

**ORDINANCE 2013-52**

**TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 12, CHAPTER 10 OF THE FRANKLIN MUNICIPAL CODE TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION."**

**WHEREAS**, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, the Board of Mayor and Aldermen of the City of Franklin is authorized to prescribe regulations and standards for the design, construction, and repair to buildings and structures within the City; and

**WHEREAS**, in its legislative judgment the Board of Mayor and Aldermen has found that building regulations and standards must be dynamic and modified from time to time to reflect changes in model codes, construction materials, recognized construction methods, and safety standards necessary to preserve and promote the private and public interest; and

**WHEREAS**, in order to be consistent with the majority of the surrounding communities, who have adopted or will adopt the 2012 International Code Council series of codes and allow builders, designers, and developers to reference one set of code books in the Middle Tennessee area, Building and Neighborhood Services proposes this business friendly initiative; and

**WHEREAS**, Tennessee Code Annotated Title 68, Chapter 120, requires that for cities that enforce their own building construction safety standards, the building codes adopted by reference must be current within seven years of the date of the latest editions; and

**WHEREAS**, the Board of Mayor and Aldermen believe it is in the best interest of the City of Franklin to adopt the International Residential Code, 2012 Edition.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN BOARD OF MAYOR AND ALDERMEN, AS FOLLOWS:**

**SECTION I.** That Title 12, Chapter 10, Section 12-1001 of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strikethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

Sec. 12-1001. One- and two-family dwelling code adopted.

- (1) Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501, et seq., and for the purpose of regulating the fabrication, erection, construction, enlargement, alteration, repair, location and use of detached one- and two-family dwellings, their appurtenances and accessory structures, so as to safeguard life, health, and public welfare, the International Residential Code,

2009 2012 edition, with Appendices ~~A, B, C, D, G, H~~ and J, as prepared 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 one- and two-family dwelling code.

(2) Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502(c), the Building and Neighborhood Services director shall adopt administrative regulations to incorporate subsequent amendments to the International Residential Code, 2009 2012 edition as published by the International Code Council. These amendments shall be identified by the Building and Neighborhood Services director as to date and source and shall take effect as provided in Tennessee Code Annotated, § 6-54-502 unless disapproved by resolution of the board of mayor and aldermen.

**SECTION II.** That Title 12, Chapter 10, Section 12-1002 of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strikethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

Sec. 12-1002. Amendments to the 2009 2012 edition of the International Residential Code.

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**(11) Chapter 11 of the International Residential Code is deleted in its entirety. The energy code for one- and two-family dwellings shall be the currently adopted International Energy Conservation Code.**

**SECTION III.** That Title 12, Chapter 10, Section 12-1003 of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strikethrough~~; to add the following text noted in **bold**; and is approved to read as follows:

Sec. 12-1003. Available in recorder’s office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Residential code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public. Administrative regulations adopting amendments to the International Residential Code, 2009 2012 edition will be placed on file when they are published by the Building and Neighborhood Services Director, and at least fifteen (15) days before their effective date.

**SECTION IV. Severability.** In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

**SECTION V. Repeal and Savings Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained

shall affect any rights, actions or causes of action which shall have accrued to the City of Franklin prior to the effective date of this ordinance.

**SECTION VI:** BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this ordinance shall be in full force and in effect for any building permit application received by the Building and Neighborhood Services Department on or after **March 1, 2014**, the health, safety and welfare of the citizens of Franklin, Tennessee requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: \_\_\_\_\_  
Eric S. Stuckey  
City Administrator/Recorder

By: \_\_\_\_\_  
Dr. Ken Moore  
Mayor of Franklin

PASSED FIRST READING \_\_\_\_\_

PASSED SECOND READING \_\_\_\_\_

Approved as to form by:

  
\_\_\_\_\_  
Kristen L. Corn, Staff Attorney