

TITLE 12**BUILDING, UTILITY, ETC. CODES****CHAPTER**

1. BUILDING CODE.
2. PLUMBING CODE.
3. 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 CODE¹****SECTION**

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

¹Municipal 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 Code¹, 2006 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)

12-102. Amendments. (1) Section 101.2 Scope is hereby amended by changing the reference from "...three..." to "...two..." in Exception #1 and adding the following language:

Townhouses, as defined by this code, which exceed four or more attached units or more than one dwelling unit per lot shall comply with this code.

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

Appendix B Board of Appeals and Appendix C Group U – Agricultural Buildings are specifically adopted. All other appendices 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 to read as follows:

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.

(4) All references to ICC Electrical Code in Section 101.4.1 of the International Building Code shall be deleted and be replaced with National Electrical Code.

(5) All references to "department of Building Safety" in Section 103 of the International Building Code, as well as other references throughout this code, shall be construed to be the "Department of Building and Codes".

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

(6) Section 109.4 of the International Building Code is hereby amended by adding the following language:

The Building Official is also authorized to accept reports and/or affidavits to verify compliance with this Section. The form and substance of the reports and/or affidavits are to be approved by the Building Official.

(7) Section 202 Definitions 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.

(8) Chapter 11 Accessibility is hereby deleted in its entirety in deference to the Handicap/Accessibility Code as adopted by the State of Tennessee.

(9) Section 3109.5.2 is hereby amended by adding the following new subsection:

3109.5.2 (3) Entrapment protection in accordance with United States Consumer Protection Services Commission (USCPSC) Guidelines for Entrapment Hazards dated March 2005.

(10) Section 3408 Moved Structures is hereby amended by adding the following new subsections:

3408.2 Moving Permit. A building or part of any building shall not be moved into, or out of, the city limits of the City of Hendersonville without first obtaining a Moving Permit. Buildings that are moved through the city limits of the City of Hendersonville are not required to obtain a Moving Permit from the City of Hendersonville but must take appropriate precautions to coordinate with all local emergency services regarding time, date and route .

3408.2.1 Written application. Any person desiring to move a building in accordance with Section 3408.2 shall first make a written application for permit setting forth at least the following information:

- a. Description of the building to be moved.
- b. The extreme dimensions of length, width and height (loaded and unloaded) of the building.
- c. The present and proposed location of the building.

- d. The approximate time said building will be upon the streets or public right of ways, and the proposed route from the present location to the new location.

3408.2.2 Permit refusal. If in the opinion of the City of Hendersonville, the moving of any such building could 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 violate any of the requirements of this code or of any other applicable law, code or regulation, the Moving Permit may be denied and the building therefore prohibited from being moved on or by way of the public right of ways.

3408.2.3 Bond required. The City of Hendersonville, as a condition precedent to the issuance of a Moving Permit, shall require 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.

3408.2.4 Notice of permit. Upon issuance of said Moving Permit, the moving contractor shall cause notice to be given 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, time started, approximate time of completion and contact information. The requested moving date shall provide at least fifteen (15) days advance notice unless specifically authorized otherwise by the Police Department.

3408.2.5 Public safety requirements

3408.2.5.1 . 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 4 hours without prior permission of the City of Hendersonville

3408.2.5.2 Every building which occupies any portion of public property at any time shall at all times have sufficient safeguards to protect the public.

3408.2.5.3 Any flagging, lighting, warning lights or other safety features when required by the City of Hendersonville shall be considered as a minimum level of safety for the general public. Additional safety precautions may be warranted based on each individual situation.

3408.2.5.4 Additional escorts may be required by the City of Hendersonville.

3408.2.5.5 In the event that a building has no other recourse but to remain on public property for an extended period of time, the individual who obtained the Moving Permit must contact the City of Hendersonville and the public entity controlling said property. All safeguards as prescribed by the City of Hendersonville shall be in place for the duration.

3408.2.5.6 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 a move.

3408.2.6 Improvements by owner. The owner of any house, building, or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of the appropriate code within 90 days from the date of the issuance of said Moving Permit. Extensions of such time if deemed reasonable and justified may be granted by the building official upon a showing of delay caused by matters beyond the control of the owner or house mover. The application for the moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building, or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or the owner's agent.

(11) Section 3410.2 Applicability is amended by deleting the first sentence and replacing it with the following language:

Structures existing prior to being incorporated into the jurisdiction of the City of Hendersonville where there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407.

(12) 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 is not applicable 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. # 1998-08, Mar. 98, Ord. 2003-09, April, 2003, Ord. # 2004-36, October, 2004, Ord. 2007-21 September, 2007)

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 CODE¹

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 2006 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)

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 Cites, Appendix D Degree Day and Design Temperatures and Appendix F Structural Safety is hereby specifically adopted. All other appendices 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 305.6.1 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 403.2 is hereby amended by deleting existing Exceptions 2, 3 and 4 and adding the following exception:

¹Municipal code references

Street excavations: title 16.

Water system administration: title 18

2) Separate facilities shall not be required in structures or tenant spaces not exceeding the total gross square footage as shown in the following occupancies.

Table 403.2 Occupancies with one (1) Unisex bathroom	
Occupancy	Gross Square footage
Business	1,500
Education	1,500
Factory	3,000
Mercantile	2,000
Pools	1,000
Restaurants	1,000
Storage	7,500
Exception: Any business that dispenses gasoline or diesel oil to the public shall have separate facilities for male and female	

(6) Section 411.1 is hereby amended by substituting the following language:

Water connection: Emergency showers and eyewash stations shall be provided with an unvalved supply of cold water as required by the manufacturer.

(7) Section 412.3 Floor drains. is hereby amended by replacing "...2 inches..." with "... 3 inches..."

(8) 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.

(9) 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.

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

Heel or side inlet quarter bends are acceptable means of connection except where the quarter bend serves a water closet. Exception – Heel or side inlet quarter bend connections may be used as a vent if the quarter bend is located directly below a water closet and the inlet fittings are washed by a bathroom \ fixture group.

(11) 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.

(12) Section 802.1.4 is hereby amended by adding the following new subsection:

802.1.4 Pool Drainage - Discharges from any swimming pool, as defined by this code, shall not be allowed to directly or indirectly drain across any adjacent properties. Such discharges may be directed to a storm drain or approved drainage channel or structure. Nothing in this section shall be considered to supersede any State or Federal requirement regarding hazardous materials.

(13) 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**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 Code¹, 2006 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)

12-302. Amendments. (1) Section 403.5.4 is amended by adding the following language:

Corrugated stainless tubing shall not be used for gas meter stub-out piping or installations where not adequately protected.

(2) Section 109 is hereby amended by deletion and replacing with the following language:

Section 109 Board of Appeals. The Board of Appeals as referenced in the adopted building code shall serve as the Board of Appeals for the Fuel Gas Code. (Ord. #1991-6, Feb. 1991, modified, Ord. 1998-10, Mar. 1998, Ord. # 2003-11, April, 2003, Ord. # 2004-38, October, 2004, Ord. # 2007-23, September 2007)

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)

¹Copies 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, 2006 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)

CHAPTER 5

MODEL ENERGY CODE¹

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 2006 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) Whenever the energy code refers to the responsible government agency or name of jurisdiction it shall be deemed to be a reference to the City of Hendersonville.

(2) 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 energy conservation code.”

¹State 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.

²Copies 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 CODE

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

CHAPTER 8

UNSAFE BUILDING ABATEMENT CODE

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

CHAPTER 9

MECHANICAL CODE¹

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 2006 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)

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)

¹Municipal code references

Street excavations: title 16.

Water system administration: title 18

²Copies 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 10

LIFE SAFETY CODE

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

CHAPTER 11

EXISTING BUILDINGS CODE¹

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 2006 edition², 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)

12-1102. Scope. 12-1102. References. All references to “Name of Jurisdiction” and “Department of Building Safety” in the 2006 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 203, Ord. 2007-27, September, 2007)

12-1103. Board of appeals. The Board of Appeals referenced in Section 112 of the 2006 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)

¹Municipal 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.

²Copies 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, 2006 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)

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

(2) 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.”

(3) Section R102.5 is hereby amended by adding the following language:

“Appendix G Swimming Pools, Spas and Hot Tubs 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.”

(4) 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 3408 of the International Building Code.”

(5) All references to “department of Building Safety” in Section R103, as well as other references throughout the code, shall be construed to be the “Department of Building and Codes”.

(6) Section R105.2 is hereby amended by adding exception #10 under Building to read as follows:

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

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

“All piping trenches shall be of a size adequate to allow for complete inspection”.

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

“The Building Official is also authorized to accept other similar reports and/or affidavits to verify compliance with this Code. The form and substance of these reports and/or affidavits must be approved by the Building Official.”

(9) 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”

(10) 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.”

- (11) Section R301.14 is hereby amended by adding the following language:

“Annular spaces around pipes, electrical cables, conduits, or other openings in the wall shall be protected against the passage of rodents by closing such openings with cement mortar, concrete masonry or non-corrosive metal.”

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

“Ground Snow Load – 10#, Wind – 75 mph/90 mph 3 sec gust, Seismic Design Category – C, 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 – 300 , Mean Annual Temperature – 60 deg F.”

- (13) Section R301.2.4 is hereby amended by deleting it in its entirety and replacing with the following language:

“R301.2.4 Floodplain Construction. Buildings and structures constructed in flood hazard areas shall be designed and constructed in accordance with Section R324.

Exception: Buildings and structures in floodplains that are designated on the Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) that are provided by the National Flood Insurance Program shall comply with Hendersonville’s adopted Flood Insurance Program requirements. Any conflict between these requirements and R324, the duly adopted Flood Insurance Program shall apply.”

- (14) Section R309.5 is hereby deleted without replacement.

- (15) Section R405.1 is amended by deleting the first sentence and replacing it with the following language:

“Drains shall be provided around all concrete or masonry foundations that retain earth.”

- (16) Section R406.1 is amended by deleting the first sentence and replacing it

with the following language:

“Except where required by Section R406.2 to be waterproofed foundation walls that retain earth shall be damp proofed from the top of the footing to the finished grade”.

(17) Section 406.1 is amended by adding the following new Section:

“Section 406.1.1 Porous Fill: The space between the excavation and the foundation wall shall be backfilled with 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.”

(18) Section R406.2 is amended by deleting the following portion of the first sentence:

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

(19) Section 406.2 is amended by adding the following new Section:

“Section 406.2.1 Porous Fill: The space between the excavation and the foundation wall shall be backfilled with 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.”

(20) Section R408.3.2.1 and 408.3.2.2 is 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.”

(21) Section R801.3 is amended by deleting the following portion of the first sentence:

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

(22) Table M1507.3 is hereby amended by replacing “50 cfm” with “1 cfm per sq. ft. of floor space” and “20 cfm” with “50 cfm”.

(23) Section G2414.5.3 is hereby amended by adding the following language:

“Corrugated stainless tubing shall not be used for gas meter stub-out piping or installations where not adequately protected.”

(24) Section P2603.6 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...”.

(25) Section P2603.6.1 is hereby amended by substituting the following language:

“Building sewers that connect to private sewage disposal systems shall be a minimum of 18” inches below finished grade at the point of septic tank connection. The depth of the service field lines shall meet the minimum requirements as set forth by the Sumner County Environmental Office. If the outlet from the septic tank has a stepdown in grade to the service field lines then the minimum depth required shall apply.”

(26) 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.

(27) Section P2718.1 is hereby amended by substituting the following language:

“The discharge from a clothes washing machine shall be through an air break. The trap and fixture drain for the associated standpipe shall be a minimum of 2” inches 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”.

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

“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 on the downstream side of the strainer to allow for servicing”.

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

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

- (30) Section P2903.7 is hereby amended by modifying the first sentence to add the following language:

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

- (31) 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.”

- (32) Section P2903.9.3 is hereby amended by adding the following phrase to the end of the first sentence:

“... on the same floor and within view of the fixture.”

- (33) 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, except where the quarter bend services a water closet.

Exception: The heel or side-inlet connection of a quarter bend may be used as a vent if the quarter bend is located directly below a water closet and the inlet fittings are washed by a bathroom fixture group.”

- (34) Section P3005.2.7 is hereby amended by replacing the second sentence:

“This cleanout shall be located outside the building wall and brought up to finish grade or lowest floor level.”

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

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

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

- (37) Table P3005.4.2 is hereby amended by adding a footnote “c” to read as

follows:

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

(38) Appendix G is hereby amended by adding the following new section:

“AG103.3 Pool Drainage - Discharges from any swimming pool, as defined by this code, shall not be allowed to directly or indirectly drain across any adjacent properties. Such discharges may be directed to a storm drain or approved drainage channel or structure. Nothing in this section shall be considered to supercede any State or Federal requirement regarding hazardous materials”.

(39) Appendix G is hereby amended by adding the following new subsection:

“AG106.3(3). Entrapment protection in accordance with United States Consumer Protection Services Commission (USCPSC) Guidelines for Entrapment Hazards dated March 2005.”.

12-1203. Board of adjustments and appeals. The board of adjustments and appeals referenced and/or required by the International Residential Code, 2006 edition shall be construed to be the Board of Adjustments and Appeals established by International Building Code, 2006 edition respectively. (Ord. #1991-9, Feb. 1991, Ord. # 2003-19, April 2003, Ord. # 2007-28, September 2007)

12-1204. 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)

CHAPTER 13

ELECTRICAL CODE¹**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 Code², 2002 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)

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)

¹Municipal code reference

Fire protection, fireworks and explosives: title 7.

²Copies 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).