

ORDINANCE 2018-21

TO BE ENTITLED: “AN ORDINANCE TO AMEND TITLE 12, CHAPTER 11 OF THE FRANKLIN MUNICIPAL CODE TO ADOPT THE INTERNATIONAL CODE COUNCIL A117.1-2017, STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2017 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, Tennessee Code Annotated Title 6, Chapter 54, Part 5 allows municipalities to adopt building codes by reference; 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, 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, many of the surrounding communities, have adopted or will adopt the 2018 International Code Council series of codes which allows builders, designers, and developers to reference one version of code books in the Middle Tennessee area.

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

SECTION I. That Title 12, Chapter 11, Section 12-1101 of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**; and is approved to read as follows:

12-1101. Handicap accessibility code adopted. Pursuant to authority granted by of the Tennessee Code Annotated, § 68-120-204 for the purpose of regulating the minimum requirements for physically handicapped persons to have the same right as the able bodied to the full and free use of streets, highways, sidewalks, walkways, public buildings, public facilities, and all other buildings and facilities, both publicly and privately owned, which serve the public, the Board of Mayor and Aldermen of the City of Franklin hereby adopt the ICC A117.1-**2017** Accessible and Usable Buildings and Facilities, which shall be hereafter referred to as the Accessibility Code.

SECTION II. 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 III. 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 IV: 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 permit application received by the Building and Neighborhood Services Department on or after **January 1, 2019**, 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

Approved as to Form:

Shauna R. Billingsley
City Attorney

PASSED FIRST READING 8/28/2018

PASSED SECOND READING _____