

**TITLE 12**

**BUILDING, UTILITY, ETC. CODES**

**CHAPTER**

1. BUILDING CODE.
2. PLUMBING CODE.
3. FUEL GAS CODE.
4. HOUSING CODE.
5. MODEL ENERGY CODE.
6. AMUSEMENT DEVICE CODE. (Deleted)
7. SWIMMING POOL CODE. (Deleted)
8. UNSAFE BUILDING ABATEMENT CODE. (Deleted)
9. MECHANICAL CODE.
10. LIFE SAFETY CODE. (Deleted)
11. EXISTING BUILDINGS CODE.
12. INTERNATIONAL RESIDENTIAL CODE
13. ELECTRICAL CODE.
14. GREEN BUILDING INCENTIVE PROGRAM.

**CHAPTER 1**

**BUILDING CODE<sup>1</sup>**

**SECTION**

- 12-101. Building code adopted  
12-102. Amendments.  
12-103. Violations
- 

<sup>1</sup>Municipal code references

- Fire protection, fireworks, and explosives: title 7.
- Planning and zoning: title 14.
- Streets and other public ways and places: title 16.
- Utilities and services: title 18.

**12-101. Building code adopted.** Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502, the International Building Code<sup>1</sup>, 2012 edition as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as though copied herein. (Ord. #1995-41, Jan. 1996, Ord. # 1998-08, Mar. 98, Ord. # 2003-9, April, 2003, Ord. # 2004-36, October, 2004, Ord. 2013-05, March 2013)

**12-102. Amendments.** (1) The International Building Code, 2012 Edition, is hereby amended by deleting the current Exception as contained in Section 101.2 Scope and replacing it with the following language:

“Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than two stories above grade plane in height with a separate means of egress, not exceeding four dwelling units attached, nor more than one dwelling unit per lot and their accessory structures shall comply with the International Residential Code.”

(2) Section 101.2.1 of the International Building Code, 2012 Edition, is hereby amended by adding the following language:

“Appendix B: Board of Appeals and Appendix C: Group U – Agricultural Buildings are hereby adopted. All other appendices as contained in this code may be utilized at the discretion of the Building Official in accordance with Section 104.11.”

(3) Add a new Section 101.2.2 to the International Building Code, 2012 Edition, to read as follows:

“All references to flood prone areas contained within this code shall comply with Hendersonville’s duly adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained herein and those contained in the Flood Insurance Program, the duly adopted Flood Insurance Program shall apply.”

(4) All references to “Department of Building Safety” contained in Section 103 of the International Building Code, 2012 Edition, as well as any other such references throughout said code, shall be construed to be the “Department of Building and Codes.”

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<sup>1</sup>Copies of this code (and any amendments) may be purchased from The International Code Council, 5203 Leesburg Pike, Suite 600, Falls Creek, VA 22041-3405

(5) Section 104.10.1 of the International Building Code, 2012 Edition, is hereby deleted without substitution.

(6) Section 105.2 of the International Building Code, 2012 Edition, is hereby amended by deletion of the last sentence "Permits shall not be required for the following:" and the included lists, to be replaced by the following language:

"The Building Official is authorized to establish and then publish a list of activities and/or projects which may or may not require a permit.

(7) Section 3001.1 Scope of the International Building Code, 2012 Edition, is hereby amended by the addition of the following subsection:

"3001.1.1 Permitting and inspections. Any elevator regulated by the State of Tennessee must be inspected and comply with all applicable State regulations. Any conflict between this code and State Law, State Law will prevail."

(8) Chapter 31 Special Construction of the International Building Code, 2012 Edition, is hereby amended by deleting Sections 3107 Signs, 3108 Telecommunication and Broadcast Towers, and 3109 Swimming Pool Enclosures and Safety Devices.

(9) Section 3301.1 Scope of the International Building Code, 2012 Edition, is hereby amended by adding the following language:

*"The provisions of this chapter shall not apply when in conflict with the Tennessee Occupational Safety and Health Act (TOSHA) or other applicable local, State or Federal requirements affecting safeguards during construction."*

(10) Section 3410 Moved Structures is hereby amended by adding the following new subsections:

**"3410.2 Moving Permit.** A building, or part, shall not be moved into, or out of, the city limits of the City of Hendersonville without first obtaining the required Moving Permit. Buildings which are moved through the city limits of the City of Hendersonville are not required to obtain a City of Hendersonville Moving Permit but must coordinate with all local emergency services regarding time, date and route.

**3410.2.1 Written application.** Prior to obtaining the required Moving Permit, an applicant must first complete a written application which contains the following information:

1. Description of the building to be moved.
2. The extreme dimensions of length, width and height (loaded and unloaded) of the building.
3. The present and proposed location of the building.
4. The approximate time said building will be upon the streets or public right of ways, and a detailed description of the proposed route from its present location to the new location.

**3410.2.2 Permit refusal.** If in the opinion of the City of Hendersonville, the moving of any such building may cause serious injury to persons or property or serious damage to the roadways or other public improvements, or the building to be moved has deteriorated to less than 50% of its current value by fire or other elements, or the moving of the building will in any way violate any requirements of this code or other applicable law or regulation, the Moving Permit may be denied. Once a permit has been denied, it is prohibited for any building to be moved on or by way of the public right of ways.

**3410.2.3 Bond required.** As a condition precedent to the issuance of a Moving Permit, the City of Hendersonville requires a Permit Bond to be executed in accordance with Section 20 Chapter 10 of the Municipal Code. In addition to the regular terms of said Permit Bond, it should additionally indemnify the City of Hendersonville against any damage caused by the moving of such building to any streets, curbs, sidewalks, trees, highways and any other public property which may be affected by the moving of said building. The Permit Bond shall also be deemed to insure the strict compliance with the terms of said permit, which includes, but is not limited to the approved route, the limit of time in which to effect such move and the repair of the building should it remain in the City of Hendersonville. Liquidated damages not to exceed \$50.00 per day may be assessed for each and every day of delay in completing such move or in repairing any damages to public property and/or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby or completing the required repairs of the building moved should it remain in the City of Hendersonville.

**3410.2.4 Notice of permit.** Upon issuance of said Moving Permit, the moving contractor shall give notice to the Police Department and all others whose property may be affected by such moving. The notice shall indicate the route that will be taken, starting time, approximate time of completion and contact information.

#### **3410.2.5 Public safety requirements**

**3410.2.5.1** Any building being moved, whether or not a Moving Permit was issued, shall not be allowed to remain in or on the streets or public right of ways for more than 48 hours without prior permission of the City of Hendersonville.

**3410.2.5.2** Any building which occupies any portion of public property at any time shall at all times have sufficient safeguards to protect the public.

**3410.2.5.3** All flagging, lighting, warning lights or other safety features where required by the City of Hendersonville shall be considered to be a minimum level of safety for the general public. Additional safety precautions may be warranted based on each individual situation.

**3410.2.5.4** Additional escorts may be required by the City of Hendersonville.

**3410.2.5.5** In the event a building must remain on public property for an extended period of time, the Moving Permit holder must contact the City of Hendersonville and/or the public entity controlling said property. All safeguards as prescribed by the City of Hendersonville shall be in place for the duration.

**3410.2.5.6** The City at any time may establish additional safety guidelines or procedures to insure the safety, health and welfare of the general public or property prior to, during and after any such move.

**3410.2.6 Improvements by owner.** The owner of any house, building, or structure that is to be moved into the jurisdiction of the City of Hendersonville shall make all improvements required for said house, building or structure to fully comply with the applicable requirements of the adopted code within 90 days from the date of the issuance of said Moving Permit. Extensions may be granted by the Building Official if deemed reasonable and justified provided the delay is or was caused by matters beyond the control of the owner or house mover. When a building is moved within the jurisdiction of the City of Hendersonville, all moving permit applications shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing any and all improvements proposed for said house, building, or structure, signed by the owner or the owner's agent.”

11. Appendix B is hereby amended by deleting Sections B101.2, B101.2.1 and B101.2.2 and replacing with the following language:

“**B101.2 Membership of board.** The board of appeals shall consist of seven persons appointed by the Board of Mayor and Aldermen. The requirement with respect to ward representation does not apply to this Board.

**B101.2.1 Qualifications.** At least one member shall be an architect and/or engineer, one member a building contractor, one member a plumbing contractor, one member a mechanical and/or gas contractor, and one member at large from the public. "(Ord. # 1995-41, Jan. 1996, Ord. # 1998-8, Mar. 1998, Ord. 2003-9, April 2003, Ord. # 2004-36, October 2004, Ord. 2007-21, September 2007, Ord. 2013-5, March 2013)

**12-103. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. (Ord. #1970-21, Aug. 1970)

**CHAPTER 2****PLUMBING CODE<sup>1</sup>****SECTION**

12-201. Plumbing code adopted.

12-202. Amendments.

12-203. Violations

**12-201. Plumbing code adopted.** Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502, the 2012 Edition of the International Plumbing Code as prepared by the International Code Council is hereby adopted by reference as though copied herein. (Ord. #1995-36, Jan. 1996, Ord. #2003-10, April, 2003, Ord. # 2004-37, Oct., 2004, Ord. # 2013-6, March 2013)

**12-202. Amendments.** (1) Section 102.8 is hereby amended by adding the following language at the end:

“Appendix B Rates of Rainfall for Various Cities, Appendix D Degree Day and Design Temperatures and Appendix F Structural Safety is hereby specifically adopted. All other appendixes may be utilized at the discretion of the Plumbing Official in accordance with Section 102.9 and 105.2.”

(2) Section 109 is hereby amended by deleting it in its entirety and replacing with the following language:

“**Section 109 Board of Appeals.** The Board of Appeals as referenced in the building code shall serve as the Board of Appeals for the plumbing code.”

(3) Section 305.4.1 is hereby amended by inserting “...18 inches...” into the blank fields.

(4) Section 401 is hereby amended by adding the following subsection:

“Section 401.4 Limited Access. Shower or bathtubs set head-to-head shall be prohibited unless adequate access is provided for repairs or maintenance.”

(5) Section 412.3 Floor drains. is hereby amended by replacing “...2 inches...” with “...3 inches...”.

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<sup>1</sup>Municipal code references

Street excavations: title 16.

Water system administration: title 18

- (6) Section 503.1 is hereby amended by substituting the following language:

“Section 503.1 Cold water line valve: The cold water branch line from the main water supply line to each hot water storage tank or water heater shall be provided with a valve, and located in the same room or compartment as the hot water storage tank or hot water heater, and serving only the hot water storage tank or hot water heater. The valve shall not interfere or cause disruption of the cold water supply to the remainder of the cold water system.

- (7) Section 608 is hereby amended by adding the following subsection:

“Section 608.1.1 Valve and strainer. A strainer shall be required to protect the backflow preventer from foreign objects in the line installed in the horizontal position. A valve shall be installed downstream of the strainer to provide for servicing.”

- (8) Section 706.4 is hereby deleted and replaced with the following language:

“Heel or side-inlet quarter bends shall be an acceptable means of connection. Where the quarter bends serve a water closet, the inlet fittings shall be washed by a bathroom fixture group and be located directly below the water closet. Side-inlet quarter bends shall be an acceptable means of connection for drainage, wet venting and stack venting arrangements.”

Exception: “A low heel inlet shall not be used as a wet vent connection.”

- (9) Table 710.1(1) is hereby amended by adding footnote “b” which reads as follows:

“b. Gravity flow building sewer lines shall be a minimum of four (4) inch piping.”

- (10) Section 1003 is hereby amended by adding the following subsection:

“Section 1003.3.4.2. Flow control devices installed in a concrete slab shall be provided with a removable access panel for repair or maintenance.”

**12-203. Violations.** It shall be unlawful for any person to violate or fail to comply with any provisions of the plumbing code as herein adopted by reference and modified. (Ord. #1995-36, Jan. 1996, as amended by Ord. #1996-10, April 1996, Ord. 1998-11, Mar. 1998, Ord. # 2003-10, April, 2003, Ord. # 2004-37, October, 2004, Ord. # 2007-22, September, 2007)

**CHAPTER 3****FUEL GAS CODE****SECTION**

12-301. Gas code adopted.

12-302. Amendments.

12-303. Violations.

**12-301. Gas code adopted.** Pursuant to authority granted by Tennessee Code Annotated, 6-54-502, the International Fuel Gas Code<sup>1</sup>, 2012 edition as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as though copied herein. (Ord. #1970-23, Aug. 1970, as amended by Ord. #1991-6, Feb. 1991, Ord. 1998-10, Mar. 1998, Ord. # 2003-11, April, 2003, Ord. # 2004-38, October, 2004, Ord. # 2007-23, September 2007, Ord. 2013-07 March, 2013)

**12-302. Amendments.** is hereby amended by deleting Amendment 1 in its entirety without substitution. (Ord. 2013-07 March, 2013)

**12-303. Violations.** It shall be unlawful for any person to violate or fail to comply with any provisions of the Fuel Gas Code as herein adopted by reference and modified. (Ord. #1970-23, Aug. 1970, Ord. # 2004-38, October, 2004)

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<sup>1</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Creek, VA 22041-3405

**CHAPTER 4**

**HOUSING CODE**

**SECTION**

12-401. Housing Code Adopted.

**12-401. Housing Code Adopted.** Pursuant to authority granted by Tennessee Code Annotated 6-54-502, the International Property Maintenance Code, 2012 edition as prepared and adopted by the International Code Council is hereby adopted and incorporated by reference as Hendersonville's Housing Code, as though copied herein. Refer to Title 13, Chapter 1, Property Maintenance Code. (Ord. 2003-12, April, 2003, Ord. 2004-39, October, 2004, Ord. # 2007-24, September, 2007, Ord. 2013-08, March, 2013)

## CHAPTER 5

MODEL ENERGY CODE<sup>1</sup>

## SECTION

12-501. Model energy code adopted.

12-502. Modifications.

12-503. Violations.

**12-501. Model energy code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the 2009 edition of the International Energy Conservation Code as prepared and maintained by the International Code Council is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy code.

**12-502. Modifications.** (1) Section 101.1 Title. is hereby amended by inserting City of Hendersonville for jurisdiction.

(2) Section 109.3 Qualifications. is hereby amended by deletion and replaced with the following:

109.3 Board of Appeals. The Board of Appeals as referenced in the building code shall serve as the Board of Appeals for this code.

(3) Section 402.2.9 Crawl space walls. is hereby amended by adding the following language at the end of the first sentence:

“...in accordance with Section R408.3 of The International Residential Code.”

(4) Section 404 is hereby deleted without substitution.

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<sup>1</sup>State law reference

Tennessee Code Annotated, § 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.

Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: title 18.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from The Council of American Building Officials, 5203 Leesburg, Pike Falls Church, Virginia 22041.

**12-503. Violations.** It shall be unlawful for any person to violate or fail to comply with any provisions of the fuel gas code as herein adopted by reference and modified. (Ord. # 2003-14, April, 2004, Ord. 2004-40, October, 2004, Ord. # 2007-25, September, 2007)

**CHAPTER 6**

**AMUSEMENT DEVICE CODE**

Standard Amusement Device Code deleted as the publisher (SBCCI) and document no longer exists.

**CHAPTER 7****SWIMMING POOL AND SPA CODE****SECTION**

12-701. International Swimming Pool and Spa Code adopted.

12-702. Amendments

**12-701. International Swimming Pool and Spa Code adopted.** Pursuant to the authority granted by Tennessee Spa Code, 2012 edition as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as though copied herein.

**12-702. Amendments.** The International Swimming Pool and Spa Code, 2012 edition is hereby amended as follows: (1) Section 101 General is hereby amended by adding the following new subsection:

R101.5 All references in this code to flood prone areas shall comply with Hendersonville's adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained in this code and those contained in the Flood Insurance Program, the Flood Insurance Program shall apply.

(2) Section 102.9 is hereby amended by the addition of the following language:

All aquatic vessels which meet the definition of swimming pools as contained in T.C.A. Title 68, Chapter 14, commonly known as Katie Beth's Law.

(3) All references to the Department of Building Safety contained within Section 103, including any other such references within the code, shall be determined to be the Department of Building and Codes.

(4) Section 108 Means of Appeals shall be amended by the deletion of Section 108.2-108.7 and adding the following language to Section 108.1:

The Board of Appeals referenced in this code shall be construed to be the Board of Appeals as established by the adopted IBC.

(5) Section 320.1 Backwash water or draining water, is hereby amended by adding the following language to the last sentence:

"...and shall not be allowed to directly or indirectly drain across adjacent properties."

(Ord. # 2003-15, April 2003, Ord. 2013-10, April 2013).

**CHAPTER 8**

**UNSAFE BUILDING ABATEMENT CODE**

Deleted without replacement. (Ord. # 2003-15, April 2003)

## CHAPTER 9

MECHANICAL CODE<sup>1</sup>

## SECTION

12-901. Mechanical code adopted.

12-902. Amendments.

12-903. Violations.

**12-901. Mechanical code adopted.** Pursuant to the authority granted by Tennessee Code Annotated, §6-54-502, the 2012 edition of the International Mechanical Code as prepared by the International Code Council is hereby adopted by reference as though copied herein. (Ord. #1991-7, Feb. 1991, as amended by Ord. #1995-40, Jan. 1996, Ord. 1998-09, Mar. 1998, Ord. # 2003-16, April 2003, Ord. # 2004-41, October, 2004, Ord. # 2007-26, September, 2007, Ord. 2013-11, April 2013)

**12-902. Amendments.** (1) Section 109 is deleted in its entirety and replaced with the following language:

“Section 109. Board of Appeals. The Board of Appeals as referenced in the building code shall serve as the Board of Appeals for the Mechanical Code.”

**12-903. Violations.** It shall be unlawful for any person to violate or fail to comply with any provisions of the fuel gas code as herein adopted by reference and modified. (Ord. #1991-7, Feb. 1991, as amended by Ord. #1995-40, Jan. 1996, Ord. # 1998-09, Mar. 1998, Ord. 2003-16, April 2003, Ord. # 2004-41, October, 2004)

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<sup>1</sup>Municipal code references

Street excavations: title 16.

Water system administration: title 18

<sup>2</sup>Copies of this code (and any amendments) may be purchased from The International Code council, 5203 Leesburg Pike, Suite 600, Falls Creek, VA 22041-3405

**12-17**

*Rev. 1/2008*

**CHAPTER 10**

**LIFE SAFETY CODE**

Deleted without replacement. (Ord. # 2003-17, April 2003)

## CHAPTER 11

**EXISTING BUILDINGS CODE<sup>1</sup>****SECTION**

- 12-1101. Existing buildings code adopted.  
12-1102. Scope.  
12-1103. Board of appeals.  
12-1104. Available in recorder's office.

**12-1101. Existing buildings code adopted.** Pursuant to authority granted by Tennessee Code Annotated § 6-54-502, the 2012 edition<sup>2</sup>, of the International Existing Building Code as prepared by the International Code Council, is hereby adopted by reference as though copied herein. (Ord. #1991-8, Feb. 1991, Ord. # 2003-18, April 2003, Ord. # 2007-27, September, 2007, Ord. 2013-12, April 2013)

**12-1102. Scope.** 12-1102. References. All references to “Name of Jurisdiction” and “Department of Building Safety” in the 2012 edition of the International Existing building Code shall be replaced with “City of Hendersonville” and “Department of Building and Codes” respectively. (Ord. #1991-8, Feb. 1991, Ord. 2003-18, April 2003, Ord. 2007-27, September, 2007, Ord. 2013-12, April 2013)

**12-1103. Board of adjustments and appeals.** The Board of Adjustments and Appeals referenced in Section 112 of the 2012 edition of the International Existing Building Code shall be deemed to be the Building Board of Adjustments and Appeals as established by the Building Code. (Ord. # 2007-27, September 2007, Ord. 2013-12, April 2013)

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<sup>1</sup>Municipal code references

- Fire protection, fireworks, and explosives: title 7.
- Planning and zoning: title 14.
- Streets and other public ways and places: title 16.
- Utilities and services: title 18.

<sup>2</sup>Copies of this code (and any amendments) may be purchased from The International Code council, 5203 Leesburg Pike, Suite 600, Falls Creek, VA 22041-3405.

**12-1104. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502 one (1) copy of the herein adopted code has been placed on file in the recorder's office for the use and inspection of the public. (Ord. #1991-8, Feb. 1991)

## CHAPTER 12

### INTERNATIONAL RESIDENTIAL CODE

#### SECTION

- 12-1201. International Residential Code adopted.
- 12-1202. Amendments.
- 12-1203. Board of adjustments and appeals.
- 12-1204. Available in recorder's office.

**12-1201. International Residential Code adopted.** Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502 the International Residential Code, 2012 edition, as promulgated by the International Code Council is hereby adopted by reference as though copied herein. (Ord. #1991-9, Feb. 1991, Ord. # 1998-07, Mar. 1998, Ord. # 2003-19, April 2003, Ord. # 2005-26, August 2005, Ord. # 2007-28, September, 2007, Ord. 2013-13, April 2013)

**12-1202. Amendments.** (1) Section R101.2 is hereby amended by deleting the reference to "...three stories..." and replacing with "...two stories...".

(2) Section R1011.2 Exceptions: (1) is hereby amended by adding the following new language:

"Local zoning regulations may otherwise limit or prevent the construction or use of a live/work unit in this manner."

(3) Section R101.2 Exceptions (2) is hereby amended by adding the following new language:

"Local zoning regulations may otherwise limit or prevent the construction or use of an owner-occupied lodging house in this manner."

(4) Section R102.2 is hereby amended by adding the following new section:  
"R102.2.1 All references in this code to flood prone areas shall comply with Hendersonville's adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained in this code and those contained in the Flood Insurance Program, the Flood Insurance Program shall apply."

(5) Section R102.5 is hereby amended by adding the following language:  
"Appendix H Patio Covers is specifically adopted. All other appendices may be utilized at the discretion of the Building Official in accordance with Section 104.11 and to address specific special situations and/or conditions.

(6) Section R102.6 is hereby amended by the addition of the following new subsection:

“R102.6.1 Automatic fire sprinkler systems. Any provisions contained within this code relating to automatic fire sprinkler systems shall not be construed to be mandatory unless specifically adopted in accordance with the provisions contained in Tennessee Code Annotated Title 68, Section 120, Part 101. However should an automatic fire sprinkler system be utilized, it must comply fully with all requirements contained herein.”

(7) Section R102 shall hereby be amended by adding the following new Section:

“R102.8 Moved Buildings. All buildings or structures moved within the jurisdiction of the city of Hendersonville shall comply with Section 3410 of the International Building Code.”

(8) All references to the “Department of Building Safety” contained within Section R103, including any other such references within the code, shall be determined to be the “Department of Building and Codes.”

(9) Section R105.2 Building is hereby amended by deleting items #2 and #7 and replacing with the following language and adding an item #11 to read as follows:

“2. Fences.”

“7. Swimming pools and spas. Refer to the International Swimming Pool and Spa Code for additional requirements.”

“11. Roof covering replacement that does not involve the significant replacement of roof decking or structural framing.”

(10) Section R109.1.2 is hereby amended by adding the following sentence to the end:

“All excavations for in-ground installations shall be safe and of adequate size to allow for inspector to perform required inspections.”

(11) Section R109.2 is hereby amended by adding the following language:

“The Building Official is also authorized to accept technical reports and/or affidavits to insure compliance with this Code. The form and substance of such reports and/or affidavits must be acceptable to the Building Official.”

(12) Section R111 is hereby amended by adding the following new section:

“R111.4 Sanitary Requirements During Construction. “Adequate sanitary facilities for the convenience of all workmen shall be provided throughout the duration of the project. This facility shall be enclosed, weatherproofed and shall be connected to sewer. Upon removal of such temporary facilities the sewer connection shall be removed and capped. In lieu of connecting to sewer a portable, enclosed, chemically treated, tank-tight unit with a minimum of one (1) commode and one (1) urinal per thirty (30) workmen may be used. The location of required sanitary facilities shall be at the discretion of the Building Official or his designated representative.”

(13) Section R112.1 Board of Appeals- General shall be amended by the addition of the following language:

“The Board of Appeals referenced in this code shall be construed to be the Board of Appeals as established by the adopted IBC.”

(14) Section R202 shall be amended by deleting the existing definition of townhouse and replacing it with the following language:

“TOWNHOUSE. A single-family dwelling unit constructed in a group of four or less attached units with no more than one unit per lot, each unit extending from foundation to roof and has open space on at least two sides.”

(15) Table R301.2(1) is hereby amended by adding the following Design Criteria in the appropriate fields:

“Ground Snow Load – 15#, Wind – 90 mph 3 sec gust, Seismic Design Category - B, Weathering – Severe, Frost Line Depth – 12 in., Termite – Moderate to Heavy, Winter Design Temp – 14 deg F, Ice Shield Underlayment Required – No, Flood Hazard – See Section R102.2.1, Air Freezing Index – 332, Mean Annual Temperature – 59.2 deg F.”

(16) Section R309.3 is hereby deleted without replacement.

(17) Section R315 Carbon Monoxide Alarms is hereby amended by adding the following subsection:

“R315.5 Interconnection. Where more than one carbon monoxide alarm is required to be installed within an individual dwelling unit in accordance with R315.1, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of carbon monoxide alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.”

(18) Section R319 Site Address is hereby amended by deleting it in its entirety without replacement.

(19) R320.1 Scope is hereby amended by deleting it in its entirety and replacing with the following language:

“R320.1 Scope. All live/work units and owner-occupied lodging houses with five or less guestrooms shall comply with Chapter 11 of the International Building Code.”

(20) R322.1 is hereby amended by deleting it in its entirety and replacing with the following language:

“R322.1 Floodplain Construction. Buildings and structures constructed in whole or part in floodplains designated on the Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program shall comply with Hendersonville’s duly adopted Flood Insurance Program requirements.”

(21) Sections R405.1, R405.1.1, R406.1 and R406.2 are hereby amended by removing the following language from each section:

“...and enclose habitable or usable spaces below grade.”

(22) Section 405.1 is amended by deleting the last sentence before the Exception and replacing it with the following language:

“The space between the excavation and the foundation wall shall be backfilled with washed gravel or stone one-half the backfill height. The remainder of the excavated area may be backfilled with same type of soil as was removed during excavation.”

(23) Section R406.2 is amended by deleting the following language from the beginning of the first sentence:

“In areas where a high water table or other severe soil-water conditions are known to exist...”

(24) Section R408.3 items 2.1 and 2.2 are amended by deleting the phrase “...including a return pathway to the common area (such as a duct or transfer grille)...” in the first sentence and add the following language at the end of each section:

“Should a return pathway to the common area (such as a duct or transfer grille) be installed, then an acceptable system must be provided to insure acceptable air quality is being transferred to the common area.”

Section R408.3 item 2.2 is further amended by deleting the word “...under...” and replacing it with “...crawl space...”

(25) Section R408.7 Flood resistance is hereby deleted and replaced with the following:

“R408.7 Rodent-proofing. All foundation walls shall be maintained plumb and free from open cracks and breaks or other opening so as to prevent the entry of rodents and other pests.”

(26) Section R501.3 is hereby amended by adding the following subsection:

“R501.3.1 Crawl spaces with access openings that meet or exceed 6 feet 8 inches in height or 36 inches in width must provide fire protection of floor assemblies as specified in R501.3.”

(27) Section R602.6.1 Drilling and notching of top plate is hereby amended by adding the following language at the end of the last sentence in the first paragraph:

“...and a minimum of 2 inches below the top plate.”

(28) Section R801.3 is amended by deleting the following language from the beginning of the first sentence:

“In areas where expansive or collapsible soils are known to exist...”

(29) Section R802.11.1 Uplift Resistance is hereby amended by deleting the 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs in their entirety.

(30) Section R802.11.1.2 Truss uplift resistance is hereby amended by replacing “...connections...” with “...connectors...” and deleting the following language:

“...Uplift forces shall be permitted to be determined as specified by Table R802.11 if applicable,...”

(31) Section R802.11.1.3 Rafter uplift resistance is hereby amended by replacing “...connections...” with “...connectors...”

(32) Sections N1101.1 – N1105.6.3 of Chapter 11 Energy Efficiency is hereby amended by deletion and replaced with the following language:

“N1101.1 Scope. The provisions of the International Energy Conservation Code shall regulate the energy efficiency for the design and construction of buildings regulated by this code.”

(33) Section M1507.4 Local exhaust rates. Is hereby amended by deleting the current Table M1507.4 and replacing with the following table:

<b>Area to be Exhausted</b>	<b>Exhaust Rates</b>
Kitchens	100 cfm intermittent or 25 cfm continuous
Bathrooms	Mechanical exhaust capacity of 1 cfm per square foot of floor area intermittent or 20 cfm continuous
Toilet Rooms	Mechanical exhaust capacity of 50 cfm intermittent or 20 cfm continuous

(34) Section P2603.5 Freezing is hereby amended by adding the following language “...and sanitary P traps...” in the first sentence after “... a water, soil or waste pipe...” and replacing “...12 inches...” with “...18 inches...” in the last sentence.

(35) Section P2603.5.1 is hereby amended by substituting the following language: “Building sewers connected to private sewage disposal systems shall be a minimum of 18” inches below finished grade at the point of connection. The depth of the service field lines shall comply with the requirements as set forth by the Sumner County Environmental Office. If the outlet from the tank has a stepdown in grade to the service field lines, then the minimum required depth shall apply.”

(36) Section P2704.1 is hereby amended by adding the following sentence: “Shower and bathtubs set head to head shall be prohibited except where adequate access is provided for repairs or maintenance” to the end of the section.

(37) Section P2718.1 is hereby amended by adding the following language: “The trap and fixture drain for the associated standpipe shall be a minimum of 2” in diameter. The associated fixture drain shall be connected to a branch drain or drainage stack a minimum of three (3”) inches in diameter.  
Exception: A two (2”) inch drain pipe is acceptable if no additional fixtures are connected.”

(38) Section P2902.1 is hereby amended by adding at the end the following sentence:

“A strainer is required to protect the backflow preventer from foreign objects in the line installed in the horizontal position. A valve shall be installed on the downstream side of the strainer to allow for servicing.”

(39) Section P2903.5 is hereby amended by adding the following new sentence:

“Additional methods may be utilized upon approval of the Plumbing Official.”

(40) Section P2903.7 is hereby amended by modifying the first sentence by deleting “diameter” and adding the following language:

“...nominal diameter from the meter to the water heater.”

(41) Section P2903.9.1 is hereby amended by deleting the following phrase:

“...near the entrance of the water service.”

and replace it with the following:

“... accessible from the living portion of the dwelling unit.”

(42) Section P2903.9.3 is hereby amended by deleting the second sentence and replacing it with the following:

“An individual shutoff valve shall be required on the fixture supply pipe to each plumbing fixture, at or near the plumbing fixture, other than bathtubs and showers.”

(43) Section P3005.1.2 is hereby amended by substituting the following language:

“Heel- or side-inlet quarter bends shall be an acceptable means of connection. Where the quarter bends serve a water closet, the inlet fittings shall be washed by a bathroom fixture group and be located directly below the water closet. Side-inlet quarter bends shall be an acceptable means of connection for drainage, wet venting and stack venting arrangements.”

Exception: “A low heel inlet shall not be used as a wet vent connection.”

(44) Section P3005.2.7 is hereby amended by deleting the following language from the second sentence:

“...either inside or...”

(45) Section P3005.2.10 is hereby amended by adding the following language:

“...with approval by the Plumbing Official.”

(46) Section P3005.4.1 is hereby amended by substituting “...2 inches...” for “...1.5 inches...”.

(47) Table P3005.4.2 is hereby amended by adding a footnote “c” to read as follows:

“No building sewer shall be less than four inches (4”) in size.”

**12-1203. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the herein adopted code has been placed on file in the recorder's office for the use and inspection of the public. (Ord. #1991-9, Feb. 1991, Ord. 2005-26, August 2005, Ord. 2013-13, March 2013)

## CHAPTER 13

**ELECTRICAL CODE**<sup>1</sup>**SECTION**

12-1301. Electrical code adopted.

12-1302. Available in recorder's office.

12-1303. Fire official to utilize codes.

**12-1301. Electrical code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506 and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code<sup>2</sup>, 2008 edition, as prepared by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the electrical code. (Ord. # 2003-20, April 2003, Ord. 2007-30, September, 2007, Ord. 2013-14, March 2013)

**12-1302. Available in recorder's office.** Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-1303. Fire official to utilize codes.** The fire official may utilize any of the codes standards, manuals and recommended practices contained within the National Fire Codes as a guide and/or reference in the enforcement of fire protection and prevention provisions of the adopted codes. (Ord. #1986-42, Jan. 1987)

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<sup>1</sup>Municipal code reference

Fire protection, fireworks and explosives: title 7.

<sup>2</sup>Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

## CHAPTER 14

### **GREEN BUILDING INCENTIVE PROGRAM**

#### **SECTION**

- 12.1401. Established.
- 12.1402. Participation
- 12.1403. Incentives.
- 12.1404. Policy and Procedures.
- 12.1405. Appeals.

**12-1401. Green Building Incentive Program.** There is hereby established a “Hendersonville Green Building Incentive Program”.

**12-1402. Participation.** Participation in the program is totally voluntary and is limited to projects located within the city limits of the City of Hendersonville. Projects that incorporate significant energy efficiency and conservation aspects are strongly encouraged.

**12-1403. Incentives.** Participation in the program qualifies the participant for one or more of the following incentives.

**1403.1.** In addition to all other certificates of occupancy that may be required by the City, it shall also issue a Green Certificate of Occupancy for all projects meeting the sustainable design protocol established by this program.

**1403.2.** Subject to any budget constraints the City of Hendersonville may waive all or a portion of the required developmental fees for said project.

**1403.3.** The City of Hendersonville will maintain a permanent record, available to the public, of all projects successfully participating in the Green Building Incentive Program.

**1403.4** Additional incentives for those participating in the program may be available at a future date.

**12-1404. Policy and Procedures.** The Director of Building and Codes is hereby authorized to establish and implement any and all appropriate policies or operating procedures necessary to carry out the intent and purpose of this program, including but not limited to application requirements, acceptable sustainable design protocols, certification procedures and fee waiver criteria.

**12-1405. Appeals.** Administrative appeals regarding this program may be made in writing to the Director of Building and Codes or his designated agent. Appeals of the decisions of the Director of Building and Codes may be appealed to the Building Board of Appeals, as established by the building code. The Building Board of Appeals authority is limited to interpretations of the provisions of the Green Building Incentive Program or issues regarding acceptable sustainable design protocols. (Ord. 2011-11, May 2011).