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# Codes Review Newsletter: May 2020



## COVID-19 Update

The Codes Enforcement Section continues operations during the COVID-19 pandemic. All staff are working from home and services continue to be performed, including [plans reviews](#) and [inspections](#).

In fact, we continue to meet or exceed our goals for customer service by averaging 11 days for first response to new plans submissions, with 62% of all projects completed within 10 days of submittal. Construction inspections may be required to be performed remotely where positive cases of COVID-19 have occurred.

## Exempt Jurisdictions: Commercial vs. Residential



Our office is often asked the question, "What codes do I need to build to?" It's a simple question, but for Tennessee, the answer is not simple.

It is critical to know where the building is located. This is, in part, due to exempt jurisdictions. Exempt jurisdictions are those that have been approved by the State Fire Marshal's Office (SFMO) to adopt codes locally and perform enforcement of them. With some exceptions, exempt jurisdictions perform the permitting and inspections within their jurisdictions without SFMO involvement.

Schools, state buildings and facilities requiring a SFMO inspection for an initial license always require enforcement by the SFMO regardless of where they are located. Additionally, there may be co-jurisdiction for buildings requiring approval from the SFMO in non-exempt jurisdictions that require a permit.

Pursuant to Tenn. Code Ann. § 68-120-101, a county or municipality must adopt a code that is within seven years of the currently published edition and have certified inspection staff in order to become an exempt jurisdiction. For commercial buildings, plan reviews must be performed as well. The SFMO performs audits of exempt jurisdictions every three years to ensure they are compliant. The SFMO adopts the state minimum building and fire codes, but local jurisdictions may have more stringent requirements.

To further complicate the matter, there are three types of exempt jurisdictions: one- and two-family dwellings and townhouses falling under the International Residential Code, commercial buildings falling under the International Building Code, and electrical permitting inspections. There are 264 residential exempt jurisdictions, 40 commercial exempt jurisdictions, and 33 electrical inspection exempt jurisdictions.

As you can see, it is very important for building designers and contractors to know the regulations of the location where they are building. It is always better to find out before work begins than to have to make costly changes.



Codes Success Story: In November 2019, a sprinkler activation at a cabin in Pigeon Forge helped limit damage at a \$1.2 million property to just \$15,000.



## Employee Spotlight: Happy Retirement Fred Garbler!

Fred Garbler retired from his position as Fire Safety Manager after 12 years in the position. Fred has been in the fire service for over 46 years, including as a firefighter, EMT, and Fire Chief.

Fred started with the State of Tennessee on November 1, 1984, as a fire inspector in East Tennessee. He then went to Murfreesboro Fire Department for seven years where he worked with current Tennessee Department of Commerce and Insurance Assistant Commissioner Gary Farley.

Following his time in Murfreesboro, Fred returned to the State in 1997 where he worked in Plans Review. He became Plans Review Supervisor in 2003, and eventually Fire Safety Manager in 2008.

Enjoy your well earned retirement, Fred!



## Codes Corner: Tennessee's Building Codes

by: James Snider, Plans Examiner

We take for granted that buildings are provided with reasonable safeguards for safety and

protection of property. Building codes are written to prevent the recurrence of unfortunate tragedies that result in unnecessary injuries and death. Tennessee state law grants authority to the SFMO to adopt and enforce minimum building and fire codes to make our state safer to live, work and play.

The regulation of building construction is not a modern invention. Socrates once mandated that joists be "set against each other and before inserting the dowels the worker shall show the architect all the stones to be fitting and shall set them true and sound." Hammurabi's Code dates back to 1754 B.C. and was distinctly more performance based— if what you built fell and killed the owner, your life was forfeited. Building codes continued to evolve with denser development in cities and the hazards associated with close proximity and ever taller buildings.

Tennessee began its building code history in the 1950s with the adoption of the 1945 Standard Building Code (SBC). The codes have been periodically updated as newer editions have been published. A listing of the State's currently adopted codes and codes history is [available here](#). Each county or municipality may adopt codes locally so long as they are not less stringent than the State's minimums. When a local government has no codes adopted, the State minimums apply. Some buildings must have plans approved and inspections performed by the SFMO.

There is an exception to State minimums for one- and two-family dwellings and townhouses. Local jurisdictions may opt out of codes for these buildings. There are currently 82 jurisdictions that have chosen to do this. It is important to note that this only applies to one- and two-family dwellings and townhouses and not to other residential or commercial buildings.

State codes are adopted by a rulemaking process that begins with a review by the Governor's Office. The proposed rules are published and offered for public comment by stakeholders and citizens. This is followed with review by the Joint Government Operations Committee of the General Assembly.

Building codes ensure safe communities; they have a positive impact on every person in Tennessee and play a vital role in improving our quality of life.

## Connect with our office:

- Visit the codes website!
- See our adopted codes
- Submit plans for review
- File a complaint

Department authorization No 335589, March 2020. 0000 copies. This public document was promulgated at a cost of \$0.00 per copy.



TO FIND OUT MORE ABOUT FIRE PREVENTION, VISIT OUR WEBSITE

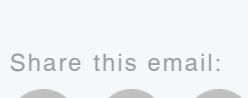
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