

AMENDED 11-20-2018

ORDINANCE

ORDINANCE NO. O-179-2018

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE AMENDING CHAPTER 6, ARTICLE IIC, §§ 6-53 AND 6-54 OF THE KNOXVILLE CITY CODE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE AS THE EXISTING BUILDING CODE OF THE CITY OF KNOXVILLE, REGULATING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS IN THE CITY OF KNOXVILLE; PROVIDING FOR THE REVIEW OF PLANS, INSPECTIONS, AND THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID EXISTING BUILDING CODE.

ORDINANCE NO: O-179-2018

Dept. of Plans Review &

REQUESTED BY: Building Inspections

PREPARED BY: Law Department

APPROVED ON 1ST

READING: _____

APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY

MEASURE: 11-20-2018

MINUTE BOOK: 82 PAGE _____

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

WHEREAS, the 2018 Edition of the *International Existing Building Code* and its Appendices contains the latest developments in building code regulations, data, references, tests and other improvements as approved by the International Code Council; and

WHEREAS, one (1) copy of the 2018 edition of the *International Existing 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; and

WHEREAS, the Council of the City of Knoxville has determined that it is in the public interest, safety, and welfare of the City of Knoxville that the 2018 edition of the *International Existing Building Code*, with amendments as prescribed herein, be adopted; and

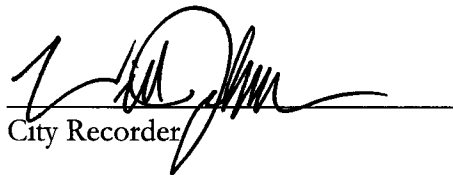
WHEREAS, an emergency exists in that it is necessary for the immediate preservation of the public peace, property, health and safety that this Ordinance take effect immediately upon its passage.

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

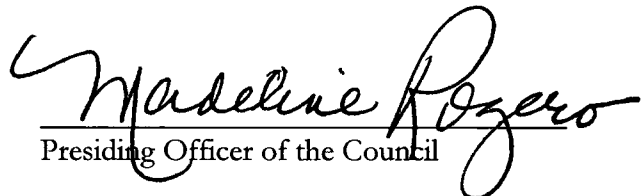
SECTION 1: Chapter 6, Article IIC, §§ 6-53 and 6-54 of the Knoxville City Code, known as the Existing Building Code of the City of Knoxville is amended by deleting said sections in their entirety and substituting in lieu thereof the text shown on the attached Exhibit A, which is incorporated by reference.

SECTION 2: 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 3: This Ordinance shall take effect January 1, 2019, the welfare of the City requiring it.



City Recorder



Presiding Officer of the Council

EXHIBIT A

Sec. 6-53. - Adopted.

The International Existing Building Code, 2018 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.

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 Unsafe Buildings.** If the Building Official has declared a building, structure, or system as unsafe, as defined in Section 104.12 of the Existing 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., 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 the text of Section [A] 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 [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:

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] 108.2.1 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] 108.2.2 **Permit renewal** to read as follows:

When a permit expires it may be renewed annually until work is complete. Permit renewals are a minimum fee of \$50.00 or a maximum fee of 25% of the original permit fee not to exceed \$1,000.00.

ADD a newly created [A] 108.2.3 **Temporary permit** to read as follows:

When a temporary building or structure is requested as noted in Section 107 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] 108.2.4 **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] 108.2.5 **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] 108.2.6 **Board fees** to read as follows:

A notice of appeal filed under Section 112.3 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] 108.2.7 **Special inspection fees** to read as follows:

When a special inspection not associated with an issued building permit, such as On-Site Liquor, or other special requests, is made the applicant shall first pay a Special Inspection Fee of \$50.00 per inspection. Inspections associated with an issued building permit scheduled outside of normal business hours are subject to a special inspection fee of \$50.00 per inspection.

ADD a newly created Section [A] 108.2.8 **Other fees** to read as follows:

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

Zoning Letter.... \$50.00

Board of Zoning Appeals:

Variance Application \$250.00

Appeal.... \$130.00

Variance Applications \$500.00 (may be filed one week past the deadline)

Administrative Review Committee:

Review

Value of Work: \$0 - \$500.... \$50.00

Value of Work: \$500.01 - \$5,000.... \$100.00

Value of Work: \$5,000.01 - \$50,000.... \$500.00

Value of Work: \$50,000.01 and above.... \$1,000.00

DELETE the text of Section [A] 108.4 **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 an additional assessment 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] 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 Class 1 Gas/Mechanical Contractor

7. Licensed Class 1 Master Plumber

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. 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 and/or registered by the city annually and complete such forms and pay such fees as required by the Building official.

EXHIBIT A

Sec. 6-53. - Adopted.

The International Existing Building Code, 2018 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.

Sec. 6-54. - Amendments.

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

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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.

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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 Unsafe Buildings.** If the Building Official has declared a building, structure, or system as unsafe, as defined in Section 104.12 of the Existing 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., 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.

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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:

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:

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\$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

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\$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] 108.2.1 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] 108.2.2 **Permit renewal** to read as follows:

When a permit expires it may be renewed annually until work is complete. Permit renewals are a minimum fee of \$50.00 or a maximum fee of 25% of the original permit fee not to exceed \$1,000.00.

ADD a newly created [A] 108.2.3 **Temporary permit** to read as follows:

When a temporary building or structure is requested as noted in Section 107 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] 108.2.4 **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] 108.2.5 **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] 108.2.6 **Board fees** to read as follows:

A notice of appeal filed under Section 112.3 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] 108.2.7 **Special inspection fees** to read as follows:

When a special inspection not associated with an issued building permit, such as On-Site Liquor, or other special requests, is made the applicant shall first pay a Special Inspection Fee of \$50.00 per inspection. Inspections associated with an issued building permit scheduled outside of normal business hours are subject to a special inspection fee of \$50.00 per inspection.

ADD a newly created Section [A] 108.2.8 **Other fees** to read as follows:

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

Zoning Letter.... \$50.00

Board of Zoning Appeals:

Variance Application \$250.00

Appeal.... \$130.00

Variance Applications \$500.00 (may be filed one week past the deadline)

Administrative Review Committee:

Review

Value of Work: \$0 - \$500.... \$50.00

Value of Work: \$500.01 - \$5,000.... \$100.00

Value of Work: \$5,000.01 - \$50,000.... \$500.00

Value of Work: \$50,000.01 and above.... \$1,000.00

DELETE the text of Section [A] 108.4 **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 an additional assessment 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] 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 Class 1 Gas/Mechanical Contractor

7. Licensed Class 1 Master Plumber

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. 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 and/or registered by the city annually and complete such forms and pay such fees as required by the Building official.