

**RULES
OF
TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION**

**CHAPTER 0780-02-02
CODES AND STANDARDS**

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0780-02-02-.01 ADOPTION BY REFERENCE.

- (1) Unless otherwise provided by applicable law or the provisions of this chapter, the required minimum standards for fire prevention, fire protection and building construction safety in the State of Tennessee shall be those prescribed in the following publications:
 - (a) Except for Chapter 11 pertaining to accessibility and Chapter 27 pertaining to electrical requirements and the International Electrical Code, ICC International Building Code, 2006 edition, including ICC International Mechanical Code, 2006 edition, published by the International Code Council, Inc., 500 New Jersey Avenue Northwest, 6th Floor, Washington, D.C., 20001.
 - (b) ICC International Fire Code, 2006 edition, published by the International Code Council, Inc., 500 New Jersey Avenue Northwest, 6th Floor, Washington, D.C. 20001.
 - (c) For state buildings, educational occupancies and any other occupancy requiring an inspection by the state fire marshal for initial licensure as defined by the 2006 edition of the International Building Code, Life Safety Code (NFPA No. 101-2006), 2006 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.
 - (d) To lead by example, for state buildings, in lieu of Chapter 13 of the International Building Code, 2006 edition, ASHRAE Standard 90.1, 2007 edition, published by the American Society of Heating, Refrigerating, and Air Conditioning Engineers, 1791 Tullie Circle NE, Atlanta, GA 30329.
- (2) Paragraph (1) of this rule shall not be construed as adopting any provision of the cited publications which establishes:
 - (a) an optional or recommended, rather than mandatory, standard or practice; or
 - (b) any agency, procedure, fees or penalties for administration or enforcement purposes inconsistent with these rules.

Authority: T.C.A. §§68-120-101, 68-120-101(a) and (e), 68-102-113, and 68-102-113(a) and (e).
Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed August 17, 1976; effective September 16, 1976. Repeal and new rule filed July 27, 1982; effective August 26, 1982. Amendment filed October 11, 1985; effective November 10, 1985. Amendment filed July 9, 1990; effective August 23, 1990. Amendment filed March 13, 1996; effective May 27, 1996. Amendment filed October 14, 1997; effective December 28, 1997. Amendment filed June 12, 2001; effective August 26, 2001. Amendment filed March 19, 2004; effective June 2, 2004. Amendment filed November 16, 2007; withdrawn December 28, 2007. Emergency rule filed January 25, 2008; effective through July 8, 2008.

(Rule 0780-02-02-.01, continued)

Emergency rule filed July 8, 2008; effective through December 20, 2008. Amendment filed June 18, 2008; effective September 1, 2008. Amendments filed October 2, 2008; effective December 16, 2008. Amendments filed March 29, 2010; effective June 27, 2010.

0780-02-02-.02 APPLICATION.

- (1) The provisions of the codes adopted by reference in rule 0780-02-02-.01 shall govern the manner in which:
 - (a) the codes are applied to new construction and existing buildings.
 - (b) occupancies and types of construction are classified for the purpose of determining minimum code requirements; and
 - (c) the specific requirements of the codes may be modified to permit the use of alternate materials or methods of construction.

Authority: *T.C.A. §§53-2413 and Chapter 857, Public Acts of 1982. Administrative History: Original rule filed July 27, 1982; effective August 26, 1982.*

0780-02-02-.03 RETROACTIVE ENFORCEMENT. Any existing building which conformed to the standards legally effective at the time of its construction shall not be subject to the standards adopted by reference in rule 0780-02-02-.01, unless the nonconformity of the building to such standards poses a serious life safety hazard. However, any construction as defined in rule 0780-02-3-.01 undertaken after the effective date of this chapter shall be in compliance with the standards adopted by reference in rule 0780-02-02-.01.

Authority: *T.C.A. §§53-2413, 68-102-113, 68-120-102, and Chapter 857, Public Acts of 1982. Administrative History: Original rule filed July 27, 1982; effective August 26, 1982. Amendment filed June 12, 2001; effective August 26, 2001.*

0780-02-02-.04 CONFLICTS.

- (1) In the event of a conflict or inconsistency between the codes adopted by reference in rule 0780-02-02-.01:
 - (a) the provisions of the International Building Code shall prevail if such conflict or inconsistency relates to height, area restrictions or construction type;
 - (b) the provisions of the Tennessee Public Building Accessibility Act shall prevail if such conflict or inconsistency relates to accessibility; and
 - (c) the more stringent code provision shall prevail in all other cases.
- (2) In the event of a conflict or inconsistency between either code adopted by reference in rule 0780-02-02-.01 and Chapter 0780-02-01 (Electrical Installations) of the Rules and Regulations of the State of Tennessee, the provisions of Chapter 0780-02-01 (Electrical Installations) shall control.
- (3) Nothing in this rule shall abrogate any right of appeal granted under Tenn. Code Ann., Title 68, Chapters 102 and 120.

Authority: *T. C. A. § 68-102-113(a) and (e) and 68-120-101(a). Administrative History: Original rule filed July 27, 1982; effective August 26, 1982. Amendment filed November 14, 1983; effective December 14, 1983. Amendment filed July 9, 1990; effective August 23, 1990. Amendment filed October 14, 1997, effective December 28, 1997. Amendment filed March 19, 2004; effective June 2, 2004. Amendment*

(Rule 0780-02-02-.04, continued)

filed November 16, 2007; withdrawn December 28, 2007. Amendment filed June 18, 2008; effective September 1, 2008. Amendment filed October 2, 2008; effective December 16, 2008.

0780-02-02-.05 LOCAL ORDINANCES. Except as provided in *Tenn. Code Ann. §68-18-101*, no city, county, town, municipal corporation, metropolitan government, or political subdivision of this State shall adopt or enforce any ordinance prescribing less stringent standards of fire prevention, fire protection, or building construction safety than those established hereunder.

Authority: *T.C.A. §§58-2413, 68-17-113, 68-18-101, and Chapter 857, Public Acts of 1982.*

Administrative History: *Original rule filed July 17, 1982; effective August 26, 1982. Amendment filed October 11, 1985; effective November 10, 1985.*