TITLE 12

BUILDING, UTILITY, ETC. CODES

CHAPTER
1. BUILDING CODE.
2. PLUMBING CODE.

CHAPTER 1

BUILDING CODE\(^1\)

SECTION
12-102. Modifications.
12-103. Available in recorder's office.
12-104. Violations.
12-105. Building inspector.
12-108. Occupancy permit.

12-101. Building code adopted. (1) That a certain document, one (1) copy of which is on file in the office of the Town Recorder of the Town of Atoka, being marked and designated as the International Building Code, 2006 edition, including Appendix Chapters A - J as published by the International Code Council, be and is hereby adopted as the Building Code of the Town of Atoka, in the State of Tennessee for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said building code on file in the office of the Town of Atoka are hereby referred

\(^1\)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: titles 18 and 19.
to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in subsections (2), (3), and (4) of this section.

(2) The following sections are hereby revised:
Section 101.1  Insert: Town of Atoka.
Section 1612.3  Insert: Town of Atoka.
Section 1612.3  Insert: Date of issuance June 7, 2011.
Section 3410.2  Insert: Date in one Location June 7, 2011.

(3) Those applicable sections of the 2006 International Building Code enforced by the Town of Atoka apply.

(4) That any building constructed for the purposes of residential occupancy and use, regardless of the zoning classification, shall have all floor joists, wall studs, ceiling joists, rafters, and trusses be installed at sixteen inches (16") on center.

(5) That all engineered drawings of multi-family, commercial or industrial structures to be built in the Town of Atoka are subject to code enforcement review.

(6) That ordinance number 05-04-01 of the Town of Atoka and all other ordinances or parts of ordinances in conflict herewith are hereby repealed except where other ordinances or parts of ordinances are more stringent.

(7) That if any section, subsection, sentence, clause, or phrase of this section is, for any reason, held to be unconstitutional such decision shall not affect the validity of the remaining portions of this section. The board of mayor and aldermen hereby declares that it would have passed this section, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

(8) That nothing in this section or in the building code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in subsection (2) of this section; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this section. (as replaced by Ord. #05-04-01, May 2005, and Ord. #11-05-01, Aug. 2011)

12-102. Modifications.  (1) Definitions. Whenever the building code refers to the "Chief Appointing Authority" or the "Chief Administrator," it shall be deemed to be a reference to the board of mayor and aldermen. When the "Building Official" or "Director of Public Works" is named it shall, for the purposes of the building code, mean such person as the board of mayor and aldermen has appointed or designated to administer and enforce the provisions of the building code.
(2) **Permit fees.** Building permit fees shall be those fees adopted from time to time by resolution of the Board of Mayor and Aldermen of the Town of Atoka. (as amended by Ord. #03-08-05, Sept. 2003)

12-103. **Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, section 6-54-502 one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-104. **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.

12-105. **Building inspector.** The provisions of this chapter shall be administered and enforced by the building inspector, appointed by the board of mayor and aldermen, who shall have the power to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this chapter. (Ord. No. 24 §1, §8, as amended by Ord. #14-10-01, Oct. 2014)

12-106. **Necessity of building permit.** It shall be unlawful to commence excavation for the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the building inspector has issued a building permit for such work. (Ord. No. 24 §2)

12-107. **Application for permit.** In applying to the building inspector for a building permit, the applicant shall submit a dimensional sketch or a scale plan indicating the shape, size, height and location on the lot of all buildings to be erected, altered or moved and of any building already on lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the building inspector for determining whether the provisions of this section or any other applicable sections are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this and other applicable sections of the Town of Atoka, the building inspector shall issue a building permit for such excavation or construction. If a building permit is refused, the building inspector shall state such refusal in writing with the cause. The issuance of a building permit shall in no case be construed as waiving any provision of this section or any other applicable section. A building permit shall become void six months from the date of issuance unless substantial progress has been made by that date on the project described therein. No building permit shall be issued until the building inspector receives written approval of the proposed use from the Tipton County Health Department. A complete record
of all such applications, sketches and plans shall be maintained in the town hall. (Ord. No. 24 §3 and §5)

12-108. **Occupancy permit.** No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the building inspector shall have issued a certificate of occupancy stating that such land, building, or part thereof and the proposed use thereof are found to be in conformity of the provisions of this chapter and other applicable ordinances. Within two days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the building inspector to make a final inspections thereof and to issue a certificate of occupancy if the land, building, or part thereof and the proposed use thereof are found to conform with the provisions of this chapter and other applicable ordinances; or if such certificate is refused, to state such refusal in writing with the cause.

12-109. **Penalty for violations.** Any person violating this chapter shall be guilty of a misdemeanor, and conviction shall be fined not less than two ($2) nor more than fifty ($50) dollars for each offense. Each day such violation shall continue shall continue a separate offense.
CHAPTER 2

PLUMBING CODE

SECTION
12-201. Plumbing code adopted.
12-203. Available in recorder's office.
12-204. Violations.

12-201. Plumbing code adopted. Pursuant to authority granted by Tennessee Code Annotated, sections 6-54-501 through 6-54-506 and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the town, when such plumbing is or is to be connected with the town water or sewerage system, the Standard Plumbing Code, 1988 edition with all amendments, as prepared and adopted by the Southern Building Code Congress International, Inc., is hereby adopted and incorporated by reference as a part of this code and is hereinafter referred to as the plumbing code.

12-202. Modifications. (1) Definitions. Wherever the plumbing code refers to the "Chief Appointing Authority," the "Administrative Authority," or the "Governing Authority," it shall be deemed to be a reference to the board of mayor and aldermen.

Wherever "City Engineer," "Engineering Department," "Plumbing Official," or "Inspector" is named or referred to, it shall mean the person appointed or designated by the board of mayor and aldermen to administer and enforce the provisions of the plumbing code.

12-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, section 6-54-502 one (1) copy of the plumbing code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

1Municipal code references
Cross connections: title 18.
Street excavations: title 16.
Wastewater treatment: title 18.
Water and sewer system administration: title 18.

2Copies of this code (and any amendments) may be purchased from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.
12-204. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified.