



## Legislation Text

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**DATE:** August 22, 2018

**TO:** Board of Mayor and Aldermen

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

**SUBJECT:**

Consideration of Ordinance 2018-17 to Amend Title 12, Chapter 8 of the Franklin Municipal Code to Adopt the ICC International Existing Building Code, 2018 Edition (08/28/18 WS, 09/11/18 BOMA 1<sup>st</sup> Reading 7-0) SECOND AND FINAL READING

**Purpose**

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning adopting optional code publications.

**Background**

The code references proposed for adoption are listed below:

- **Ordinance 2018-17**     **International Existing Building Code 2018**
- Ordinance 2018-20     International Property Maintenance Code 2018
- Ordinance 2018-23     International Swimming Pool and Spa Code 2018
- Ordinance 2018-25     NFPA 101 Life Safety Code 2018

The code publications listed above are optional adoptions. What is before the Board of Mayor and Aldermen is a discussion whether to:

- 1) Continue with the versions currently adopted and continue our current level of service,
- 2) Set a different level of service:
  - Adopt a more current version (2015 or 2018)
  - Discontinue use of these publications or
  - Limit applicability to only certain types of higher risk buildings.

**Existing Building Code (Title 12, Chapter 8)**

The International Existing Building Code is used to precisely determine how to apply new construction

practices when existing buildings undergo construction or changes of use. The Existing Building Code gives a regulatory background that focuses on critical areas of safety related to the type of work being performed, rather than making an arbitrary decision about how far the building should be upgraded for safety. This code only applies when a building owner is proposing to do work and makes application for a permit.

### **Property Maintenance Code (Title 12, Chapter 5)**

The International Property Maintenance Code contains rules relating to basic health, sanitation, and property upkeep. This code applies to all buildings and parcels of land within the City limits. Most of the provisions of this code deal with items such as rodent harborage, broken windows, serious lack of maintenance, or trash accumulation. This code has provisions that are retroactive for existing buildings that were built in a compliant manner at initial construction. An example of a retroactive code: if a gas station does not have bathroom facilities that business will be required to provide bathrooms for basic sanitation even if they have been in business for decades without having a bathroom.

### **Swimming Pool Code (Title 12, Chapter 7)**

The International Swimming Pool and Spa Code is a new publication that contains regulations that were included in the Building Code as references to industry standards. The various regulations for pool and spa construction have been consolidated from those publications into one document that is more easily referenced. This publication is currently not on the list of required adoptions from the State, but is recommended for adoption for commercial installations. Since this is a 2018 version, there are new regulations in this book that are above our current level of service.

### **Life Safety Code (Title 7, Chapter 2)**

The National Fire Protection Association was founded in 1896 and began publishing the predecessor to the Life Safety Code in 1912. After years of revisions, it has evolved into a sustainable method for protecting the public by providing adequate time for egress from a fire. Franklin first adopted the Life Safety Code in the year 2000. It establishes the minimum criteria for egress that specifically saves lives. Being time-tested and known for its practical application, the LSC's core principles accommodate both modern construction techniques, as well as established minimums for existing buildings. The Code is the best tool for managing risk to life that is not always addressed by the Fire Code. In addition to fire risks, the Life Safety Code has evolved by recognizing that other hazards may exist in buildings and venues that require a prompt evacuation. Hazardous materials, severe weather, and active-shooter events all benefit from the proactive application of this Code. This code is retroactive and applies to existing buildings as well as new construction.

Importantly, NFPA 101 does not address the following:

- General fire prevention or building construction features
- Prevention of injury incurred by ones' failure to use reasonable care
- Preservation of property from loss by fire
- The retail sale and associated storage of consumer fireworks

### **Financial Impact**

The affected departments will purchase the new publications. Money has been allotted for this purpose in the current budget. Training in the changes will be accomplished through the current program of continuing education and certification in the BNS Department. Code cycle change training is routinely conducted through

the Middle Tennessee inspection community as standards are updated to reflect newer construction practices and technologies. Training will also be facilitated that will be available to contractors working in our community.

**Recommendation**

Staff recommends maintaining the current level of service.