE** the following: The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall include a time limit not to exceed three hundred sixty five (365) days per temporary permit, with portable buildings limited to three (3) consecutive three hundred sixty five (365) day permits.

DELETE the text of Section [A] 109.2 **Schedule of Permit and Inspection Fees** in its entirety and **SUBSTITUTE** the following: On buildings or structures requiring a permit, a fee for each permit shall be paid as required, in accordance with this section:

1. *Plans review fees:* Application for approval shall be accompanied by a non-refundable fee in accordance with the following schedule:

One and Two Family Dwellings

New..... \$60.00
Additions..... \$35.00
Swimming Pool and Accessory Structures..... \$35.00

All other Buildings and Structures

\$0.00 up to and including \$50,000.99 total valuation..... \$55.00
\$50,001.00 up to and including \$100,000.99 total valuation..... \$110.00
\$100,001.00 up to and including \$200,000.99 total valuation..... \$220.00
\$200,001.00 up to and including \$300,000.99 total valuation..... \$330.00
\$300,001.00 up to and including \$500,000.99 total valuation..... \$440.00
\$500,001.00 up to and including \$1,000,000.99 total valuation..... \$550.00

\$1,000,001.00 up to and including \$1,500,000.99 total valuation..... \$660.00
 \$1,500,001.00 up to and including \$2,000,000.99 total valuation..... \$770.00
 \$2,000,001.00 up to and including \$2,500,000.99 total valuation..... \$880.00
 \$2,500,001.00 up to and including \$3,000,000.99 total valuation..... \$990.00
 \$3,500,001.00 or more total valuation..... \$1,100.00

After the submitted plans have been reviewed, an additional \$100.00 review fee per additional review will be charged after the second revision to the original plan submitted (if revisions are necessary).

2. *Building permit fees:* The non-refundable fee for a building permit for new construction, additions, alteration, or repair to existing structures shall be based upon total valuation of such construction, addition, alteration or repair in accordance with the following schedule. If circumstances warrant, the Building Official may consider a request for refund and the amount to be refunded, if any. The following fees are based on total value of labor and materials.

Valuation	Permit Fee
\$0.00 up to and including \$100.99 total valuation	No Fee
\$101.00 up to and including \$2,000.99 total valuation	\$50.00
\$2,001.00 up to and including \$50,000.99 total valuation	\$50.00 for the first \$2,000 plus \$4.50 for each additional thousand or fraction thereof
\$50,001.00 up to and including \$100,000.99 total valuation	\$266.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof
\$100,001.00 up to and including \$500,000.99 total valuation	\$466.00 for the first \$100,000 plus \$3.50 for each additional thousand or fraction thereof
\$500,001.00 up to and including \$1,000,000.99 total valuation	\$1,866.00 for the first \$500,000 plus \$3.00 for each additional thousand or fraction thereof
\$1,000,001.00 or more total valuation	\$3,366.00 for the first \$1,000,000 plus \$2.50 for each additional thousand or fraction thereof

ADD a newly created Section [A] 109.2.1 entitled **Reinspection** to read as follows:

Required Inspections & First Reinspection..... No Charge
 Second Reinspection..... \$25.00
 Third Reinspection..... \$50.00
 Each Subsequent Reinspection..... \$50.00

A reinspection is defined as an inspection made by the Building Inspector after the request has been made by the license holder or agent thereof for deficiencies noted at a prior inspection. Upon the occasion of an inspection or reinspection, a written notification of deficiencies should be filed with the permit holder.

ADD a newly created Section [A] 109.2.2 entitled **Existing building use permit** to read as follows: When an existing building or portion of an existing building is vacated or vacant and prior to the space being occupied by a new tenant and where a building permit is not required by this Code, each new tenant shall first submit an application for a Use Permit. The non-refundable fee for this permit shall be \$50.00. A Use Permit is not required when a Plans Review Application and a

Building Permit have been issued for the new tenant or when the new tenant is classified as a Group R-2 or Group R-3 Occupancy by this Code.

ADD a newly created [A] 109.2.3 **Temporary permit** to read as follows: When a temporary building or structure is requested as noted in Section 108 of this code or when a temporary use is requested as noted in the City of Knoxville Code of Ordinance Chapter 25, an application shall be submitted for a Temporary Permit. Such permit shall include a time limit not to exceed three hundred sixty-five (365) days per temporary permit, with portable buildings limited to three (3) consecutive three hundred sixty-five (365) day permits. The non-refundable fee for this permit is \$100.00.

ADD a newly created Section [A] 109.2.4 **Moving permit** to read as follows: When a building or structure is to be moved into or out of the City of Knoxville, an application shall be submitted for a Moving Permit. The non-refundable fee for this permit is \$100.00. This fee shall be in addition to any permit required for the foundation and repair or renovation of the building.

ADD a newly created Section [A] 109.2.5 **Demolition permit** to read as follows: When a building or structure is to be demolished, an application shall be submitted for a Demolition Permit. The non-refundable fee for this permit shall be as follows:

Demolition for any building or structure housing one or two families: \$30.00 for the first story plus \$20.00 for each additional story

Demolition of any building or structure housing more than two families, commercial, schools, institutional, assembly storage or industrial uses: \$55.00 for the first story and \$25.00 for each additional story

ADD a newly created Section [A] 109.2.6 **Board fees** to read as follows: A notice of appeal filed under Section 109.4 of this Code shall be accompanied by a non-refundable fee as follows:

One and Two Family Dwellings..... \$100.00

Maximum Number of Separate Code Sections..... 4

All Other Structures..... \$200.00

Maximum Number of Separate Code Sections..... 4

ADD a newly created Section [A] 109.2.7 **Special inspection fees** to read as follows: When a special inspection not associated with an issued building permit, such as On-Site Liquor, Certificate of Occupancy, or other special requests, is made the applicant shall first pay a Special Inspection Fee of \$50.00 per visit.

ADD a newly created Section [A] 109.2.8 **Other fees** to read as follows:

Administrative letter for code compliance..... \$50.00

Zoning Letter..... \$50.00

DELETE the text of Section [A] 109.4 **Work Commencing Before Permit Issuance** and **SUBSTITUTE** the following: Any person who commences any work on a building or structure without obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee in addition to the required permit fees. Where such permit fees exceed \$1,000 that part of the permit fee in excess of \$1,000 shall not be doubled.

ADD a newly created Section [A] 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. This certificate does not grant authority to occupy or connect a new building, such as a shell building, prior to the issuance of a Certificate of Occupancy.

DELETE Section [A] 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:

[A] 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.

[A] 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.

[A] 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.

[A] 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 Class 1 Gas / Mechanical Contractor
7. Licensed Class 1 Master Plumber
8. State Licensed Electrical Engineer
9. Licensed Electrical Contractor

[A] 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.

[A] **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. 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] **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 [A] 114.5 **No New Permits** to read as follows: No new permits shall be issued to a person guilty of violating any provision of this code until the work done in violation of this code has been corrected to the satisfaction of the building official.

ADD a newly created Section 117 entitled **License Requirements of Contractors** to read as follows:

[A] **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*.

[A] **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.

[A] **117.3 License/Registration.** All contractors requesting permits must be licensed and/or registered by the city annually and complete such forms and pay such fees as required by the Building official.

AMEND Chapter 9, Fire Protection Standards, as follows:

AMEND the header and text of Section [A] 907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more by replacing "1,000 or more" with "more than 300" in the header and the text.

AMEND Section [A] 907.2.11.1 **Group R-1** by adding a fourth category as follows:

4. In each garage or storage area with a six foot or wider door to the outside.

AMEND Section [A] 907.2.11.2 **Groups R-2, R-3, R-4 and I-1** by adding a fourth category as follows:

4. In each private garage or storage area with a six foot or wider door to the outside.

AMEND Chapter 10, Means of Egress, as follows:

AMEND Section [A] 1029.1 **General** by adding a fourth exception to the numbered list to read as follows:

4. In all locations zoned C-2, in other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of 903.3.1.2.

AMEND [A] 1029.2 **Minimum size** by deleting the exception in its entirety without substitution.

AMEND Chapter 16, Structural Design, as follows:

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 17, Structural Tests and Special Exceptions, as follows:

DELETE the text of [A] 1701.1 **Scope** in its entirety and **SUBSTITUTE** the following: The provisions of this chapter shall govern the quality, workmanship and requirements for materials requiring special inspections and tests as determined by the building official.

AMEND Chapter 29, Plumbing Systems, as follows:

DELETE the text of Section [A] 2901.1 in its entirety and **SUBSTITUTE** the following: The provisions of this chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section

1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the International Plumbing Code.

AMEND Chapter 31, Special Construction, as follows:

DELETE the text of Section [A] 3103.1.1 **Permit required** in its entirety and **SUBSTITUTE** the following: Temporary structures that cover an area greater than four hundred (400) square feet (37.16 m²), including connecting areas or spaces with a common means of egress or entrance, shall not be erected, operated, or maintained for any purpose without obtaining a Temporary or Annual Permit from the building official.

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

ADD a newly created Section [A] 3201.5 entitled **General** to read as follows: A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has made application and received approval from the Director of Engineering or designee for the lines of the public street on which the applicant proposes to build, erect or locate said building.

DELETE the text of Section 3202.3.1 **Awnings, canopies, marquees and signs** in its entirety and **SUBSTITUTE** in lieu thereof the following: Within all zoning districts, except the C-2 Central Business District, awnings, canopies and marquees shall not exceed three feet. Within the C-2 Central Business District, an awning, canopy, or marquee may extend across the front yard and over public property as follows:

- a. Fixed, with nine-foot minimum clearance above sidewalk - not to exceed more than two-thirds of width of sidewalk.
- b. Fixed, with fourteen foot minimum clearance above sidewalk - may extend to curb.
- c. Movable (metal or canvas), with eight-foot minimum clearance above sidewalk - not to extend more than five feet of width of sidewalk.

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 Section D101.2 **Establishment of area** (including Sections D101.2.1, D101.2.2, and D101.2.3) in its entirety without substitution.

DELETE Section D102.2.5 Structural fire rating in its entirety without substitution.

AMEND Section D102.2.9 **Roof structures** by adding the following sentence to the end of the paragraph: Decks on roofs shall be of non-combustible construction or fully sprinkled. Decks must be constructed of non-combustible material if the total aggregate area of the roof-top exceeds 600 square feet.

DELETE Appendix H, Signs, in its entirety and SUBSTITUTE in lieu thereof the following:

Section H101 General

H101.1 **General.** For general sign information see Appendix B Zoning Regulations, Article VIII, of the Knoxville City Code.

Section H102 Location

H102.1 **Location restrictions.** A sign shall not be erected, constructed or maintained so as to obstruct any fire escape or any window or door or opening used as a means of egress or so as to prevent free passage from one part of a roof to any other part thereof. A sign shall not be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for legal ventilation.

Section H103 Structural Requirements

H103.1 **Design required.** All signs 32 square feet or more in area and/or 25 feet or more in height shall have plans prepared by an architect or engineer who has a certificate or registration from the Board of Architectural and Engineering Examiners, as provided in the Tennessee Code Annotated, Title 62, Chapter 2, as amended, and shall affix and sign this seal to said drawing, specification and accompanying data, or who is exempt by the State statutes from the requirements of having such a certificate.

H103.2 **Wind pressure.** In the design and erection of all outdoor advertising display signs, the effect of wind shall be carefully considered. All signs shall be constructed to withstand the wind pressure as specified in Section 1609 of this code.

H103.3 **Working stresses.** In all outdoor advertising display signs, the allowable working stresses shall conform to the requirements of Section 1609 of this code.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23 of this code.
2. The working strength of chains, cables, guys, or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys, or steel.

Section H104 Construction.

H104.1 **Wood on soil.** Wherever anchors or supports consist of wood embedded in the soil, the wood shall be pressure treated with an approved preservative.

H104.2 **Roof sign clearance.** All roof signs shall be so constructed as to leave a clear space of not less than six (6) feet (1829 mm) between the roof level and the lowest part of the sign and shall have at least five (5) feet (1524 mm) clearance between the vertical supports thereof. No portion of any roof sign structure shall project beyond an exterior wall.

Exception: Signs on flat roofs with every part of the roof accessible.

H104.3 **Roof sign material.** Every roof sign shall be constructed entirely of steel construction, including the upright supports and braces, except that only the ornamental molding and battens behind the steel facing and the decorative latticework may be of wood construction.

H104.4 **Roof sign loads.** The bearing plates of all roof signs shall distribute the load directly to or upon masonry walls, steel roof girders, columns or beams. The building shall be designed to avoid overstress of these members.

H104.5 **Roof sign height.** A roof sign having a tight or solid surface shall not be at any point over twenty-four (24) feet (7315 mm) above the roof level.

H104.6 **Roof sign attachments.** Open roof signs in which the uniform open area is not less than 40% of total gross area may be erected to a height of seventy-five (75) feet (22.9 m) on buildings of Type I or Type II construction and on other type buildings to a height of forty (40) feet (12.2m). All such signs shall be thoroughly secured to the building upon which they are installed, erected or constructed by iron, metal anchors, bolts, supports, chains, stranded cables, steel rods or braces and they shall be maintained in good condition.

H104.7 **Wall sign attachments.** Wall signs attached to exterior walls of solid masonry, concrete or stone, shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8 -inch (9.5 mm) diameter and shall be embedded at least five (5) inches (127 mm). Wood blocks shall not be used for anchorage, except in the case of wall signs attached to buildings with walls of wood. A wall sign shall not be supported by anchorages secured to an unbraced parapet wall.

H104.8 **Projecting Signs.**

H104.8.1 **Attachments.** All projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys, or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure.

H104.8.2 **Load support.** The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than 3/8-inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of at least 45° (0.78 rad) with the horizontal to resist the dead load and at an angle of 45° (0.78 rad) or more with the face of the sign to resist the specified wind

pressure. If such projecting sign exceeds 30 square feet (2.8 m^2) in one facial area, there shall be provided at least two (2) supports on each side not more than 8 feet (2438 mm) apart to resist the wind pressure.

H104.8.2.1 Attachment of supports. All supports shall be secured to a bolt or expansion screw that will develop the strength of the supporting chains, guys or steel rods, with a minimum 5/8-inch (15.9 mm) bolt or lag screw, by an expansion shield. Turnbuckles shall be placed in all chains, guys, or steel rods supporting projecting signs.

H104.8.2.2 Wall mounting details. Chains, cables, guys, or steel rods used to support the live or dead load of projecting signs may be fastened to solid masonry walls with expansion bolts or by machine screws in iron supports, but such supports shall not be attached to an unbraced parapet wall. Where the supports must be fastened to walls made of wood, the supporting anchor bolts must go through the wall and be plated or fastened on the inside in a secure manner.

H104.8.3 Installation height. A projecting sign shall not be erected on the wall of any building so as to project above the roof or cornice wall or above the roof level where there is no cornice wall; except that a sign erected at a right angle to the building, the horizontal width of which sign is perpendicular to such a wall and does not exceed eighteen (18) inches (457 mm), may be erected to a height not exceed two (2) ft (610 mm) above the roof or cornice wall or above the roof level where there is no cornice wall. A sign attached to a corner of a building and parallel to the vertical line of such corner shall be deemed to be erected at a right angle to the building wall.

H105 Use of Plastic Materials

H105.1 Burn rate. Notwithstanding any other provisions of this code, plastic materials which burn at a rate no faster than 2 1/2 inches per minute (1.06 mm/s) when tested in accordance with ASTM D 635 shall be deemed approved plastics and may be used as the display surface material and for the letters, decorations and facings on signs and outdoor display structures.

H105.2 Site Limitations.

H105.2.1 Electric sign faces. Individual plastic facings of electric signs shall not exceed 200 sq ft (18.6 m^2) in area.

H105.2.2 Area limitation. If the area of a display surface exceeds 200 sq ft (18.6 m^2), the area occupied or covered by approved plastics shall be limited to 200 sq ft (18.6 m^2) plus 50% of the difference between 200 sq ft (18.6 m^2) and 2,000 sq ft (186 m^2). The area of plastic on a display surface shall not in any case exceed 1,100 sq ft (102 m^2).

H105.2.3 Plastic appurtenances. Letters and decorations mounted upon an approved plastic facing or display surface may be made of approved plastics.

AMEND Appendix K Administrative Provisions as follows:

AMEND Section K103.1 **Permits required** by adding the following sentence to the end of the section: "Compliance with the State of Tennessee electrical inspectors permitting and inspection requirements shall be deemed to comply with the regulations contained herein."

AMEND Section K106.1 **General** by deleting the word "shall" and insert the word "may" in its place.