

**TOWN OF SMYRNA, TENNESSEE
ORDINANCE NO. 24-4**

AN ORDINANCE relative to the amendment of the Town of Smyrna Municipal Code, Title 12 "Building and Utility Codes," Sections 12-602 and 12-702.

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(26), Town Council shall have the power to provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(32), Town Council shall have the power to plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(34), Town Council shall have the power to create and empower boards, commissions, committees and agencies to facilitate the orderly and efficient implementation of governmental tasks, regulations, and policies; and

WHEREAS, in accordance with the Charter of the Town of Smyrna, Tennessee, Article 2, Section 2.01(35), Town Council shall have the power to exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in the Charter of the Town of Smyrna, Tennessee.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMYRNA:

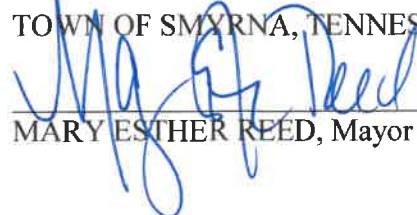
Section 1. That Town of Smyrna Municipal Code, Title 12 "Building and Utility Codes," Sections 12-602 and 12-702 shall be provided in the Code as appearing in Exhibit "A" attached hereto and incorporated herein by reference as if set forth at length verbatim, the health and welfare of the Town of Smyrna requiring it.

Section 2. This ordinance shall take effect immediately upon its adoption on second and final reading, the public health and welfare of the Town of Smyrna requiring it.

PASSED on first reading by the Town Council the 9th day of January, 2024.

PASSED on second reading by the Town Council the 13th day of February, 2024.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk

Building and Utility Codes

TITLE 12: BUILDING AND UTILITY CODES

Chapter

- 1. BUILDING CODE**
- 2. EXISTING BUILDING CODE**
- 3. EXCAVATION AND GRADING CODE**
- 4. MECHANICAL CODE**
- 5. PLUMBING CODE**
- 6. RESIDENTIAL CODE**
- 7. ENERGY CONSERVATION CODE**
- 8. PROPERTY MAINTENANCE CODE**
- 9. CODES ENFORCEMENT AND INSPECTION DIVISION**
- 10. CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS**
- 11. ELECTRICAL CODE**
- 12. SWIMMING POOL AND SPA CODE**
- 13. FUEL GAS CODE**

Building and Utility Codes

CHAPTER 5: PLUMBING CODE

Section

- 12-501 Plumbing code adopted
- 12-502 Modifications
- 12-503 Code available in Clerk's office
- 12-504 Violation and penalty

§ 12-501 PLUMBING CODE ADOPTED.

The International Plumbing Code, 2018 edition, and modifications thereto, is hereby adopted and incorporated by reference as part of this municipal code, and is hereinafter referred to as "the plumbing code".

(Ord. 14-02, passed -; Ord. 18-41, passed 12-2018)

§ 12-502 MODIFICATIONS.

- (1) Section 101.1 Title. Insert "Town of Smyrna, TN" in place of "[Name of Jurisdiction]".
 - (2) Section 106.6.3 Fee refunds. Insert "100 %" in lieu of "A[Specify percentage]" in subsection 2 and subsection 3.
 - (3) Section 305.4.1 Sewer depth. Insert "12" in lieu of "[NUMBER]" in both locations.
 - (4) Section 903.1 Roof extension. Insert "8" in lieu of "[NUMBER]".
- (Ord. 14-02, passed -)

§ 12-503 CODE AVAILABLE IN CLERK'S OFFICE.

At least one copy of the plumbing code has been placed in the Town Clerk's office, and shall be kept there for the use and inspection of the public.

(2007 Code, § 12-503)

§ 12-504 VIOLATION AND PENALTY.

A violation of any provision of this chapter shall subject the offender to a penalty under the general penalty provision of this code. Each day an offense occurs constitutes a separate violation.

(2007 Code, 12-504)

Building and Utility Codes

CHAPTER 6: RESIDENTIAL CODE

Section

- 12-601 Residential code adopted
- 12-602 Modifications
- 12-603 Available in Clerk's office
- 12-604 Violations

§ 12-601 RESIDENTIAL CODE ADOPTED.

The International Residential Code, 2018 edition, and modifications thereto, is hereby adopted and incorporated by reference as part of this municipal code, and is hereinafter referred to as "the residential code".

(Ord. 14-02, passed -; Ord. 18-41, passed 12-2018)

§ 12-602 MODIFICATIONS.

- (1) Section R101.1 Title. Insert "Town of Smyrna, TN" for name of jurisdiction.
- (2) Section R105.2 Work exempt from permit.
 - (a) To be amended as follows:
 1. Change "200" to "100".
 10. Change "200" to "100".
 11. "Roof covering replacement that does not involve replacement of roof deck or framing."
 - (b) Mechanical.
 9. Add "Replacement of an HVAC unit where unit heating and cooling capacity and fuel source is not changing."
- (3) Section R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard area. Delete in its entirety.

Building and Utility Codes

(4) Section R202 Definitions. Add “Sleeping Room: A room that contains an opaque privacy door, and a closet.”

(5) Table R301.2(1) Climatic and Graphic Design Criteria. Amend as follows:

Ground Snow Load	10 lb.
Wind Speed	90
Topographic Effects	No
Seismic Design	B
Weathering	Severe
Frost Line	12"
Termite	Very Heavy
Winter Design Temp	14°
Ice Barrier	No
Air Freezing Index	366
Mean Avg. Temp. (F)	59
Elevation	545
Latitude	36

(6) Section R302.1(1) Change Minimum Fire Resistance Rating for Walls (at 0 feet) from “1 hour” to “2 hour.”

(7) Section R302.5.1 Opening protection. From the second sentence, delete everything after “... 20 minute fire-rated doors.”

(8) Section R309.3 Flood Hazard Areas. Delete in its entirety.

(9) Add new Section R311.1.1: Section R311.1.1 Access from sleeping rooms. “Sleeping Rooms shall not constitute the only means of access to other sleeping rooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.”

(10) Section R313 Automatic fire sprinkler systems. Delete this section in its entirety.

(11) Section R322 Flood resistance construction. Delete this section in its entirety.

~~(12) Table 1102.1.2 Insulation and fenestration requirements by component. Delete table 1101.2 in its entirety, and replace it with “Exhibit R1102.1.2.”~~

Building and Utility Codes

~~(13) Section 1102.4.1.2 Testing. Delete the first sentence, and replace it with, "The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding seven air changes per hour." Remainder of section is unchanged.~~

~~—(14) Section 1103.3.4~~

~~(a) Delete subsections 1 and 2, and replace with:~~

~~1. Rough-in test: The total leakage shall be less than or equal to 6 ft.³ per minute per 100 ft.² of conditioned floor area where the air handler is installed at the time of the test. Where the air handler is not installed at the time of the test, the total leakage shall be less than or equal to 4 ft.³ per minute per 100 ft.² of conditioned floor area.~~

~~2. Post-construction test: Total leakage shall be less than or equal to 12 ft.³ per minute per 100 ft.² of conditioned floor area.~~

(12) Section N1102.4.1.2 (R402.4.1.2) Testing is replaced with Section N1102.4.2.1 Testing Option and Section N1102.4.2.2 Visual Inspection from 2009 IRC.

(13) Section N1103.3.3 (R403.3.3) Duct Testing (Mandatory) and Section N1103.3.4 (R403.3.4) Duct Leakage (Prescriptive) are optional.

(14) Table N1102.1.2 (R402.1.2) Insulation and Fenestration Requirement by Component and Table N1102.1.4 (R402.1.4) Equivalent U-Factors from 2018 IRC are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U-Factor from 2009 IRC.

(15) Section N1102.4.4 (R402.4.4) Rooms Containing Fuel-Burning Appliances is deleted in its entirety.

(16) Table N1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "l": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 3 when a Fenestration U-Factor of .50 or lower is used, a Skylight U-Factor of .65 or lower is used, a Glazed Fenestration SHGC of .30 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."

(17) Table N1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "m": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 4 when a Fenestration U-Factor of .35 or lower is used, a Skylight U-Factor of .60 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."

Building and Utility Codes

~~(1518)~~ Section P2603.5.1 Sewer depth. Delete “[NUMBER]” in both places and replace with “12”.

~~(1619)~~ Section P2902.5.3 Lawn irrigation systems. In the first sentence delete the words “an atmospheric-type vacuum breaker, a pressure type vacuum breaker or”.

~~(1720)~~ Appendix H: Patio Covers is adopted.

~~(1821)~~ Appendix J: Existing Buildings and Structures, is adopted.

~~(1922)~~ Appendix K: Sound Transmission is adopted.

(Ord. 14-02, passed -; Ord. 18-41, passed 12-2018) (Ord. 24- . Passed 01- -24)

§ 12-603 AVAILABLE IN CLERK’S OFFICE.

Pursuant to the requirements of T.C.A. § 6-54-502, one copy of the dwelling code has been placed on file in the Clerk’s office and shall be kept there for the use and inspection of the public.
(2007 Code, 12-603)

§ 12-604 VIOLATIONS.

It shall be unlawful for any person to violate or fail to comply with any provision of the dwelling code as herein adopted by reference and modified.
(2007 Code, 12-604)

CHAPTER 7: ENERGY CONSERVATION CODE

Section

12-701 International Energy Conservation Code adopted

12-702 Modifications

12-703 Available in Clerk’s office

12-704 Violations and penalty

Cross-reference:

Fire protection, fireworks, and explosives, see Title 7

Planning and zoning, see Title 14

Streets and other public ways and places, see Title 16

Utilities and services, see Titles 18 and 19

Statutory reference:

T.C.A. § 13-19-106 requires Tennessee cities either to adopt the Model Energy Code, 1992 edition, or to adopt local standards equal to or stricter than the standards in the energy code.

Building and Utility Codes

§ 12-701 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED.

The International Energy Conservation Code, 2018 edition, and modifications thereto, is hereby adopted and incorporated by reference as part of this municipal code, and is hereinafter referred to as “the energy conservation code”.

(Ord. 14-03, passed -; Ord. 18-41, passed 12-2018)

§ 12-702 MODIFICATIONS.

(1) ~~(1)~~ Chapter 1: Administration: Section 101.1 Title. Insert “Town of Smyrna, TN” in place of “[Name of Jurisdiction]”.

(2) ~~Section R402.4.1.2 Testing is deleted and replaced with Section 402.4.2.1 Testing Option and Section 402.4.2.2 Visual Inspection Option from 2009 IECC.~~

(3) ~~Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.~~

(4) ~~Table 402.1.2 Insulation and Fenestration Requirements by Component and Table R402.1.4 Equivalent U-Factors are deleted and replaced with Table 402.1.1 Insulation and Fenestration Requirements by Component and Table 402.1.3 Equivalent U-Factors 2009 IECC.~~

~~(2) Section 402.4.2 Air sealing and insulation. Delete the following: “...one of the following options given by...” and delete “... or 402.4.2.2.”~~

~~(3) Section 402.4.2.1 Testing option. Delete “option” from the title of the section. Also, after the second sentence, add: “The test must be performed by a qualified person who is certified as or accredited from the following: HERS rater, Building Performance Institute, Certified Duct or Envelope Tightness Verifier, or other approved agency as determined by the Building Official. This test cannot be performed by the general contractor as listed on the building permit or a direct employee of the general contractor.”~~

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~~A signed certification from the person performing the test shall be submitted with the following information:~~

- ~~(a) Address where test was performed~~
- ~~(b) Date when the test was performed~~
- ~~(c) Results of test in Air Changes per Hour²~~

~~(4) Section 403.2.2 Sealing (Mandatory). After the 2nd sentence of the 1st paragraph, add: "The test must be performed by a qualified person who is certified as or accredited from the following: HERS rater, Building Performance Institute, Certified Duct or Envelope Tightness Verifier, or other approved agency as determined by the Building Official. A signed certification from the person performing the test shall be submitted with the following information:~~

- ~~(a) Address where test was performed~~
 - ~~(b) Date when test was performed~~
 - ~~(c) Results of test in Air Changes per Hour²~~
- ~~(Ord. 14-03, passed)~~

~~(Ord. 24-_____. Passed 01-_____-24)~~

§ 12-703 AVAILABLE IN CLERK'S OFFICE.

Pursuant to the requirements of the T.C.A. § 6-54-502, one copy of the energy code has been placed on file in the Clerk's office and shall be kept there for the use and inspection of the public.
(2007 Code, 12-703)

§ 12-704 VIOLATIONS AND PENALTY.

It shall be a civil offense for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty that does not exceed state authorized maximum limits. Each day a violation is allowed to continue shall constitute a separate offense.
(2007 Code, 12-704)