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Technical Bulletins: Ten Simple Questions on Code Adoption for Towns and Cities in Tennessee (2006)

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MTAS
**Municipal Technical
 Advisory Service**

*In cooperation with the
 Tennessee Municipal League*



**TEN SIMPLE QUESTIONS ON CODE ADOPTION
 FOR TOWNS AND CITIES IN TENNESSEE**

Ray Crouch Sr., Fire Management Consultant

1. Do Tennessee towns and cities have to adopt a building or fire code?	No. There is no state law that requires a city to adopt a building or fire code.
2. Is there a need to adopt building or fire codes?	Public safety is the best reason to adopt codes. Citizens need protection from others and sometimes even from themselves. The entire model code development process is based on tragedies that have occurred in the past.
3. What does my city charter say about codes?	Most city charters say nothing except that you can adopt building and fire codes if you want. Check your charter to determine your authority to adopt and enforce codes. T.C.A. § 6-54-501 and the following sections authorize all municipalities in the state to adopt codes published by technical trade organizations by reference. This includes building, plumbing, electrical, and other codes.
4. Has my town or city already adopted a fire or building code?	Review your codified municipal code to find this answer.
5. If we have adopted a building or fire code, what code and what year should it be?	There are several possible answers. State law requires the code you have adopted to be no more than seven years older than the code the State Fire Marshal's Office has adopted if you are an exempt city. You can adopt newer versions that are substantially equal to the state-adopted versions. T.C.A. § 68-120 101(b)(4)(A)
If your town or city has not adopted a code, you have a choice.	You can choose to not adopt any codes, or you can adopt a building or fire code.
6. Why should a town or city adopt codes?	If you adopt codes, you can enforce them locally. If you do not adopt codes, the state fire marshal has the final enforcement power.

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7. What codes should we adopt? When should we adopt them?	Building Code: 2003 International Building Code Fire Code: Either 2003 Uniform Fire Code (National Fire Protection Association) or 2003 International Fire Code (International Code Council)
Check the minimum code requirements at the state fire marshal's Web site: www.state.tn.us/commerce/sfm/documents	There are other codes you can adopt as needed for plumbing, gas, etc.
8. Why should my town or city adopt a different code than the state's?	The 2003 codes are better and are easier to read and understand. Architects, engineers, and contractors are using them, and the building and fire codes work better together than the 1999 versions. The 1999 versions are not available (out of print), and all training for building and fire inspectors is geared to the 2003 codes.
9. Why do some towns and cities adopt codes, then not enforce them?	Some cities sell permits just to raise revenue. This is very risky. Why should you have any codes if you do not intend to enforce them?
10. Why has the state of Tennessee decided to stay with the 1999 Standard Building Code?	Newer versions of all codes have higher seismic standards than the 1999 codes. There is a lot of controversy over what the final seismic standards for Tennessee should be. Until this is resolved, the state will stay with the 1999 version.

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The Municipal Technical Advisory Service (MTAS) is a statewide agency of The University of Tennessee Institute for Public Service. MTAS operates in cooperation with the Tennessee Municipal League to provide technical assistance services to officials of Tennessee's incorporated municipalities. Assistance is offered in areas such as accounting, administration, finance, public works, ordinance codification, and wastewater management.

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