



November 15, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*
Vernon Gerth, ACA Community and Economic Development
Chris Bridgewater, Director of Building and Neighborhood Services
Andy King, Asst. Chief - Fire Marshal
Allen Lewis, Building Official

SUBJECT: **Consideration of Ordinances 2013-51 through 2013-58, 2013-62 and 2013-63 that adopts recently published 2012 versions of the International Code Council (ICC) and National Fire Protection Association (NFPA) Series.**

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information to consider adoption of the 2012 version of the International Code Council (ICC) and the and National Fire Protection Association (NFPA) Life Safety codes.

Background

The adoption of the current version of the ICC building codes and National Electrical Code by reference places the City of Franklin on the same building code sequence as the majority of surrounding communities in Middle Tennessee.

The building codes selected for adoption by reference are:

- Ordinance 2013-51 - International Building Code 2009 → 2012
- Ordinance 2013-52 - International Residential Code 2009 → 2012
- Ordinance 2013-53 - International Plumbing Code 2009 → 2012
- Ordinance 2013-54 - International Mechanical Code 2009 → 2012
- Ordinance 2013-55 - International Existing Building Code 2009 → 2012
- Ordinance 2013-56 - International Fuel Gas Code 2009 → 2012
- Ordinance 2013-57 - National Electric Code 2008 → 2011
- Ordinance 2013-58 - International Property Maintenance Code 2003 → 2012
- Ordinance 2013-62 - International Fire Code 2009 → 2012
- Ordinance 2013-63 - NFPA 101 Life Safety Code 2009 → 2012

*2009 International Energy Conservation Code is not being considered at this time.

The primary reasons for adopting the current versions of the ICC and NFPA codes include:



- ✓ The City of Franklin has been on a different code cycle than most surrounding Middle Tennessee communities since switching from the Standard Building Code in 2003. Currently, other communities are either using the 2006 version or the 2012 version while Franklin is on the 2009 version. Adopting the 2012 version would allow Franklin to be more consistent with the surrounding communities thereby allowing builders and designers to follow similar practices throughout the Middle Tennessee area.
- ✓ State law requires jurisdictions to adopt the ICC and NFPA Code versions within seven (7) of the most recently published version.
- ✓ Surrounding communities who have adopted the 2006 version and are in the process of adopting the current 2012 version: Metro (2006), Murfreesboro (2006), Rutherford County (2006), LaVergne (2006), Lebanon (2006), Columbia (2006), Spring Hill (2006), Gallatin (2006), Smyrna (2006), Thompson's Station (2006).
- ✓ Adoption of the current 2012 ICC version yields better audit results from the following agencies. Better ISO and Flood audit results can yield better insurance rates for Franklin businesses and residents:
 - State Fire Marshal's Office
 - ISO Building Code Effectiveness Grading Scale (BCEGS)
 - FEMA/TEMA Flood Audits including the Community Rating System (CRS)

Items of Interest Specific to each Ordinance:

2013-51 – International Building Code

- Cleaner code adoption – fewer appendices adopted striking A, B, C, E, F, G, H, I, and J, striking amendments 2, 7, and 8.
- Updating section on Certificates of Occupancy to reflect current practices and to provide for better inter-departmental coordination
- Annual permits were previously amended out of the code but are now being included again. These types of permits would allow greater flexibility in permitting for businesses such as Data Centers who have licensed electrical contractors on staff.
- Adding new fee types for services that are in demand by builders and developers – Temporary Certificates of Occupancy and Foundation Permits. Amounts of fees to be proposed in separate ordinance change of Title 22 through the Finance Committee process.

2013-52 – International Residential Code

- Cleaner code adoption – fewer appendices adopted striking A, B, C, D, G, and H.
- Residential energy code requirements appear in both the International Residential Code (IRC) and in the International Energy Conservation Code (IECC). By striking chapter 11 in the 2012 IRC and leaving the 2009 IECC unchanged, the energy code requirements in the residential code remain the same as currently adopted. Many Tennessee communities have concerns about provisions in the 2012 IECC
- Regulations regarding fire sprinklers are not proposed to change with this ordinance.

2013-53 – International Plumbing Code

- New provisions of the plumbing code will allow small tenant spaces to use a unisex accessible restroom to meet their minimum fixture requirements. The previous version of the code required a minimum of one male and one female accessible restroom for most small tenant spaces. This has been a major barrier for small business owners.

2013-56 – International Fuel Gas Code



- Sections 12-402 and 12-403 are obsolete and removal is proposed. Language explaining the duties of the inspector is contained within the body of the adopted International Fuel Gas Code.

Financial Impact

Both Fire and Building and Neighborhood Services Department will purchase new reference materials. Funds have been allotted for this purpose in the current FY2014 budget. Training for plans examiners and field staff will be accomplished through the current program of continuing education and certification. Training is routinely conducted through the Middle Tennessee inspection community as standards are updated to reflect newer construction practices and technologies.

Recommendation

Staff recommends approval as these adoptions will align Franklin with other Middle Tennessee communities and allow builders to have similar minimum building code requirements through the region.