

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS ARTICLES, DIVISIONS, AND SECTIONS OF CHAPTER 22 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, RELATING TO THE ADOPTION BY REFERENCE OF VARIOUS INTERNATIONAL CODES PERTAINING TO PROPERTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That Division 3 of Article II, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby deleted in its entirety and those sections reserved.

SECTION II. That Article III, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

ARTICLE III. BUILDING CODE

Sec. 22-96. Codes adopted by reference.

(a) Building Code. The provisions of the International Building Code, 2024 edition, including appendices B, C, J, and K, published by the International Code Council, are hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and the one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Building Code, 2024 edition is hereby amended as follows:

Section 101.1 is amended by deleting the phrase [NAME OF JURISDICTION] and lieu thereof substituting City of Kingsport.

Section 103.1 is amended by deleting the phrase [INSERT NAME OF DEPARTMENT] and in lieu thereof substituting Building Department.

Section 104 is amended by adding a new section to read " 104.2.4.2 All references to flood prone areas contained within this code shall comply with Kingsport's duly adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained herein and those contained in the Flood Insurance Program, the duly adopted Flood Insurance Program shall apply."

Section 105.2 pertaining to work exempt from permit is amended by deleting the phrase "Fences not over 7 feet (2133 mm) high" and in lieu thereof substituting the phrase "Fences not over 8 feet high."

Section 202 pertaining to definitions is pursuant to TCA § 68-120-101(a)(8)(C)(i)(a) amended by deleting the definition of TOWNHOUSE in its entirety and in lieu thereof substituting the phrase "A single-family dwelling unit constructed in a group of three or more attached units in which each unit is separated by a 2 hour fire wall extending from foundation to roof and with a yard or public way on not less than two sides being exempt from sprinkler requirements of Section R313.1 and Section P2904 of the IRC, however, if a sprinkler system is installed it shall meet the requirements of these sections."

Section 423: Storm Shelters – is amended by deleting the section in its entirety.

Section 3001 is amended by adding a new section to read "3001.1.1 Permitting and inspections. Any elevator regulated by the State of Tennessee must be inspected and comply with all applicable State regulations. In any instance where this code conflicts with State Law, State Law shall prevail."

Section 3301.1 pertaining to the scope is amended by adding the following language at the end of the section "The provisions of this chapter shall not apply when in conflict with the Tennessee Occupational Safety and Health Act (TOSHA) or other applicable local, State or Federal requirements affecting safeguards during construction."

(b) Existing Buildings Code. The provisions of the International Existing Buildings Code, 2024 edition, including appendix E, published by the International Code Council, are adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Existing Buildings Code, 2024 edition is hereby amended as follows:

(1) Section 101.1 is amended by deleting the phrase [NAME OF JURISDICTION] and in lieu thereof substituting City of Kingsport.

Section 103.1: is amended by deleting the phrase [INSERT NAME OF DEPARTMENT] and in lieu thereof substituting Building Department.

Sections 112.1 through 112.3 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code shall be an issue by creating a board of appeals. The board of appeals as referenced in the International Building Code, 2024 edition shall serve as the board of appeals for the International Existing Buildings Code, 2024 edition.

Section 112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rule legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive the requirements of this code.

Sections 112.3 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

(c) Property Maintenance Code. The provisions of the International Property Maintenance Code, 2024 edition, published by the International Code Council, are adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Property Maintenance Code, 2024 edition is hereby amended as follows:

(1) Section 101.1 pertaining to title is amended by deleting the phrase "[name of jurisdiction]" and in lieu thereof substituting the phrase "the City of Kingsport, Tennessee."

(2) Section 103.1 pertaining to general is amended by deleting the phrase "department of property maintenance" and all such references in the code and in lieu thereof substituting the phrase "building department, sometimes referenced as the building and codes division."

(3) Section 106 pertaining to means of appeal, including all subsections, is amended by deleting the text of the section in its entirety and in lieu thereof substituting the following:

"106.1 Right to appeal. Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal to the city manager, or designee, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. Appeals of notice and orders (other than Imminent Danger notices) shall stay the

enforcement of the notice and order until the appeal is heard by the city manager or designee. A hearing will be held before the city manager or designee at a time and place therein fixed not less than ten days or more than thirty days after receipt of the application for appeal. The appellant and the city shall have the right to appear and in person or by counsel and give testimony under oath at the place and time fixed in the notice of the hearing. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the city manager or designee.

106.2 Decision in writing. The decision of the city manager or designee shall be made in writing within ten business days following the hearing and a copy shall be furnished to the appellant and to the code official.

106.3 Enforcement. The building official shall take immediate action in accordance with the decision of the city manager or designee.

106.4 Appeal of decision of city manager or designee. Any aggrieved party may appeal the decision of the city manager or designee to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101. Any decision of the city manager or designee will be effective during appeal unless otherwise stayed by a court of competent jurisdiction."

(4) Section 302.4 pertaining to weeds is amended by deleting the text of the section in its entirety and in lieu thereof substituting the following: All premises and exterior property shall be maintained free from grass, weeds or uncultivated vegetation in accordance with Sections 106-49 through 106-54 of the Kingsport City Code.

(5) Section 302.8 pertaining to motor vehicles is deleted in its entirety.

(6) Section 304.14 pertaining to insect screens is deleted in its entirety.

(7) Section 602.3 pertaining to heat supply is amended by deleting the phrase "during the period from [DATE] to [DATE]."

(8) Section 602.4 pertaining to occupiable work spaces is amended by deleting the phrase "from [DATE] to [DATE]."

(9) Section 303.2 Enclosures. Is amended by replacing 24 inches (610 mm) with 36 inches (915 mm) to align with the definition of swimming pools pursuant to TCA 68-14-802.

(d) Energy Conservation Code. The provisions of the International Energy Conservation Code, 2024 edition COMMERCIAL PROVISIONS ONLY, published by the International Code Council, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Energy Conservation Code, 2018 edition is hereby amended as follows:

1) One & Two Family dwellings as well as Townhouses shall meet the energy code requirements of the 2024 IRC Chapter 11 energy requirements as amended. The R column in Table C402.1.3 4 except Marine shall apply only to residential occupancies other than one & two family dwellings or townhouses.

2) To the extent the 2024 edition of the International Energy Conservation Code contains residential standards more stringent than the state minimum standards adopted by the state fire marshal for one-family and two-family construction and additions thereto of 30 or more square feet of interior space, the state minimum standard shall apply in accordance with Tenn. Code Ann § 68-120-101(b)(2)(A)(iii) (2023) and Tenn. Comp. R. & Regs. Chapter 0780-02-23 (2023) or as may be amended from time to time.

3) Section C101.1 is amended by deleting the phrase [NAME OF JURISDICTION] and in lieu thereof substituting City of Kingsport..

(4) Section C103.1 Creation of enforcement agency is amended by deleting the phrase [INSERT NAME OF DEPARTMENT] and in lieu thereof substituting Building Department.

(5) Section C109.1 pertaining to board of appeals general is hereby amended by adding a new sentence to read "The Board of Appeals as referenced in the

International Building Code, 2024 edition shall serve as the Board of Appeals for the International Energy Conservation Code, 2024 edition."

(6) Section R109.1 pertaining to board of appeals general is hereby amended by adding a new sentence to read "The Board of Appeals as referenced in the International Building Code, 2024 edition shall serve as the Board of Appeals for the International Energy Conservation Code, 2024 edition."

(e) Residential Code. The provisions of the International Residential Code, 2024 edition, including appendix BB, BC, BD, BE, & BO for one- and two-family dwellings, published by the International Code Council, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Residential Code, 2024 edition is hereby amended as follows:

(1) Chapter 1 Administration:

(a) Section R101.1 is amended by deleting the phrase [NAME OF JURISDICTION] and lieu thereof substituting City of Kingsport.

(b) Section R103.1 is amended by deleting the phrase [INSERT NAME OF DEPARTMENT] and in lieu thereof substituting Building Department.

(c) Section R104.2.3.1 Flood Hazard Areas is amended to read " All references to flood prone areas contained within this code shall comply with Kingsport's duly adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained herein and those contained in the Flood Insurance Program, the duly adopted Flood Insurance Program shall apply."

(d) Section R105.2 pertaining to work exempt from permit is amended by deleting the phrase "1. 200 square feet" and in lieu thereof substituting the phrase "120 square feet."

(e) Section R105.2 pertaining to work exempt from permit is amended by deleting the phrase 2."Fences not over 7 feet (2133 mm) high" and in lieu thereof substituting the phrase "Fences not over 8 feet high."

(f) Section 105.5 Expiration is hereby amended by inserting after the last sentence in this section "Residential Demolition permits shall be valid for 30 days with one extension of 30 days if approved by the Building Official.

(g) Sections 112.1 through 112.4 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following: "Section 112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official related to the application and interpretation of this code shall be an issue by creating a board of appeals. The board of appeals as referenced in the International Building Code, 2024 edition shall serve as the board of appeals for the International Residential Code, 2024 edition.

(2) Definitions:

Section R202 pertaining to definitions is pursuant to TCA § 68-120-101(a)(8)(C)(i)(a) amended by deleting the definition of TOWNHOUSE in its entirety and in lieu thereof substituting the phrase "A single-family dwelling unit constructed in a group of three or more attached units in which each unit is separated by a 2 hour fire wall extending from foundation to roof and with a yard or public way on not less than two sides being exempt from sprinkler requirements of Section R309 and Section P2904 of the International Residential Code, 2024 edition, however, if a sprinkler system is installed it shall meet the requirements of these sections."

(3) CHAPTER 3 Building Planning –

(a) Table 301.2 Climatic & Geographic Design Criteria – Insert the following information: Ground snow load -23, Wind Speed – 106 mph exposure B,

Topographic effects – NO, Special Wind Region – NO, Windborne debris zone – NO, Seismic design Category B, Weathering – Severe, Frost line Depth – 12", Termite – Moderate to Heavy, Ice Barrier Required – YES, Flood Hazards – as required per Kingsport Ordinances Section 114-251 through 114-297, delete footnote g in its entirety and insert "g. Flood Hazard areas shall be determined by the City of Kingsport.", Air Freezing Index – 265, Mean Annual Temp – 57.3

(b) Section 302.13 Fire Protection for Floors: Delete text in Exception 2 "or electric – powered heating.

(c) R302.3 Fire Resistance rating. -delete entire section and insert "two family dwellings (duplexes) shall have the same fire resistance separation rating as required for Townhouses in section R302.2.

(d) Pursuant to TCA 68-120-101(a)(8)(A), the sprinkler requirements in section R309 and section P2904 shall not be mandatory for one- and two-family dwellings, provided however, if a sprinkler system is installed it shall meet the requirements of section R309.2 and section P2904.

(4) Chapter 4 Foundations – R403.1 Footings -At end of paragraph in the last sentence add "Concrete footing shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332 "and have a minimum of 2 continuous runs of #4 rebar located at the bottom 1/3 of the footing."

(5) Chapter 5 Floors – R507. Exterior Decks. R507.1 Add at end of "Wood-framed decks shall be in accordance with this section "and the American Wood Council DCA-6 2015, the most stringent requirements shall apply."

(a) Table R507.4 Deck Post Height – Add NP to all 4x4 & 4x6 post columns.

(6) Chapter 11 [RE] Energy Conservation - Delete Chapter 11 in its entirety and replace it with the 2018 IRC Chapter 11 Energy Code requirements as adopted per Section 22-96.

1) Delete 2018 TABLE 1102.1.2 and insert 2009 TABLE N1102.1, DELETE 2018 Table 1102.1.4 and insert 2009 Table N1102.1.2

2) N1102.2.8 Slab-on-grade floors – Requirements shall be optional.

3) The testing requirements by section N1102.4.2.1 (Blower Door) and N1103.2.2 (Duct Blaster) shall be optional and replaced with visual inspection.

To the extent the 2024 edition of the International Residential Code contains energy code standards more stringent than the state minimum standards adopted by the state fire marshal for one-family and two-family construction and additions thereto of 30 or more square feet of interior space, the state minimum standard shall apply in accordance with Tenn. Code Ann § 68-120-101(b)(2)(A)(iii) (2023) and Tenn. Comp. R. & Regs. Chapter 0780-02-23 (2023) or as may be amended from time to time.

(7) Chapter 16 Duct Systems M1602.2 Return air openings. 7. Exceptions 1. Omit the word "only" after Kitchen. Add 4."Taking return air for heating or air-conditioning systems from a kitchen is not prohibited in a dwelling unit where the kitchen and living spaces are in a single room and the cooking appliance is electric and located not less than 5 feet (1524 mm) in any direction from the return air intake opening."

(8) Chapter 26 General Plumbing requirements. P2603.5.1 Sewer depth. Where [NUMBER] is stated insert 18 in both places.

Section 3005.2.2 Building Sewer – add at end of section "A minimum pipe size of 4" sewer is required on the outside of structures within 30" of sewer exiting said structure. A two way clean out shall be placed at the building drain and sewer junction as well as the private/city sewer junction."

(9) Part VIII Electrical – Delete chapters 34 through 43 in their entirety and insert "Electrical installations shall be in accordance with the 2023 National Electric Code as adopted."

(f) Accessibility Code. The provisions of the Chapter 11 of the International Building Code, 2024 edition, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and

revisions thereto shall remain on file in the office of the city recorder for public use, inspection, and examination.

SECTION III. That Section 22-121 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-121. Electrical code adopted by reference.

The provisions of the National Electrical Code 2023 edition published by the National Fire Protection Association, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The 2023 National Electric Code is hereby amended as follows:

Article 110.24 - Available Fault Current field marking shall be voluntary.

Article 210.8 (A) (5) is amended by stating –“Unfinished areas of basements”

Article 210.8 (F) *Exception No. 2: Delete language “This exception shall expire September 1, 2026.”

Article 210.12 Arc-Fault Circuit-Interrupter Protection (B) Dwelling Units -add note “arc-fault interrupters (AFCIs) shall be optional for branch circuits dedicated to supplying refrigeration equipment.

Article 215.18 (A) Surge Protection Device – (1) shall be optional

Article 225.41 Emergency Disconnects – delete entire section

Article 225.42 Surge Protection - (1) Dwelling units shall be optional

Article 230.67 Surge Protection - (1) Dwelling units shall be optional

Article 230.2 Number of Services – Add sentence at the beginning “Only one electrical service shall be allowed for any parcel with a residential structure”

Article 270 (A) (1) Readily Accessible Location At the end of the sentence insert “but no more than 10’ of conductor length”

Article 230.85 Emergency Disconnects – Delete entire section

SECTION IV. That Section 22-148 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-148. Issuance of permit.

(a) Permits for electrical work shall be issued only by the Building Official, upon receipt of an application issued by the building official. No application for a permit shall be issued until the applicant therefor, if requested by the building official, submits detailed plans or drawings showing the work to be covered by the permit.

(b) No permit shall be issued for any work which does not or will not comply with this article or the provisions of any other applicable law or ordinance.

SECTION VI. That Section 22-152 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-152. Correction of unsafe conditions.

(a) If after inspection the electrical inspector finds that electrical wiring, devices, appliances and equipment which are within the scope of this article are in a dangerous or unsafe condition, the person owning, using or operating such shall be notified in writing and shall make the necessary repairs and changes required to place them in a safe condition within ten days or any longer period specified by the Building Official.

(b) Upon failure to comply with such notice, the Building Official is authorized to have electrical service discontinued until such repairs or changes are made.

(c) No fee shall be charged for an inspection made pursuant to this section.

SECTION VII. That Subdivision II of Division 3 of Article IV, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby deleted in its entirety and those sections reserved.

SECTION VIII. That Subdivision III of Division 3 of Article IV, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-222. Required; applicability to apprentices and helpers.

(a) No person shall practice the electrical trade without a license issued by the Building Official, except as provided in this section.

(b) An electrician's license shall entitle the holder thereof to engage in the practice of the electrical trade on a fulltime or part time basis and to perform actual electrical work as set out in the definition of electrical trade and electrician in section 22-177.

(c) It shall be unlawful for the holder of an electrician's license issued pursuant to this subdivision to allow any person who is not licensed as an electrician to do any actual electrical work, except that nothing in this article shall preclude any person from working as an apprentice or a helper under the direct supervision and direction of a licensed electrician.

(d) An electrician who is employed by an itinerant company, operating stage show, circus or similar form of entertainment need not obtain such a license, but shall purchase the required electrical permit and shall be subject to the instructions and approvals of the electrical inspector.

Sec. 22-223. Examination.

Except as otherwise provided in this section, every person who desires to practice the electrical trade in the city shall make application to the Building Official and pay such application fee as set by resolution of the board of mayor and alderman. Such application shall include proof of at least 3 years' experience in the electrical trade and a copy of either a LLE for work up to \$25,000 or a CE for work over \$25,000 issued by the State of Tennessee Contractors licensing board. In addition to the license a certificate of liability insurance to include workman's comp and a business license shall be submitted with the application. The Building Official & Electrical Inspector shall review submitted documents and approve or disapprove the application. The applicant shall have the right to appeal a disapproval to the city manager or his designee.

Sec. 22-224. Fee.

The annual fee for an electrician's license shall be set by resolution of the board of mayor and aldermen from time to time as the circumstances require.

Sec. 22-225. Bond.

(a) No person shall practice an electrical trade within the city until such person shall secure and present to the building official a licensing bond executed and issued by a surety company duly qualified and authorized to do business in the state, in a penal sum to be determined and set by resolution of the board of mayor and aldermen from time to time as circumstances require.

(b) The bond shall be payable to the city, for the use of the city and any citizen who may be damaged by the failure of such electrical contractor to comply with this article or who may be damaged by any negligence committed or imperfect or defective work done by such electrician or any person in the employ of such electrician, while acting in the scope and course of his employment.

(c) The bond shall be so conditioned as to require electricians to comply with all sections of this article. In such bond, the electrician shall indemnify and save harmless the city and all persons therein from loss, cost or damage caused by negligence or by inadequate, imperfect or defective work done by him or his employees while acting in the scope and course of their employment.

(d) Nothing in this article shall be construed to relieve any electrician from giving bond as required by this section or other city ordinance.

Sec. 22-226. Issuance.

No electrician's license shall be issued by the Building Official without approval of all required documentation noted in section 22-223.

Sec. 22-227. Expiration term.

An electrician's license authorizing the holder to practice the electrical trade shall expire on December 31, unless sooner revoked or renewed.

Sec. 22-228. Display.

It shall be the duty of every licensed electrician to display his license at his place of business or to have evidence of such license on his person at all times on the job.

Sec. 22-229. Revocation.

Any license to practice the electrical trade within the city may be revoked by the Building Official after a hearing affording due process, for the following:

- (1) Failure to comply with any section of this article or any city ordinance governing the installation of electric wiring, electric appliances and electric equipment.
- (2) Permitting such work to be carried on in an unworkmanlike manner by those employed by him.
- (3) Using unqualified labor in performance of such work.
- (4) Permitting the work to be done in a hazardous or dangerous manner.
- (5) Incompetent work.
- (6) Obtaining a permit for an unlicensed person not in his employ.

SECTION IX. That Division 4 of Article IV, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby deleted in its entirety and those sections reserved.

SECTION X. That Section 22-284 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-284. Code adopted by reference.

The provisions of the International Fuel Gas Code, 2024 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Fuel Gas Code, 2018 edition is hereby amended as follows:

(1) Section 101.1 pertaining to title is amended by deleting the phrase "[name of jurisdiction]" and in lieu thereof substituting the phrase "the City of Kingsport, Tennessee." Section 103.1 pertaining to creation of agency is amended by deleting the phrase "insert name of department" and in lieu thereof substituting Kingsport Building and Code Enforcement

Sections 112.1 through 112.4 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

Section 112.1 Means of Appeal. The board of appeals as referenced in the International Building Code, 2024 edition shall serve as the board of appeals for the International Fuel Gas Code, 2024 edition.

Section 112.2 Court Review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

Section 113.4 Violation penalties is hereby deleted in its entirety and in lieu thereof substituting the following: 113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions

of this code, shall be subject to penalties as prescribed by the general penalty provision of the Kingsport Code of Ordinances.

SECTION XI. That Section 22-305 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

22-305. Service connection permit.

Before the gas company shall make any opening or service connection in any street, sidewalk, alley or other public place to connect the applicant consumer to any gas main, a permit shall be obtained for such opening from the Building Official, upon receipt of an application therefor, issued by the public works director, to make such installation.

SECTION XII. That Subdivision II of Division 3 of Article V, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Subdivision II. License

Sec. 22-359. Required.

No person shall engage in work as a gasfitter without a license issued by the Building Official. The sections of this division are applicable to the installation of consumers' gas piping, gas appliances and related accessories from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories as set forth by the gas code adopted in this article and all acts supplemental and amendatory thereof.

Sec. 22-360. Examination of applicant.

Every person desiring to engage in work as a gasfitter who does not possess a valid gasfitting license shall make application to the Building Official and pay such application fee as set by resolution of the board of mayor and alderman. Such application shall include proof of at least 3 years' experience in the gas installation trade and a copy of either a LLP for work up to \$25,000 or a CMC for work over \$25,000 issued by the State of Tennessee Contractors licensing board. In addition to the license a certificate of liability insurance to include workman's comp and a business license shall be submitted with the application. The Building Official & Gas Inspector shall review submitted documents and approve or disapprove the application. The applicant shall have the right to appeal a disapproval to the city manager or his designee.

Sec. 22-361. Fee.

A person desiring a license to work at or engage in gasfitting shall pay such fee as set by resolution of the board of mayor and aldermen as may be established from time to time as circumstances require.

Sec. 22-362. Bond.

(a) A person shall not engage in or work at the installation, extension or alteration of a consumer's gas piping or gas appliances until such person shall secure and present to the building official a licensing bond executed and issued by a surety company qualified and authorized to do business in the state, in a penal sum determined and set by resolution of the board of mayor and aldermen from time to time as circumstances require. If a person duly licensed as a gasfitter is also a duly licensed and bonded plumber who is licensed by the Building Department, one bond licensing gas work, as well as plumbing work shall be sufficient to fulfill this requirement.

(b) The bond shall be payable to the city, for the use of the city and any citizen who may be damaged by the failure of such gasfitter to comply with this article or who may be damaged by any negligence committed or imperfect or defective work done by such gasfitter while acting in the scope and course of his employment.

(c) The bond shall be so conditioned as to require gasfitters to comply with all sections of this article. In such bond the gasfitter shall indemnify and save harmless the city and all persons therein from loss, cost or damage caused by negligence or by inadequate, imperfect or defective work done by him or his employees while acting in the course and scope of his employment.

(d) Nothing in this division shall be construed to relieve any gasfitter from giving bond as required by this section or other city ordinance.

Sec. 22-363. Issuance.

No gasfitter's license shall be issued by the Building Official without approval of all required documentation noted in section 22-360.

Sec. 22-364. Expiration.

A license to work as a gasfitter shall expire December 31 following the date of issuance unless sooner revoked.

Sec. 22-365. Display.

A person holding a license to do work as a gasfitter shall display his license at his place of business or shall have evidence of such license on his person at all times on the job.

Sec. 22-366. Revocation.

Any license to work as a gasfitter may be revoked by the Building Official, after a hearing affording due process, for the following:

- (1) Failure to comply with this article and all city ordinances governing the installation of gas-burning facilities and equipment in doing such work.
- (2) Permitting the work to be carried on in an unworkmanlike manner by those employed by him.
- (3) Allowing and using unqualified labor in the performance of such work.
- (4) Permitting the work to be done in a hazardous or dangerous manner.
- (5) Incompetent work.
- (6) Obtaining a permit for an unlicensed person to perform gasfitting work.

SECTION XIII. That Article VI, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

ARTICLE VI. MECHANICAL CODE

DIVISION 1. GENERALLY

Sec. 22-391. Code adopted by reference.

The provisions of the International Mechanical Code, 2024 edition, published by the International Code council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Mechanical Code, 2024 edition is hereby amended as follows:

- (1) Section 101.1 Title. is amended by deleting the phrase "[name of jurisdiction]" and in lieu thereof substituting the phrase "the City of Kingsport, Tennessee."

Sections 112.1 through 112.4 and section 113 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 112.1 Board of appeals. The board of appeals as referenced in the International Building Code, 2024 edition shall serve as the board of appeals for the International Mechanical Code, 2024 edition.

Section 112.2 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

Section 114.4 Violation penalties is hereby deleted in its entirety and in lieu thereof substituting the following: 114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by the general penalty provision of the Kingsport Code of Ordinances.

Section 306.2.4 Tracer wire- Delete "14 American Wire Gauge" and insert "18 American Wire Gauge".

DIVISION 2. - PERMITS AND INSPECTIONS

Sec. 22-392. - Permit required.

No person shall connect any mechanical equipment or install appliances in new or existing systems, structures or premises or repair or add to any existing mechanical system without a mechanical permit issued by the building official.

Sec. 22-393. - Fees.

A person desiring a mechanical permit shall pay such fees as are established by the board of mayor and aldermen.

Sec. 22-394. - Imposition of additional charges by building official.

The building official is authorized to make additional charges in accordance with the established fee schedule on any job for which a mechanical permit has been issued to cover any addition to that particular job or for work knowingly or unknowingly left out of the application for a permit.

Sec. 22-395. - Issuance of permit.

The permit required in this division shall be issued only by the building official, upon receipt of an application issued by the building official. No application for a permit will be issued until the applicant therefore, if requested to do so by building official, submits detailed plans or drawings showing the work to be covered by the permit.

Sec. 22-396. - Inspections generally.

(a) It shall be unlawful to use or permit the use of a mechanical system in a building or structure, unless the required inspection has been made and approval has been granted.

(b) At least two inspections shall be made on each mechanical job:

(1) The first, when the work is roughed-in including ductwork, registers, refrigeration lines, or other work to be concealed; and

(2) The second, when the work is finished and all equipment set.

(c) On jobs where, due to size or type of construction, it would not be practical to have all mechanical equipment ready for inspection at one time, inspections shall be made as often as is necessary.

(d) It shall be unlawful to cover any mechanical supply piping, wiring, sprinkler piping, exhaust ducts or supply ducts until such work has been inspected and approved by the mechanical inspector

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Sec. 22-397. - Right of entry for inspection.

The mechanical inspector shall have authority to enter any building or premises for the inspection of mechanical equipment at any time during reasonable working hours.

Sec. 22-398. - Correction of unsafe conditions.

(a) If after inspection the mechanical inspector finds that mechanical equipment or appliances, which are within the scope of this article, are in a dangerous or unsafe

condition, the person owning, using or operating such shall be notified in writing and shall make the necessary repairs and changes required to place them in a safe and sanitary condition within five days or any longer period as specified by the mechanical inspector.

(b) Upon failure to comply promptly with any notice or instruction from the mechanical inspector to correct unsafe conditions or faulty work, the building official shall have authority to request the power company to discontinue electrical service to the offender until such notice or instructions have been complied with, and the power company is authorized to take such action.

Sec. 22-399. - Appeals.

When a mechanical installation is condemned pursuant to this article or when a mechanical permit is denied, the person aggrieved may, within five days after receiving written notice from the building official, file a petition in writing, for review of the action of the mechanical inspector, with the city manager. Upon receipt of the petition, the city manager shall at once proceed to determine if the mechanical installation complies with this article and within three days shall make a decision in accordance with his findings.

DIVISION 3. MECHANICAL EQUIPMENT INSTALLERS.

Sec. 22-400. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice means a person working under the direction and supervision of a licensed mechanical installer for the purpose of learning the mechanical trade.

Helper means a person employed by a mechanical installer to perform tasks which do not constitute actual mechanical work or the practice of the mechanical trade as defined in this section.

Mechanical Installer.

(1) The term "mechanical installer" applies to all persons engaged in the mechanical trade on a fulltime or parttime basis to install, maintain, repair or replace mechanical equipment or mechanical systems and as activities otherwise defined as practicing the mechanical trade. The term "mechanical installer," for purposes of this article, shall also apply to persons on the maintenance staff of a hospital or similar institution, theater, office building, hotel, motel, tourist facility or court, apartment complex and a person in the employ of or a person who operates or maintains any single-family or multifamily residential structure which is used, in whole or in part, by subdivision into separate apartments or rooms of any nature whatsoever for the purpose of being leased, rented or otherwise made available to the public for occupancy, which requires the person to do more than maintain or repair existing mechanical equipment or mechanical systems and fixtures within the buildings on an in-house basis.

(2) The term "*mechanical installer*" does not apply to:

(a) A person who performs minor repairs such as the repair or replacement of diffusers, duct line replacement, fuses, or refrigerant;

(b) Persons who are under the control of a federal regulatory body or authority granted by the state or to any person in the employ of a manufacturing or industrial plant for the purpose of performing repair, manufacturing and maintenance work on the premises occupied by the manufacturing or industrial plant and installation work on premises occupied only by the manufacturing or industrial plant; however, this exception does not apply, if mechanical work is done outside the main plant area by an independent contractor; such work shall be performed only by a duly licensed mechanical contractor and mechanical installer after having obtained the necessary license and payment of the required license and permit fees to the city for such work.

Mechanical trade.

(1) The term "mechanical trade" means the installation, repair or maintenance of piping, mechanical HVAC equipment, duct lines, commercial kitchen hoods, fire sprinklers, fire alarm systems, refrigeration equipment, paint booths, boilers and other equipment involved in the creating conditioned space, commercial kitchen exhaust, or other mechanical equipment in a building as set out in the definition of mechanical installer as provided in this section.

(2) The term "mechanical trade" does not include such work by persons excluded from the definition of mechanical installer nor does it involve minor repairs, such as the repair or replacement of diffusers, duct lines, or fuses or replacement of refrigerant.

Sec. 22-401. - Responsibility for work.

Every mechanical installer shall be responsible for all mechanical work performed by his employees while acting within the course and scope of their employment for mechanical work within the scope of this article.

Sec. 22-402. - Use of licensed mechanical trade person; responsibility for compliance with standards.

Mechanical installers shall use only licensed mechanical trade persons in the practice of the mechanical trade, except as otherwise provided in this article, and shall be responsible for ensuring that all work is performed in a safe and workmanlike manner and up to the standards of this type of work and shall see that all work is performed in accordance with the applicable codes as adopted by the city.

Sec. 22-403. Required.

No person shall engage in work as a mechanical equipment installer without a license issued by the Building Official. The sections of this division are applicable to the installation of consumers' HVAC equipment and the installation and operation of residential and commercial mechanical systems and related accessories as set forth by the Mechanical code adopted in this article and all acts supplemental and amendatory thereof.

Sec. 22-404. Examination of applicant.

Every person desiring to engage in work as a Mechanical equipment Installer who does not possess a valid mechanical license shall make application to the Building Official and pay such application fee as set by resolution of the board of mayor and alderman. Such application shall include proof of at least 3 years' experience in the gas installation trade and a copy of either a LLM (or home improvement until such time the state issues LLM) for work up to \$25,000 or a CMC for work over \$25,000 issued by the State of Tennessee Contractors licensing board. In addition to the license a certificate of liability insurance to include workman's comp and a business license shall be submitted with the application. The Building Official & Mechanical Inspector shall review submitted documents and approve or disapprove the application. The applicant shall have the right to appeal a disapproval to the city manager or his designee.

Sec. 22-405. Fee.

A person desiring a license to work at or engage in mechanical work shall pay such fee as set by resolution of the board of mayor and aldermen as may be established from time to time as circumstances require.

Sec. 22-406. Bond.

(a) A person shall not engage in or work at the installation, extension or alteration of a consumer's HVAC or mechanical equipment until such person shall secure and present to the building official a licensing bond executed and issued by a surety company qualified and authorized to do business in the state, in a penal sum determined and set by resolution of the board of mayor and aldermen from time to time as circumstances require.

(b) The bond shall be payable to the city, for the use of the city and any citizen who may be damaged by the failure of such mechanical equipment installer to comply with this article or who may be damaged by any negligence committed or imperfect or defective work done by such mechanical equipment installer while acting in the scope and course of his employment.

(c) The bond shall be so conditioned as to require mechanical equipment installers to comply with all sections of this article. In such bond the mechanical equipment installer shall indemnify and save harmless the city and all persons therein from loss, cost or damage caused by negligence or by inadequate, imperfect or defective work done by him or his employees while acting in the course and scope of his employment.

(d) Nothing in this division shall be construed to relieve any mechanical equipment installer from giving bond as required by this section or other city ordinance.

Sec. 22-407. Issuance.

No Mechanical license shall be issued by the Building Official without approval of all required documentation noted in section 22-360.

Sec. 22-408. Expiration.

A license to work as a mechanical equipment installer shall expire December 31 following the date of issuance unless sooner revoked.

Sec. 22-409. Display.

A person holding a license to do work as a mechanical equipment installer shall display his license at his place of business or shall have evidence of such license on his person at all times on the job.

Sec. 22-410. Revocation.

Any license to work as a mechanical equipment installer may be revoked by the Building Official, after a hearing affording due process, for the following:

- (1) Failure to comply with this article and all city ordinances governing the installation of HVAC and mechanical equipment in doing such work.
- (2) Permitting the work to be carried on in an unworkmanlike manner by those employed by him.
- (3) Allowing and using unqualified labor in the performance of such work.
- (4) Permitting the work to be done in a hazardous or dangerous manner.
- (5) Incompetent work.
- (6) Obtaining a permit for an unlicensed person to perform mechanical work.

Sec. 22-411. Installation or maintenance by homeowner.

Nothing in this article or any code adopted by reference in this article shall prevent any homeowner from installing or maintaining mechanical systems within his own property boundaries, providing such mechanical work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the sections of this article or any code adopted by reference in this article nor is it to be construed as exempting any such property owner from obtaining a mechanical permit and paying the required fees therefore.

SECTION XIV. That Article VII, Chapter 22 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

DIVISION 1. GENERALLY

Sec. 22- 412. Code adopted by reference.

The provisions of International Plumbing Code, 2024 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain

on file in the office of the city recorder for public use, inspection and examination. The International Plumbing Code, 2024 edition is hereby amended as follows:

(1) Section 101.1 Title. is amended by deleting the phrase "[name of jurisdiction]" and in lieu thereof substituting the phrase "the City of Kingsport, Tennessee."

Sections 112 through 113 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

Section 112 Means of Appeals & Section 113 Board of appeals. The board of appeals as referenced in the International Building Code, 2024 edition shall serve as the board of appeals for the International Plumbing Code, 2024 edition.

Section 112.1 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

Section 114.4 Violation penalties is hereby deleted in its entirety and in lieu thereof substituting the following: 114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by the general penalty provision of the Code of Ordinances.

Sec. 22- 413. Rules and regulations.

- (a) The building official is authorized to adopt rules and regulations to enforce this article.
- (b) No rule or regulation of the building official shall become effective until four weeks after notice of intention to adopt it shall have been given in a newspaper of general circulation and until a public hearing on the rule or regulation shall have been held. The public hearing shall not be necessary unless a request shall have been made for such hearing during the period of publication. Such rule must be drawn in its proposed form and shall be open to public inspection at the time the notice to adopt is published. Any rules may be amended or repealed by the same procedure prescribed for the adoption of new rules.
- (c) Rules adopted and promulgated as provided in this section shall have the same force and effect as the sections of this article.
- (d) In adopting rules for plumbing control, the building official shall embody in them the most approved methods and practices for safety of life and property.

Sec. 22- 414. Compliance required.

No plumbing shall be installed in a building or structure nor shall an alteration or extension of an existing plumbing system be made except in conformity with this article or any rules that may be adopted and promulgated by the building official.

Sec. 22- 415. Installation or maintenance by homeowner.

Nothing in this article or any code adopted by reference in this article shall prevent any homeowner from installing or maintaining plumbing within his own property boundaries, providing such plumbing work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the sections of this article or any code adopted by reference in this article nor is it to be construed as exempting any such property owner from obtaining a plumbing permit and paying the required fees therefore.

Secs. 22- 416—22-441. Reserved.

DIVISION 2. PERMITS AND INSPECTIONS

Sec. 22-442. Permit required.

No person shall connect any plumbing work with any sanitary or storm sewer, septic tank or sewage disposal system of any kind or install fixtures or appliances in new or existing

systems, structures or premises or repair or add to any existing plumbing without a plumbing permit issued by the Building Official.

Sec. 22-443. Fees.

A person desiring a plumbing permit shall pay such fees as are established by the board of mayor and aldermen.

Sec. 22-444. Imposition of additional charges by building official.

The building official is authorized to make additional charges in accordance with the established fee schedule on any job for which a plumbing permit has been issued to cover any addition to that particular job or for work knowingly or unknowingly left out of the application for a permit.

Sec. 22-445. Issuance of permit.

The permit required in this division shall be issued only by the Building Official, upon receipt of an application issued by the building official. No application for a permit will be issued until the applicant therefore, if requested to do so by building official, submits detailed plans or drawings showing the work to be covered by the permit.

Sec. 22-446. Inspections generally.

- (a) It shall be unlawful to use or permit the use of or to supply water service to a plumbing system in a building or structure, unless the required inspection has been made and approval has been granted.
- (b) At least two inspections shall be made on each plumbing job:
 - (1) The first, when the work is roughed-in and tested; and
 - (2) The second, when the work is finished and all fixtures set.
 - (3) On jobs where, due to size or type of construction, it would not be practical to have all plumbing ready for inspection at one time, inspections shall be made as often as is necessary.
- (c) It shall be unlawful to cover any plumbing, house drain or house sewer connection until such work has been inspected and approved by the plumbing inspector.

Sec. 22-447. Right of entry for inspection.

The plumbing inspector shall have authority to enter any building or premises for the inspection of plumbing at any time during reasonable working hours.

Sec. 22-448. Correction of unsafe conditions.

- (a) If after inspection the plumbing inspector or the health department finds that plumbing devices, equipment or appliances, which are within the scope of this article, are in a dangerous or unsafe condition, the person owning, using or operating such shall be notified in writing and shall make the necessary repairs and changes required to place them in a safe and sanitary condition within five days or any longer period as specified by the plumbing inspector or the health department.
- (b) Upon failure to comply promptly with any notice or instruction from the plumbing inspector or the health department to correct unsanitary conditions or faulty work, the building official, upon recommendation by the health department, shall have authority to request the city water department to discontinue water service to the offender until such notice or instructions have been complied with, and the water department is authorized to take such action.

Sec. 22-449. Appeals.

When a plumbing installation is condemned pursuant to this article or when a plumbing permit is denied, the person aggrieved may, within five days after receiving written notice from the building official, file a petition in writing, for review of the action of the plumbing inspector, with the city manager. Upon receipt of the petition, the city manager shall at once

proceed to determine if the plumbing installation complies with this article and within three days shall make a decision in accordance with his findings.

Secs. 22-450—22-466. Reserved.

DIVISION 3. PLUMBERS

Subdivision I. In General

Sec. 22-467. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice means a person working under the direction and supervision of a licensed plumber for the purpose of learning the plumbing trade.

Helper means a person employed by a plumber to perform tasks which do not constitute actual plumbing work or the practice of the plumbing trade as defined in this section.

Plumber.

(1) The term "plumber" applies to all persons engaged in the plumbing trade on a fulltime or parttime basis to install, maintain, repair or replace plumbing or plumbing systems and as activities otherwise defined as practicing the plumbing trade. The term "plumber," for purposes of this article, shall also apply to persons on the maintenance staff of a hospital or similar institution, theater, office building, hotel, motel, tourist facility or court, apartment complex and a person in the employ of or a person who operates or maintains any single-family or multifamily residential structure which is used, in whole or in part, by subdivision into separate apartments or rooms of any nature whatsoever for the purpose of being leased, rented or otherwise made available to the public for occupancy, which requires the person to do more than maintain or repair existing plumbing or plumbing systems and fixtures within the buildings on an in-house basis.

(2) The term "plumber" does not apply to:

- a. A person who performs minor repairs such as the repair or replacement of commodes or fixtures, faucets, water supply and drain lines under sinks and lavatories connecting a plumbing fixture or an appliance utilizing water with an installed existing plumbing system or the unclogging of sewer and septic lines;
- b. Employees of municipal plants or other public utilities organized for the purpose of constructing, maintaining and operating works for the supply, purification and distribution of water, sewer trunk lines and laterals; and
- c. Persons who are under the control of a federal regulatory body or authority granted by the state or to any person in the employ of a manufacturing or industrial plant for the purpose of performing repair, manufacturing and maintenance work on the premises occupied by the manufacturing or industrial plant and installation work on premises occupied only by the manufacturing or industrial plant; however, this exception does not apply, if plumbing work is done outside the main plant area by an independent contractor; such work shall be performed only by a duly licensed plumbing contractor and plumber after having obtained the necessary license and payment of the required license and permit fees to the city for such work.

Plumbing trade.

(1) The term "plumbing trade" means the installation, repair or maintenance of piping, fittings and fixtures involved in the distribution and use of water in a building as set out in the definition of plumber as provided in this section.

(2) The term "plumbing trade" does not include such work by persons excluded from the definition of plumber nor does it involve minor repairs, such as the repair or replacement of commodes or fixtures, faucets, water supply and drain lines under sinks and lavatories connecting a plumbing fixture or appliance utilizing water with an installed, existing plumbing system or the unclogging of sewer and septic lines.

Sec. 22-468. Responsibility for work.

Every plumber shall be responsible for all plumbing work performed by his employees while acting within the course and scope of their employment for plumbing work within the scope of this article.

Sec. 22-469. Use of licensed plumbers; responsibility for compliance with standards.

Plumbers shall use only licensed plumbers in the practice of the plumbing trade, except as otherwise provided in this article, and shall be responsible for ensuring that all work is performed in a safe and workmanlike manner and up to the standards of this type of work and shall see that all work is performed in accordance with the applicable codes as adopted by the city.

Secs. 22-470—22-491. Reserved.

Subdivision II. Licenses

Sec. 22-492. Required; applicability to apprentices and helpers.

(a) No person shall practice the plumbing trade without a license issued by the Building Official, except as provided in this section.

(b) A plumber's license shall entitle the holder thereof to engage in the practice of the plumbing trade on a fulltime or parttime basis and to perform actual plumbing work as set out in the definition of plumbing trade and plumber in section 22-467.

(c) It shall be unlawful for the holder of a plumber's license issued under this subdivision to allow any person who is not licensed as a plumber to do any actual plumbing work, except that nothing in this division shall preclude any person from working as an apprentice or a helper under the direct supervision and direction of a licensed plumber.

Sec. 22-493. Examination.

Every person desiring to engage in work as a Plumbing Installer who does not possess a valid plumbing license shall make application to the Building Official and pay such application fee as set by resolution of the board of mayor and alderman. Such application shall include proof of at least 3 years' experience in the plumbing/gas installation trade and a copy of a LLP for work up to \$25,000 or a CMC for work over \$25,000 issued by the State of Tennessee Contractors licensing board. In addition to the license a certificate of liability insurance to include workman's comp and a business license shall be submitted with the application. The Building Official & Plumbing Inspector shall review submitted documents and approve or disapprove the application. The applicant shall have the right to appeal a disapproval to the city manager or his designee.

Sec. 22-494. Fee.

The annual fee for a plumber's license shall be set by resolution of the board of mayor and aldermen from time to time as the circumstances require.

Sec. 22-495. Bond.

(a) No person shall practice the plumbing trade within the city until such person shall secure and present to the building official a licensing bond executed and issued by a surety company duly qualified and authorized to do business in the state, in a penal sum determined and set by resolution of the board of mayor and aldermen from time to time as circumstances require.

(b) The bond shall be payable to the city, for the use of the city and any citizen who may be damaged by the failure of such plumber to comply with this article or who may be damaged by any negligence committed or imperfect or defective work done by such plumber, while acting in the scope and course of his employment.

(c) The bond shall be so conditioned as to require plumbers to comply with all sections of this article. In such bond, the plumber shall indemnify and save harmless the city and all persons therein from loss, cost or damage caused by negligence or by inadequate, imperfect or defective work done by him or his employees while acting in the scope and course of their employment.

(d) Nothing in this division shall be construed to relieve any plumber from giving bond as required by this section or other ordinance of the city.

Sec. 22-496. Issuance.

No Mechanical license shall be issued by the Building Official without approval of all required documentation noted in section 22-493.

Sec. 22-497. Expiration term.

A license to practice the plumbing trade shall expire December 31 unless sooner revoked or renewed.

Sec. 22-498. Display.

It shall be the duty of every licensed plumber to display his license at his place of business or have evidence of such license on his person at all times on the job.

Sec. 22-499. Revocation.

Any license to work as a licensed plumber may be revoked by the Building Official, after a hearing affording due process, for the following:

- (1) Failure to comply with any city ordinance governing the installation of plumbing fixtures and equipment.
- (2) Permitting the work to be carried on in an unworkmanlike manner by those employed by him.
- (3) Using unqualified labor in performance of such work.
- (4) Permitting the work to be done in a hazardous or dangerous manner.
- (5) Incompetent work.
- (6) Obtaining a permit for an unlicensed person not in his employ.

Secs. 22-500—22-521. Reserved.

SECTION XV. That Section 22-522 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows

Sec. 22-522. Swimming Pool Code. Code adopted by reference.

The provisions of the International Swimming Pool and Spa Code, 2024 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain on file in the office of the city recorder for public use, inspection and examination.

SECTION XVI. That Section 42-46 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 42-46. Code adopted by reference.

(a) The provisions of International Fire Code, 2024 edition, to include appendices B, D, E, F, G, H, and I published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain on file in the office of the city recorder for public use, inspection and examination.

(b) The fire official may utilize any of the codes, standards, manuals and recommended practices contained within the National Fire Codes as a guide and/or reference in the enforcement of fire protection and prevention provisions of the adopted codes.

SECTION XVII. That Section 42-48 of the Code of Ordinances, City of Kingsport, Tennessee, subsection (c) is amended and a new subsection (d) is added as follows:

(c)Section D107.1 is amended as follows:

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1.Where there are more than 50 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. Where there are more than 50 dwelling units, the units may be accessed from a single public or private apparatus access road when the following conditions are met:

2.1 Fire hydrants must be placed in an alternating fashion on both sides of the road meeting the required hydrant spacing requirements.

2.2. Road shall be signed with No Parking signs as referenced in Section D103.6

2.3 Streets shall be constructed to the "Fire Apparatus Access Road" standard located in the Kingsport Minimum Subdivision Regulations.

3. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire official.

4. Developments of one-or two-family dwellings where the number of dwelling units exceeds 125 units shall be provided with two separate and approved fire apparatus access roads.

(d) 510.2 Emergency responder communications enhancement system in existing buildings is amended as follows:

Add to end of sentence as required by Chapter 11 for level 3 alterations only.

SECTION XVIII. That this ordinance shall take effect on November 1, 2026, the public welfare of the City of Kingsport, Tennessee requiring it.

PAUL W. MONTGOMERY, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____