



technical bulletin

Municipal Technical Advisory Service
Institute for Public Service, The University of Tennessee
In cooperation with the Tennessee Municipal League

Nov. 1, 1978

ENERGY CONSERVATION CODE

Chapter 888 of the 1978 Public Acts adopted by reference the Code for Energy Conservation in New Building Construction, and requires all cities and towns to enforce this code effective Jan. 1, 1979. For the information of municipal officials this law is reproduced below as it has been codified in the Tennessee Code Annotated. The code can be obtained, at a price of \$8.00, from the National Conference of States on Building Codes and Standards, 1970 Chain Bridge, McLean, VA 22101.

13-2501. Energy conservation code—Adoption [Effective January 1, 1979].—The code for energy conservation in new building construction published by the National Conference of States on Building Codes and Standards, Inc., in December, 1977, is hereby adopted by reference as the minimum requirements for the effective use of energy in new buildings; however, any revisions or amendments to the above referenced code shall become effective only upon approval by the Tennessee general assembly or upon approval by the appropriate committee thereof. [Acts 1978 (Adj. S.), ch. 888, § 1.]

13-2502. Application [Effective January 1, 1979].—The state code for energy conservation established by this chapter, shall govern the design and construction of new buildings and structures or portions thereof and additions to existing buildings that provide facilities or shelter for public assembly, educational, business, mercantile, institutional, storage, and residential occupancies, as well as those portions of factory and industrial occupancies designed primarily for human occupancy by regulating their exterior envelopes and the selection of their heating, ventilating and air conditioning systems, service water heating, electrical distribution and illuminating systems and equipment for effective use of energy. The code shall not apply to structures occupied exclusively as dwellings for residence purposes by one or two families; outbuildings, such as barns and other farm buildings; and one-story buildings, not exceeding two thousand five hundred (2,500) square feet, which are used for commercial purposes of a non-hazardous nature. [Acts 1978 (Adj. S.), ch. 888, § 2.]

Compiler's Notes. Section 2 of Acts 1978, ch. 888 is compiled in this section as enacted and as set out in the Tennessee Public Acts of 1978 on pages 1190, 1191. House Joint Resolution No. 565 which is set out following chapter 888 in the 1978 Public Acts and which was adopted April 27, 1978 and approved May 8, 1978, reads: "Whereas, the initial enrollment of chapter 888 of the public acts of 1978 has revealed that certain language has been duplicated creating conflicting exemptions; and

"Whereas, it was the intent of the general assembly with the adoption of committee amendment 1 to remove the exemptions in section 2 and to list the exemptions in section 3, although reasonable minds could differ on the interpretation of the directory language; and

"Whereas, it is incumbent on this body to enact statutes whose meanings are clear so that citizens may comply with laws and be secure in their interpretation; now, therefore,

"Be it Resolved by the House of Representatives of the Ninetieth General Assembly of the State of Tennessee, the Senate Concurring, that the secretary of state is hereby requested to remove the last sentence of section 2 of house bill no. 2338 which was initially enrolled as chapter 888 of the public acts of 1978.

"Be it Further Resolved, that copies of this resolution be sent to the secretary of state, the house engrossing clerk and the executive secretary of the code commission."

13-2503. Exemptions [Effective January 1, 1979].—Buildings are exempt from the provisions of this code as follows:

- (1) All nonresidential farm buildings;
- (2) All temporary buildings used exclusively for construction purposes;
- (3) Other buildings as specifically exempted by § 101.3(a) and (b) of the code. [Acts 1978 (Adj. S.), ch. 888, § 3.]

13-2504. Amendment to code [Effective January 1, 1979].—Section 104.1 of the code shall be amended by deleting the period at the end of the section and replacing it with a semicolon followed by these words "however, the building official may not require submission of plans prepared by a licensed engineer or architect in the case of plans for single family dwellings and duplexes. [Acts 1978 (Adj. S.), ch. 888, § 4.]

13-2505. Local enforcement [Effective January 1, 1979].—It is the responsibility of every city, county, town, municipal corporation, and metropolitan government to enforce this chapter. [Acts 1978 (Adj. S.), ch. 888, § 5.]

13-2506. Adoption by local governments [Effective January 1, 1979].—Each local government shall adopt the state code for energy conservation in new building construction with any amendments it deems reasonably necessary to accommodate local conditions. If the standards adopted by local governments are equal to or stricter than the code, the local standards shall control. If the local standards are less strict than the code standards, the code standards shall control. [Acts 1978 (Adj. S.), ch. 888, § 6.]

13-2507. Fees [Effective January 1, 1979].—Local governments may charge a reasonable fee for each permit, to offset the costs of administration, inspection, and enforcement of the code, as local government sees fit. The fee may not accrue to the general revenue of the local government or by any other application become subject to laws regulating local taxation. [Acts 1978 (Adj. S.), ch. 888, § 7.]

Effective Dates. Acts 1978 (Adj. S.),
ch. 888, § 9. January 1, 1979.

Municipal Technical Advisory Service
The University of Tennessee
Knoxville, TN 37916

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