

ORDINANCE NO. 1142

AN ORDINANCE TO AMEND THE ATHENS CITY CODE, TITLE 7 ENTITLED "FIRE PROTECTION AND FIREWORKS" AND TITLE 12 ENTITLED "BUILDING AND CONSTRUCTION" TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL CODES FOR FIRE (IFC), BUILDING (IBC), PLUMBING (IPC), FUEL GAS (IFGC), MECHANICAL (IMC), ENERGY CONSERVATION (IECC), AND EXISTING BUILDING (IEBC); AND CREATE CHAPTER 12-XI ENTITLED "EXISTING BUILDING CODE".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:

SECTION 1.

That Chapter II of Title 7, Section 7-21 entitled "Adopted", be amended to replace the words and figures "International Fire Code, 2018 Edition" with "International Fire Code, 2021 Edition" except for the following changes:

1. Section 510.0 Exception 2 shall be replaced with the following:

Where it is determined by the local Fire Chief in coordination with local law enforcement and EMS that radio coverage is not needed.

2. Section 903.3.1.2 NFPA 13R sprinkler systems shall be replaced with the following:

Automatic sprinkler systems in Group R occupancies may be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all the following conditions:

- (i) Four stories or less above grade plane.
- (ii) For other than Group R-2 occupancies, the floor level of the highest story is 30 feet (9144 mm) or less above the lowest fire department vehicle access.

For Group R-2 occupancies, the roof assembly is less than 45 feet (13716 mm) above the lowest of fire department access. The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the building to the eave of the highest pitched roof, the intersection of the highest roof to the exterior wall, or the highest parapet, whichever yields the greatest distance.

- (iii) The floor level of the lowest story is 30 feet (9144) or less below the lowest level of fire department vehicle access. The number of stories of Group R occupancies constructed in accordance with section 510.2 and 510.4 of the International Building Code shall be measured from grade plane.

3. Appendix L. (Requirements for Fire Fighter Air Replenishment System) shall be optional.
4. For Group E occupancies in all Jurisdictions in Tennessee, local education agencies, public chapter schools, and non-public schools may allow classroom doors to be locked to prevent unwanted entry provided that the locking means meets the requirements in the NFPA (2021) Section 15.2.2.2.4.1.
5. For college and university instructional buildings in all jurisdictions in Tennessee, college and university administrators may allow classroom doors to be locked to prevent unwanted entry provided that the locking means meets the requirements in the NFPA (2021) Section 39.2.2.2.2.
6. The requirements for flammable gas shall be those found in the International Fire code (IFC), 2024 edition, published by the International Code Council (ICC) and shall include the following:
 - (i) For chapter 2, the definition for flammable gas shall be replaced with the definition found in the 2024 International Fire Code (IFC).

ORDINANCE NO. 1142

- (ii) For flammable gases, table 911.1 shall be replaced with table 911.1 of the 2024 International Fire Code (IFC).
 - (iii) For flammable gases, table 5003.1.1(1) shall be replaced with table 5003.1.1(1) of the 2024 International Fire Code (IFC).
 - (iv) For flammable gases, table 5003.1.1(3) shall be replaced with table 5003.1.1(3) of the 2024 International Fire Code (IFC).
 - (v) For flammable gases, section 5003.8.3.5 shall be replaced with section 5003.8.3.5 of the 2024 International Fire Code (IFC).
 - (vi) For flammable gases, section 5003.11 shall be replaced with section 5003.11 of the 2024 International Fire Code (IFC).
7. Fire Apparatus Access Roads shall use Appendix D along with section 503 of the International Fire Code (IFC).

SECTION 2.

That Chapter I of Title 12, Section 12-1 entitled "Adopted", be amended to replace the words and figures "International Building Code, 2018 Edition" with "International Building Code, 2021 Edition," except for the following changes:

1. Remove chapter 11 Accessibility.
2. The requirements of section 423 Storm Shelters shall not be required.
3. Section 903.3.1.2 NFPA 13R sprinkler systems shall be replaced with the following:

Automatic sprinkler systems in Group R occupancies may be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all the following conditions:

 - (iv) Four stories or less above grade plane.
 - (v) For other than Group R-2 occupancies, the floor level of the highest story is 30feet (9144 mm) or less above the lowest fire department vehicle access.

For Group R-2 occupancies, the roof assembly is less than 45 feet (13716 mm) above the lowest of fire department access. The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the building to the eave of the highest pitched roof, the intersection of the highest roof to the exterior wall, or the highest parapet, whichever yields the greatest distance.
 - (vi) The floor level of the lowest story is 30 feet (9144) or less below the lowest level of fire department vehicle access. The number of stories of Group R occupancies constructed in accordance with section 510.2 and 510.4 of the International Building Code shall be measured from grade plane.
4. For Group E occupancies in all Jurisdictions in Tennessee, local education agencies, public charter schools, and non-public schools may allow classroom doors to be locked to prevent unwanted entry provided that the locking means meets the requirements in the NFPA (2021) Section 15.2.2.2.4.1.
5. For college and university instructional buildings in all jurisdictions in Tennessee, college and university administrators may allow classroom doors to be locked to prevent unwanted entry provided that the locking means meets the requirements in the NFPA (2021) Section 39.2.2.2.2.
6. Dwellings licensed by the Department of Human Services (DHS) as Family Home Daycares, shall use Appendix AM of the 2021 International Residential Code (IRC).

ORDINANCE NO. 1142

7. Where ASCE 7 – 16 is referenced seismic design or mapped ground accelerations, ASCE 7 – 22 mapped ground accelerations may be used to determine the S1 and Ss values.
8. The requirements for flammable gas shall be those found in the International Building Code (IBC), 2024 edition, published by the International Code Council (ICC) and shall include the following:
 - (i) For chapter 2, the definition for flammable gas shall be replaced with the definition found in the 2024 International Building Code (IBC).
 - (ii) For flammable gases, table 307.1(1) shall be replaced with table 307.1(1) of the 2024 International Building Code (IBC).
 - (iii) For flammable gases, section 307.4 High-Hazard Group H-2 shall be replaced with section 307.4 High-Hazard Group H-2 of the 2024 International Building Code (IBC).
 - (iv) For flammable gases, section 307.5 High-Hazard Group H-3 shall be replaced with section 307.5 High-Hazard Group H-3 of the 2024 International Building Code (IBC).
 - (v) For flammable gases, section 414.2.5 shall be replaced with section 414.2.5 of the 2024 International Building Code (IBC).
 - (vi) For flammable gases, Table 414.5.1 shall be replaced with table 414.5.1 of the 2024 International Building Code (IBC).
9. The Addition of Appendix B Board of appeals, with the amendment of, where referenced **Qualifications (section B-101.3.1) of the 2021 International Building Code, shall be deleted and replaced with (section B-101.2.2 of the 2018 edition of the International Building Code) (IBC)**

SECTION 3.

That Chapter II of Title 12, Section 12-31 entitled "Adopted", be amended to replace the words and figures "International Plumbing Code, 2018 edition" with "International Plumbing Code, 2021 edition".

SECTION 4.

That Chapter IV of Title 12, Section 12-84 entitled "Adopted; Applicability", be amended to replace the words and figures "International Fuel Gas Code, 2018 edition" with "International Fuel Gas Code, 2021 edition".

SECTION 5.

That Chapter VII of Title 12, Section 12-188 entitled "Adopted," be amended to replace the words and figures "International Mechanical Code, 2018 edition" with "International Mechanical Code, 2021 edition" except for the following changes:

1. Remove section 1109 Refrigerant Pipe Installation and replace with section 1109 Refrigerant Pipe Installation of the 2024 International Mechanical Code (IMC).

SECTION 6.

That Chapter VIII of Title 12, Section 12-221 entitled "Adopted" be amended to replace the words and figures "International Energy Conservation Code, 2018 edition" with "International Energy Conservation Code, edition 2021," except for the following changes:

1. Remove C405.11 Automatic Receptacle Control, C405.12 Energy Monitoring, and C408 Commissioning.
2. The 2006 edition shall apply to the following occupancy classification as defined by the International Building Code (IBC), 2021 edition:
 - (i) Moderate-hazard factory industrial, Group F-1

ORDINANCE NO. 1142

- (ii) Low-hazard factory industrial Group F-2
- (iii) Moderate-hazard factory industrial S-1; and
- (iv) Low-hazard storage, Group S-2

3. For daycares licensed by DHS not located in a dwelling unit, the 2015 edition shall apply, except C408 System Commissioning shall be removed.

SECTION 7.

That Chapter XI of Title 12 of the Athens City Code is hereby created and shall read as follows:

CHAPTER 12-XI EXISTING BUILDING CODE

12-300. Adopted.

Pursuant to authority granted by T.C.A. §§ 6-54-501 through 6-54-506 and for the purpose of regulating the repair, alteration, change of occupancy, addition to, and relocation of existing buildings, the International Existing Building Code, 2021 edition, as prepared and adopted by the International Code Council, is adopted and incorporated by reference as part of this Code and is hereinafter referred to as the existing building code.

12-301. Modifications.

When the building code refers to the "chief appointing authority" or the "chief administrator," it shall be deemed to be a reference to the city manager.

12-302. Amendments.

1. Remove Chapter 3 Section 306 Accessibility for existing buildings.
2. Replace Section 405.2.3.3 Extent of repair for noncompliant buildings with the following:

If the evaluation does not establish that the building in its pre-damaged condition complies with the provisions of section 405.2.3.1, then the building, including its foundation, shall be retrofitted to comply with the provisions of this section. The wind loads for the repair and retrofit design shall be those required by the building code in effect at the time of original construction, unless the damage was caused by wind, in which case the wind loads shall be in accordance with the International Building Code. The seismic loads for this retrofit shall be those required by the building code in effect at the time of original construction, but not less than the reduced seismic forces.

3. Replace 405.2.4 Substantial structural damage to gravity load-carrying components, with the following:

Gravity load-carrying components that have sustained substantial structural damage shall be rehabilitated to comply with the applicable provisions for dead, live, and snow loads in the International Building Code. Undamaged gravity load-carrying components, including undamaged foundation components, shall also be rehabilitated if required to comply with the design loads of the rehabilitation design.

4. The requirements of section 303 Storm Shelters are not required.

12-303. Available in the City Manager's Office.

Pursuant to the requirements of the T.C.A. § 6-54-502, one copy of the building code has been placed on file in the city manager's office and shall be kept there for the use and inspection of the public.

12-304. Violations.

It is unlawful for any person to violate or fail to comply with any provision of this chapter or the building code as herein adopted by reference and modified.

ORDINANCE NO. 1142

SECTION 8.

Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 9.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage as provided by law.

FIRST READING: June 17, 2025 Passed
PUBLIC HEARING NOTICE: June 28, 2025 Published
DATE OF PUBLIC HEARING: July 15, 2025
SECOND READING: July 15, 2025 Passed

ATTEST:



RANDALL DOWLING, City Manager



LARRY EATON, Mayor

APPROVED AS TO FORM:



CHRISTOPHER M. CALDWELL, City Attorney