



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, AUGUST 9, 2022 - BARTLETT CITY HALL - 6:00 PM

INVOCATION

Opening Prayer by Michael Gill, New Hope Christian Church

FUTURE MEETINGS

Parks and Recreation Advisory Board, August 11 at 6 p.m.

Historic Preservation Commission, August 15 at 7 p.m.

Bartlett Arts Council, August 16 at 6 p.m.

BPACC Advisory Board, August 16 at 6 p.m.

Board of Zoning Appeals, August 18 at 6:30 p.m.

RECOGNITIONS

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the July 26, 2022 Board of Mayor and Aldermen Regular Meeting

PUBLIC HEARING

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

1. Ordinance 22-03, an ordinance adopting certain newer editions of the International Codes, as amended.
2. Ordinance 22-04, an ordinance to amend Title 13, Chapter 1 Property Maintenance Regulations by adopting the 2021 Edition of the International Property Maintenance Code, as amended, and deleting Chapter 4, Location of Fences on Private Property.

UNFINISHED BUSINESS

1. **Third Reading of Ordinance 22-03, an ordinance adopting certain newer editions of the International Codes, as amended. (Jim Brown, Director of Code Enforcement)**

- 2 **Third Reading of Ordinance 22-04, an ordinance to amend Title 13, Chapter 1 Property Maintenance Regulations by adopting the 2021 Edition of the International Property Maintenance Code, as amended, and deleting Chapter 4, Location of Fences on Private Property. (Jim Brown, Director of Code Enforcement)**

CONSENT AGENDA

- 1 **Bid for Spinner cycle bikes. (Shan Criswell, Director of Parks and Recreation)**

Recommend accepting the lowest bid from FitworX at a total cost of \$32,525.00. Funds are available in Account 11044900.939.

- 2 **Authorization to auction surplus property. (Dick Phebus, Director of Finance)**

Fifteen items have been identified as having a potential auction-value of \$500 or more and will be auctioned on GovDeals.com

NEW BUSINESS

- 1 **Contract for Fletcher Creek Sewer System Flow Metering & Analysis. (John Horne, Assistant Director of Engineering)**

Recommend accepting the design contract proposal from Barge Design Solutions, Inc. in the amount of \$49,750.00. Funds are available in Account 312.48312.772.805.

- 2 **Resolution 30-22, a resolution to delete uncollectible accounts from utility customers accounts receivable in the amount of \$38,723.91. (Dick Phebus, Director of Finance)**

- 3 **First Reading of Ordinance 22-05, an ordinance amending the existing sign ordinance; Title 14, Chapter 4, Section 14-401(1) "Abandoned signs," Section 14-401(39) "Political signs," Section 14-401(51) "Temporary signs," Section 14-402 "General requirements," Section 14-410 "Moving signs prohibited," Section 4-426 "Political signs restricted," Section 14-446 "Private sale sign permitted," Section 14-452 "Signs permitted in other districts," and Section 14-471 "Establishment of a special sign corridor," of the Codified Ordinances of the City of Bartlett, Tennessee. (Kim Taylor, Director of Planning and Economic Development). The Public Hearing to be set for September 13, 2022.**

OPEN DISCUSSION

ADJOURNMENT



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JULY 26, 2022 - BARTLETT CITY HALL - 6:00 PM

ATTENDANCE

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Absent, Mandy Young: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Kevin Quinn: Present.

INVOCATION

Opening Prayer by Landon Norman, New Hope Christian Church

FUTURE MEETINGS

Family Assistance Commission, August 1 at 6 p.m.

Planning Commission, August 1 at 7 p.m.

Bartlett Station Commission, August 3 at 7:30 a.m.

City Beautiful Commission, August 4 at 6:30 p.m.

Industrial Development Board, August 4 at 7 p.m. (Cancelled)

RECOGNITIONS

*****Official Business of the Day*****

MINUTES ACCEPTANCE

Minutes of the July 12, 2022 Board of Mayor and Aldermen Regular Meeting

Minutes Acceptance: Minutes of Jul 26, 2022 6:00 PM (MINUTES ACCEPTANCE)

RESULT: **ACCEPTED [5 TO 0]**
MOVER: David Parsons, Alderman
SECONDER: Jack Young, Vice Mayor
AYES: McDonald, Parsons, Simmons, Young, Quinn
ABSTAIN: Mandy Young

UNFINISHED BUSINESS

- I **Second Reading of Ordinance 22-03, an ordinance adopting certain newer editions of the International Codes, as amended. (Jim Brown, Director of Code Enforcement)**

RESULT: **APPROVED ON SECOND READING [UNANIMOUS] Next: 8/9/2022 6:00 PM**
MOVER: Jack Young, Vice Mayor
SECONDER: Bobby Simmons, Alderman
AYES: Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 2 **Second Reading of Ordinance 22-04, an ordinance to amend Title 13, Chapter I Property Maintenance Regulations by adopting the 2021 Edition of the International Property Maintenance Code, as amended, and deleting Chapter 4, Location of Fences on Private Property. (Jim Brown, Director of Code Enforcement)**

RESULT: **APPROVED ON SECOND READING [UNANIMOUS] Next: 8/9/2022 6:00 PM**
MOVER: Bobby Simmons, Alderman
SECONDER: Jack Young, Vice Mayor
AYES: Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

CONSENT AGENDA

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jack Young, Vice Mayor
SECONDER: David Parsons, Alderman
AYES: Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- I **Special event permit for Memphis Classic Chevy's Car Show. (Jim Brown, Director of Code Enforcement)**
The event will be held on Saturday, October 22 from 8 a.m. to 4 p.m. at W.J. Freeman Park.
- 2 **Bid for annual asphalt paving project. (John Horne, Assistant Director of Engineering)**
Recommend accepting the lower bids from the following contractors:
Citywide asphalt pavement - Standard Construction; asphalt picked up at plant - Standard Construction and Lehman-Roberts. Funds are available in Account 311.48311.780.456.

Minutes Acceptance: Minutes of Jul 26, 2022 6:00 PM (MINUTES ACCEPTANCE)

- 3 **Subdivision Contract for Hwy 70 Express Convenience Store. (John Horne, Assistant Director of Engineering)**
The developer, HWY 70 EXPRESS, LCC, will pay \$97,998.30 in City fees. The bond is set at \$676,755.00.
- 4 **Purchase of an automated side loader refuse truck. (Matt Crenshaw, Assistant Director of Public Works)**
Request authorization to purchase a New Way automated side-loader refuse truck from Sourcewell/Sansom at a total cost of \$329,597.00. Sourcewell is a single-source provider. Funds are available in Account 122.48122.935.
- 5 **Purchase of a sewer cleaner truck. (Matt Crenshaw, Assistant Director of Public Works)**
Request authorization to purchase a Vactor 2100i PD sewer cleaner truck from Sourcewell/Sansom at a total cost of \$469,529.00. Sourcewell is a single-source provider. Funds are available in Account 510.51300.935.
- 6 **Bid for Bartlett Library Janitorial Services. (Dick Phebus, Director of Finance)**
Recommend accepting the best proposal from Trillium Cleaning Service at an annual cost of \$64,235.60. Four reviewers used a score card evaluating 16 different factors with weighted values. Items included minimum requirements stated in the RFP (25 percent), required services (46 percent), references (5 percent), and pricing (24 percent). Trillium Cleaning received the highest average score of 86 out of 100. Funds are available in Account 110.41840.176.

NEW BUSINESS

- I **Resolution 25-22, a resolution to write-off bad checks over three years old issued to City of Bartlett. (Dick Phebus, Director of Finance)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Bobby Simmons, Alderman
AYES:	Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 2 **Resolution 26-22, an initial resolution authorizing the issuance of not to exceed four million two hundred thousand dollars (\$4,200,000) general obligation public improvement bonds of the City of Bartlett, Tennessee. (Dick Phebus, Director of Finance)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Bobby Simmons, Alderman
AYES:	Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

- 3 **Resolution 27-22, a resolution authorizing the issuance of general obligation public improvement bonds of the City of Bartlett, Tennessee in the aggregate principal amount of not to exceed \$4,200,000, in one or more series; making provision for the issuance, sale and payment of said bonds, establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds. (Dick Phebus, Director of Finance)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	David Parsons, Alderman
AYES:	Mandy Young, David Parsons, Bobby Simmons, Jack Young, Kevin Quinn

OPEN DISCUSSION

Mayor McDonald announced that an air conditioner is not working at the Bartlett Library. A new unit has been ordered but expected delivery is in 4 to 6 weeks. The library is operating on a modified schedule until the new unit is installed. They are open Monday through Saturday from 10 a.m. to 2 p.m., closed on Sundays.

ADJOURNMENT

Meeting adjourned at 6:11 PM

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Minutes Acceptance: Minutes of Jul 26, 2022 6:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 3133)

Meeting: 08/09/22 06:00 PM
Department: Code Enforcement
Category: Amendment
Prepared By: Penny Medlock
Initiator: Jim Brown
Sponsors:
DOC ID: 3133

Ordinance 22-03, an ordinance adopting certain newer editions of the International Codes, as amended.

WHEREAS, the City of Bartlett Charter empowers the City to provide for the location, bulk, occupancy, area, lot, height, construction and materials of all buildings and structures and to inspect all buildings, lands and places as to their condition for health, cleanliness, and safety; and

WHEREAS, Tennessee Code Annotated 68-120-101 dictates that municipalities must maintain codes that are within seven years of the most current code; and

WHEREAS, the 2017, 2018 & 2021 Editions of the International Codes, as amended, outline the minimum standards and requirements necessary to allow the City to provide for the health, safety and cleanliness of all property within the City of Bartlett.

NOW THEREFORE BE IT HEREBY ORDAINED that the Board of Mayor and Aldermen hereby adopt the following editions of the International Codes, and other related codes specified herein, as amended:

- . International Building Code, 2021 Edition
- . International Residential Building Code, 2018 Edition
- . International Fire Code, 2021 Edition
- . International Fuel Gas Code, 2021 Edition
- . International Residential Gas and Mechanical Code, 2018 Edition
- . International Mechanical Code, 2021 Edition
- . International Plumbing Code, 2021 Edition
- . International Residential Plumbing Code, 2018 Edition
- . International Energy Conservation Code, 2021 Edition
- . National Electrical Code, 2017 Edition
- . International Existing Building Code, 2021 Edition
- . ICC A117.1-2017 Accessibility Code

SEVERABILITY - Should any portion or part of this Ordinance be rendered void or unenforceable by any Court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

EFFECTIVE DATE This Ordinance shall become effective on, August 9, 2022 the public welfare requiring it.

First Reading: July 12, 2022

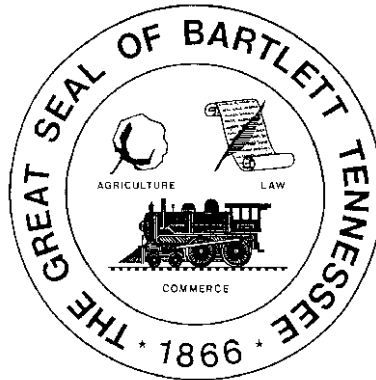
Second Reading: July 26, 2022

Third Reading: August 9, 2022

W. C. Pleasant, Register to
the Board of Mayor and Aldermen

A. Keith McDonald
Mayor

ATTEST: _____
Penny Medlock
City Clerk



**MECHANICAL & GAS
CODE AMENDMENTS
TO THE

2018
INTERNATIONAL
RESIDENTIAL
CODE**

FOR MECHANICAL AND FUEL GAS (CHAPTERS 12 – 24)

MECHANICAL & GAS CODE FOR RESIDENTIAL

AMEND Section 105.1 as follows:

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

ADD Section 105.1.3 as follows:

105.1.2 Mechanical permits. A licensed *Mechanical Contractor* who desires to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, or to erect, install, remove, convert or replace any plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

AMEND Section 202 as follows:

Board of Appeals. Whenever the term "Board of Appeals" is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Code Appeals Board of Bartlett, Tennessee.

Building Department. Whenever the term "Building Department" is used in the technical codes herein adopted, it shall mean the Office of Code Enforcement of Bartlett, Tennessee.

Building Official. The officer or the other designated authority, or their duly authorized representative, charged with the administration and enforcement of the technical codes.

Chief Appointing Authority. Whenever the term "Chief Appointing Authority" is used in the technical codes herein adopted, it shall mean the Mayor of the City of Bartlett, Tennessee.

City Municipality or Governing Body. Whenever the word "City" or "Municipality" or "Governing Body" is used in the technical codes herein adopted, it shall mean the City of Bartlett, Tennessee.

International Building Code. Whenever the words "International Building Code" are used in the codes herein adopted, they shall mean the 2021 International Building Code with the City of Bartlett TN amendments.

International Electrical Code. Whenever the words "International Electrical Code" are used in the codes herein adopted, they shall mean the 2017 National Electrical Code (NEC) with the City of Bartlett TN amendments.

MECHANICAL & GAS CODE FOR RESIDENTIAL

International Fuel Gas Code. Whenever the words “International Fuel Gas Code” are used in the codes herein adopted, they shall mean the 2021 International Fuel Gas Code with the City of Bartlett TN amendments.

International Mechanical Code. Whenever the words “International Mechanical Code” are used in the codes herein adopted, they shall mean the 2021 International Mechanical Code with the City of Bartlett TN amendments.

International Plumbing Code. Whenever the words “International Plumbing Code” is used in the codes herein adopted, they shall mean the 2021 International Plumbing Code with the City of Bartlett TN amendments.

International Residential Code. Whenever the words “International Residential Code” is used in the codes herein adopted, they shall mean the 2018 International Residential Code with the City of Bartlett TN amendments.

Mechanical Contractor. Whenever the term *mechanical contractor* is used in the Technical Codes herein adopted, it shall mean a plumbing contractor who holds a current license issued by State of Tennessee or Shelby County Construction Code Enforcement.

Workmanship. Workmanship shall mean that the plumbing system be installed uniform in slope, plumb, and level (as required) without stress or strain to piping or structure as required by Other sections of the Code. Valves, pipes and fitting shall be installed in correct relationship to the direction of flow.

ADD Section M1305.1.2.2 as follows:

M1305.1.2.2 Accessibility. Attics containing mechanical equipment shall be accessible by a pull down stairway, permanent ladder or permanent stairway.

ADD Section M1307.5.1 and M1307.5.2 as follows:

M1307.5.1 Mechanical equipment disconnect. The disconnecting means for heating, air conditioning and refrigeration equipment shall in no case be installed farther than 6 feet (1.83 M) from the service side of the equipment.

M1307.5.2 Mechanical equipment service receptacle requirements. A 120 volt, single phase, 15 or 20 ampere rated receptacle outlet shall be installed within 25 feet (7.62 M) of the service side of the heating, air conditioning and refrigeration equipment.

MECHANICAL & GAS CODE FOR RESIDENTIAL

ADD Section M1402.4 as follows:

M1402.4 Rooms containing flammable, combustible, or noxious gas. A separate and individual ventilation system which is not part of any other system shall be provided for ventilation of each room or space containing flammable vapors, noxious gases and flammable ducts or where serving incompatible materials.

ADD Section M1411.3.2.1 as follows:

M1411.3.2.1 Drain lines. Condensate drain lines shall be $\frac{3}{4}$ inch minimum with a maximum horizontal run of 2 feet. Any drain exceeding 2 feet shall be a minimum of 1 $\frac{1}{4}$ inches. No tubing allowed. Contractor shall use approved DWV fittings. $\frac{3}{4}$ inch drain pan lines shall be allowed to be connected for two drain pans only. Third drain pan shall be installed separately. A 90 degree elbow at $\frac{3}{4}$ inch drain pan line horizontal termination to outside.

ADD Section M1411.3.6 as follows:

M1411.3.6 Alternate condensate disposal. When the condensate drain(s) cannot be connected to the drainage system as determined by the Mechanical Inspector, an alternate method of disposal may be used with prior approval from Mechanical Inspector.

ADD Section M1502.3.2 as follows:

M1502.3.2 Dryer vent termination. At termination of dryer exhaust, secure grill/louvers with screws.

ADD Section M1502.4.2.1 as follows:

M1502.4.2.1 Under slab exhaust clothes drying duct. Under slab exhaust ducts shall be smooth wall schedule 40 PVC and terminate 12 inches above grade with damper and be non-screened.

ADD Section M1602.2 #8:

8. Undercut of doors do not count as a return.

ADD Section M1602.2.1 as follows:

M1602.2.1 Return air plenum seal. Seal all returns with 100% silicone rubber caulk/HVAC caulk.

RESIDENTIAL GAS CODE AMENDMENTS

ADD G2413.1.1 as follows:

G2413.1.1 Minimum sizing. When the gas pressure is 0.5 pounds per square inch or less, all consumer gas pipe from the point of delivery of the first branch in the house piping shall not be less than 1 inch in diameter. The minimum size of pipe outlets shall be ½ inch.

ADD Section G2417.4.1 as follows:

G2415.4.1 Solid floors. No threaded connectors may be used on piping in solid floors.

AMEND Section G2417.4.1 as follows:

G2417.4.1 Test pressure. Low pressure (not in excess of 2 psi gauge) gas piping shall withstand a pressure of 10 psig for a period of not less than 10 minutes without showing any drop in pressure. All high pressure gas piping must have a minimum of 30 psig test.

AMEND Section G2422.1.2.1 as follows:

G2422.1.2.1 Maximum length. Connectors shall have an overall length not to exceed 18 inches except for range and domestic clothes dryer connectors, which shall not exceed three feet in length. Connectors shall not be concealed within, or extended through walls, floors, partitions, ceilings or appliance housing. A shutoff valve not less than the nominal size of the connector shall be installed ahead of the connector in accordance with section G2420.5.

ADD Section G2432.1.1 as follows:

G2432.1.1 Decorative appliances. All fireplace log and starters shall be installed according to their listings and have a readily accessible manual shutoff valve within reach of and extraneous to the fireplace. A manual main shutoff valve shall be installed ahead of all controls including the pilot gas valve.

ADD Section G2432.1.2 as follows:

G2432.1.2 Outdoor appliance connectors. Flexible connectors used outdoors shall be listed for outdoor use. Flexible connectors used in fireplaces and fire boxes shall be approved for such use or be stainless steel.

MECHANICAL & GAS CODE FOR RESIDENTIAL

ADD Section G2433.1.1 as follows:

G2433.1.1 Gas log starter support. Log starters shall have support installed on end of starter.

ADD Section G2448.1.2 as follows:

G2448.1.2 Prohibited location for water heater installation. Water heaters, with the exception of those having direct vent systems, shall not be installed in bathrooms and bedrooms or in a closet with access only through a bedroom or bathroom. However, water heaters of the automatic storage type may be installed as a replacement in a bathroom, when specifically authorized by the gas official providing they are properly vented and are supplied with adequate combustion air.

EXCEPTION: When a closet having a weather stripped solid door, with an approved door closing device has been designed exclusively for the water heater, and where all air for combustion and ventilation is supplied from outdoors.

ADD Section G2450.1.1 as follows:

G2450.1.1 Illuminating appliances. All illuminating gas appliances must have an accessible manual shut off valve within reach of and extraneous to the appliance.

ADOPT the following appendices with this code:

Appendix A Sizing & Capacities of Gas Piping

Appendix B Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods,

Category I Appliance, and Appliances Listed for Use with Type B Vents

Appendix C Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems

Appendix D Recommended Procedure for Safety Inspection of an Existing Appliance

Installation

Appendix E Manufactured Housing Used as Dwellings

MECHANICAL & GAS CODE FOR RESIDENTIAL**ADD Section AE307.1.1 as follows:**

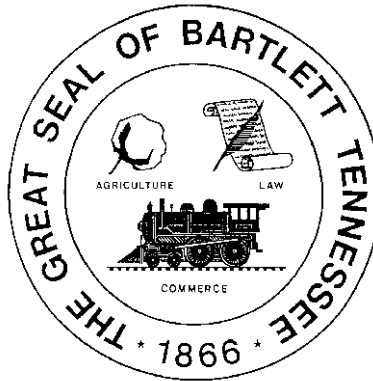
AE307.1.1 Trailer park piping. Where information is not available on the location of the trailer supply connection, the gas riser to each trailer site should be placed in the rear one third section of the site and not less than 18' from the roadside wall of the trailer. It shall be located and protected or supported so as to minimize the likelihood of damage by moving vehicles. When the gas pressure at the terminal of the gas riser at each trailer site is .5 psig or less, the minimum size of the gas piping shall be 1 inch for other than undiluted liquefied petroleum gases.

ADD Section AE307.1.2 as follows:

AE307.1.2 Connection of trailer. Piping shall not be installed underground beneath manufactured homes or house trailers. Trailers shall be connected to the gas piping system with rigid pipe or listed connections of adequate size and installed so as to be protected against physical damage.

ADD Section AE307.1.1 as follows:

AE307.1.3 Location of shut off valves. Outlets for individual manufactured homes or trailers shall be provided with a readily accessible manual shut off valve located outdoors at the trailer. Trailers shall be connected to the gas piping system with rigid pipe or listed connections for adequate size and installed so as to be protected against physical damage.



**CITY OF BARTLETT
CODE AMENDMENTS TO THE

2018
INTERNATIONAL
RESIDENTIAL CODE

FOR PLUMBING (CHAPTERS 25 – 33)**

Attachment: 2018 IPC AMENDMENTS (RESIDENTIAL) (3133 : Ord. 22-03, International Code Adoption)

RESIDENTIAL PLUMBING CODE

AMEND Section 105.1 as follows:

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

ADD Section 105.1.3 as follows:

105.1.3 Plumbing permits. A licensed *Plumbing Contractor* who desires to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, or to erect, install, remove, convert or replace any plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

AMEND Section 202 as follows:

Building Official. Whenever the term "*Building Official*" is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Director of the City of Bartlett Code Enforcement.

Air Conditioning Unit. The condensate or waste from an air conditioning unit shall be classified as a plumbing fixture and shall connect to the plumbing system as an indirect connection as per amendments of Chapter 3 of this Code.

Board of Appeals. Whenever the term "Board of Appeals" is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Code Appeals Board of Bartlett, Tennessee.

Building Department. Whenever the term "Building Department" is used in the technical codes herein adopted, it shall mean the Office of Construction Code Enforcement of Bartlett, Tennessee.

Building Official. The officer or the other designated authority, or their duly authorized representative, charged with the administration and enforcement of the technical codes.

Chief Appointing Authority. Whenever the term "Chief Appointing Authority" is used in the technical codes herein adopted, it shall mean the Mayor of the City of Bartlett, Tennessee.

City Municipality or Governing Body. Whenever the word "City" or "Municipality" or "Governing Body" is used in the technical codes herein adopted, it shall mean the City of Bartlett, Tennessee.

International Building Code. Whenever the words "International Building Code" are used in the codes herein adopted, they shall mean the 2021 International Building Code with the City of Bartlett TN amendments.

RESIDENTIAL PLUMBING CODE

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International Residential Code. Whenever the words “International Residential Code” is used in the codes herein adopted, they shall mean the 2018 International Residential Code with the City of Bartlett TN amendments.

Plumbing Contractor. Whenever the term “Plumbing Contractor” is used in the Technical Codes herein adopted, it shall mean a plumbing contractor who holds a current license issued by State of Tennessee or Shelby County Construction Code Enforcement.

Workmanship. Workmanship shall mean that the plumbing system be installed uniform in slope, plumb, and level (as required) without stress or strain to piping or structure as required by other sections of the Code. Valves, pipes and fitting shall be installed in correct relationship to the direction of flow.

ADD Section P2601.4 as follows:

P2601.4 Future Baths. When a future bath is indicated on the house plans, only a short piece of 3 inch (76 mm) pipe with a hard cap and short stub of water lines beside the 3 inch (76 mm) pipe and insulated in the ceiling. The vent shall be carried through the roof. Plumber will count this as (1) fixture unit on the permit.

ADD Section P2601.5 as follows:

P2601.5 Blocking. All piping passing through top plates and bottom plates shall be sealed with caulk or insulating foam spray.

RESIDENTIAL PLUMBING CODE

AMEND Section P2603.5.1 as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a maximum of 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade. The dimensions shall be taken from the top of the pipe.

AMEND Table P2605.1 as follows:

Table P2605.1 Copper or copper-alloy piping to be supported vertical at mid-story.

ADD SECTION P2706.2 Exception #3 as follows:

P2706.2 Exception #3: Plumbing fixtures may receive indirect waste from condensing appliances.

ADD Section P2706.3 as follows:

P2706.3 Condensate disposal. Condensate from air or water heating or cooling equipment shall be disposed as provided in Section M1411.3 as amended.

AMEND Section P2709.4.1 as follows:

P2709.4.1 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches (51 mm) in diameter and, for other than waste outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than ¼ inch (6.4 mm) in least dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located and the floor pitched so that waste from one shower does not flow over the floor areas serving another shower. Waste outlets shall be fastened to the waste pipe in an *approved* manner.

AMEND Section P2713.1 as follows:

P2713.1 Bathtub Waste Outlet and Overflows. Bathtubs shall be equipped with a waste outlet that is not less than 1 ½ inches (38 mm) in diameter. The waste outlet shall be equipped with water-tight stopper. Where overflow is installed, the overflow shall be not less than 1 ½ inches (38 mm) in diameter.

ADD Section P2801.3.1 as follows:

P2801.3.1 Water connections to water heaters. All water connections to water heaters shall be made with material from Table P2906.5. Flexible connectors shall not be used. Water cutoff valve shall not be located above tank cylinder.

RESIDENTIAL PLUMBING CODE

AMEND Section P2801.6.1 as follows:

P2801.6.1 Pan size and drain. The pan shall be not less than 4 inches deep when installed on the first floor and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 1 inch or the outlet diameter of the required relief valve, whichever is larger. When the water heater is installed in the attic, a pan shall not be less than 6 inches (152 mm) deep and shall be 36 inches in diameter or 30 inches (762 mm) X 30 inches (762 mm) square. T&P valve piping shall be corrosion resistant and have a minimum pressure rating of 100 psi at 180 degree Fahrenheit as per Section 605.4. When multiple pan drains are piped together. The drain pipe from junction to termination will be increased one pipe size for each additional water heater connected to the drain. The maximum number of water heater pan drains shall be limited to four, with the maximum drain being 2 inches (51 mm) in diameter.

AMEND Section P2801.6.2 as follows:

P2801.6.2 Pan Drain Termination. The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain or extend to the exterior of the building and terminate not less than 6 inches (152 mm) and not more than 24 inches (610 mm) above the adjacent ground surface. A 90-degree ell turned down must be installed at the termination of the pan drain. The termination must be visible.

AMEND P2801.7 as follows:

P2801.7 Prohibited Locations. Gas fired water heaters shall not be located in the garage. Gas fired water heaters may be located in a closet in the garage if the door sealed from the garage and all combustion air is taken from outside or the attic per Section G2407.

AMEND Section P2902.5.3 as follows:

P2902.5.3 Connections to lawn irrigation systems. The potable water supply shall be protected against backflow by a reduced pressure backflow prevention assembly. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure backflow prevention assembly.

AMEND Section P2903.7 as follows:

P2903.7 Size of water-service mains, branch mains and risers. The size of water service pipe shall be not less than 1 inch (25 mm) in diameter. The size of water-service mains, branch mains and risers shall be determined from the water supply demand [gpm (L/m)], available water pressure [psi (kPa)] and friction loss caused by the water meter and *developed length* of pipe [feet (m)], including *equivalent length* of fittings. The size of each water distribution system shall be determined according to design methods conforming to accepted engineering practice, such as those methods in Appendix P and shall be *approved* by the *building official*.

RESIDENTIAL PLUMBING CODE

ADD Section P2906.4.3 as follows:

P2906.4.3 PVC Water Service. PVC underground water service pipe shall have a minimum wall thickness of SCH. 40 with permanent identification markings.

AMEND Table P2906.4 as follows:

Table P2906.4 Delete all references to Type M copper, WM copper.

AMEND Table P2906.5 as follows:

Table P2906.5 Delete all references to Type M copper, WM copper.

ADD Section P2910.1.1 as follows:

P2910.1.1 Connection between nonpotable water systems. No connection between on-site nonpotable water reuse systems and nonpotable rainwater collection and distribution systems are allowed. No connection between nonpotable rainwater collection and distribution systems and sanitary drainage systems are allowed.

ADD Section P2902.7 as follows:

P2902.7 Wells. All wells serving irrigation systems shall have a reduced pressure backflow prevention assembly to protect the well from backflow or back pressure.

AMEND Section P2906.16 as follows:

P2906.16 Flared joints. Flared joints in water tubing shall be made with *approved* fittings. The tubing shall be reamed and then expanded with a flaring tool. This fitting must be accessible with a permanent opening or an easily removable door.

AMEND Table P3002.1(2) as follows:

Table P3002.1(2) Delete all references to Type M copper.

AMEND Section P3002.2.2 as follows:

P3002.2.2 Building sewer pipe. No building sewer shall be less than 4 inches (102 mm) in diameter with the exception of forced lines. When plastic pipe is used on lines 4 inches (102 mm) and smaller, it shall have a wall thickness not less than SCH. 40 (0.237 inches or 6mm).

RESIDENTIAL PLUMBING CODE

ADD Section P3012 as follows:**Section P3012 RESIDENTIAL SWIMMING POOLS**

P3012.1 Waste Water Disposal, Generally. All waste water from permanent private swimming pools and wading pools shall have an indirect connection to the sanitary sewer and/or such connections and type of disposal shall be as determined by the Shelby County Health Department.

P3012.1.1 Discharge location. No waste water from a permanent or temporary type swimming pool or wading pool shall drain any water on any premise so as to permit waste water to run on adjoining premises. No waste water shall drain into the surface or into a storm water drain system.

P3012.2 Sand filtered pools. All pools with a sand filter shall have a drain pipe or hose that will reach from the pump to the required trap.

P3012.2.1 Trap requirements. Swimming pools capable of holding a depth of 36 inches or more with a sand filter shall require a 2 inch trap with a minimum of 4 inch seal installed at the nearest 3 inch or larger drain pipe or cleanout.

P3012.3 Cartridge filtered pools. Pools with a cartridge filter does not require a deep seal trap, but will need to be drained into the sanitary sewer at the nearest cleanout. Pool contractor shall furnish owner with a flexible hose to discharge waste water to sewer connection for above ground pools.

P3012.4 Permit required. A licensed plumber is required to pull the permit for the trap and drain piping. The plumber is responsible for all required piping and inspections.

P3012.5 Waste and deck drain piping. Waste and deck drain piping for pools shall comply with the provisions set forth in Chapters 3 and 8 of this code, as applicable to building sewers and underground piping within building.

P3012.6 Deck drain disposal. Any deck drain located within 7 feet of pool edge shall waste to sanitary system through catch basin. All others shall waste to grade or storm system. Deck shall be designed so that surface water, other than that within the 7 foot (2.17 m) limit, shall not enter sanitary system.

AMEND Section P3103.1.1 as follows:

P3103.1.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 10 inches (254 mm) above the roof.

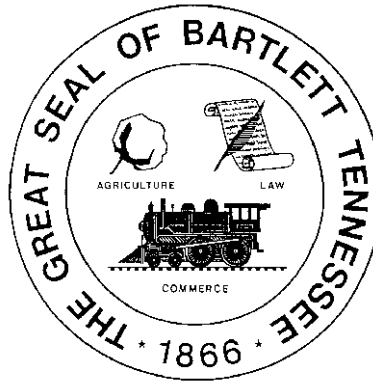
RESIDENTIAL PLUMBING CODE

AMEND Section P3103.1.2 as follows:

P3103.1.2 Roof used for recreational purposes. Where a roof is to be used for assembly, as a promenade, observation deck or sunbathing deck, or for similar purposes, open vent extension shall terminate not less than 10 feet (3.05 m) above the roof.

AMEND Table P3201.7 as follows:

Table P3201.7 Shower trap. Minimum size of trap shall be 2 inches (51 mm).



**BUILDING CODE AMENDMENTS
TO THE**

2018

**INTERNATIONAL
RESIDENTIAL
BUILDING
CODE**

Attachment: 2018 IRC BUILDING CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

RESIDENTIAL BUILDING CODE

When adopting the 2018 International Residential Code, the following Appendices will also be adopted: A, B, C, D, G, J, M & N. Please see last page for Appendices amendments.

AMEND Section R101.1 as follows:

R101.1 Title

These provisions shall be known as the Residential Code for One-and Two-Family Dwellings of The City of Bartlett, and shall be cited as such and will be referred to herein as “this code.”

AMEND Section 103.1 to read as follows:

R103.1 Creation of Enforcement Agency

The Department of Code Enforcement is hereby created and the official in charge thereof shall be known as the Director of Code Enforcement.

ADD New Section 103.4 as follows:

R103.4 Restrictions on Employees

An officer or employee connected with the department, except one whose only connection is as a member of the board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interests of the department.

DELETE R105.1 in its entirety and replace with the following:

R105.1 Permit Application Required

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system or to cause any such work to be done shall first hire or cause to hire a licensed and/or registered contractor. The contractor shall first make application to the Code Official and obtain the required permit for the work. Building permits may be issued to the property and building owners when so allowed by the City of Bartlett Technical Codes and the State of Tennessee Contractors' License Laws. Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of this code, provided that the alteration, repair or rehabilitation work conforms to the requirements of this code for new construction. The Code Official shall determine the extent to which the existing system shall be made to conform to the requirements of this code for new construction. Permits are required to be obtained by an individual licensed in that field for plumbing, gas, mechanical, and electrical.

RESIDENTIAL BUILDING CODE

DELETE in R105.2 under Building: 1, 2, 3, 4, 5, 7, 9, & 10.

DELETE in R105.2 under Mechanical: 4 & 7

ADD to the end of Section R105.3.1 as follows:

R105.3.1

When a building or structure is improved and/or remodeled and the value of the work to be completed exceeds 50% of the market value of the building or structure before the damage has occurred, the structure or building shall be improved or remodeled to the requirements for new construction as determined by the Director of Code Enforcement.

Table R301.2 (1) shall read as follows and all existing footnotes shall remain unchanged.

Table R301.2 (1)
Climatic and Geographic Design Criteria

Wind Design			Subject to Damage from									
Ground Snow Load	Speed (mph) ^d	Topographic Effects ^k	Seismic Design Category ^g	Weathering ^a	Frost Depth Line ^b	Termite ^c	Decay ^d	Winter Design Temp (°F) ^f	Ice Barrier Underlayment Required ⁱ	Flood Hazard ^h	Air Freezing Index ^j	Me Ann Ten
10 lb/ft ₂	89	No	D1	Moderate	5 inches	Moderate to Heavy	Moderate to Severe	18	No	9/29/2007	158	61

Sections R301.2.2.1 “Determination of seismic design category” and R301.2.2.1.1 “Alternative determinations of seismic design category” shall be deleted in their entirety along with Table R301.2.2.1 (1) and that section held in reserve so that when amended the code shall read as follows:

Section R301.2.2.1 – Reserved

REPLACE Section R301.2.2 with the following:

R301.2.2 Seismic Provisions.

The seismic provisions of this code shall apply as follows:

1. Townhouses in Seismic Design Categories C, D₀, D₁ and D₂.
2. Detached one and two family dwellings and large homes in Seismic Design Categories D₀, D₁ and D₂.
3. Townhouses and detached one and two family dwellings shall be allowed to follow Section R301.2.2.3.1 as an alternative compliance method for meeting the structural requirements of this code’s seismic provisions.

RESIDENTIAL BUILDING CODE

A new Section R301.2.2.3.1 is added entitled “Alternative compliance method for structural requirements” along with its various subsections numbered R301.2.2.3.1 thru R301.2.2.3.1.12 which shall read as follows:

R301.2.2.3.1 Alternative compliance method for seismic structural requirements.

In addition to meeting all the structural requirements for Seismic Design Category C and Sections R301.2.2, an alternative compliance method for meeting seismic structural requirements when wood framing is used shall include compliance with the following items. In the event any requirement in this section differs from wind code structural requirements, the more stringent will apply.

R301.2.2.3.1.1 Anchorage exterior walls (Sole Plates). Exterior wall sole plates shall be secured to the foundation or framing below by one of the following methods:

1. Foundation: ½ inch (12.7 mm) anchor bolts, with 3 inch by 3 inch (76 mm by 76 mm) washers, embedded in the foundation a minimum of 7 inches (178 mm) in depth. Such anchor bolts are to be placed 4 feet on center maximum and within 12 inches (305 mm) of the end of each plate section. A minimum of 2 anchors per plate section is required.
2. Foundation: MASA anchors or equivalent embedded in the foundation and placed at 4 feet (1219 mm) on center maximum and within 12 inches (305 mm) of the end of each plate section. A minimum of 2 anchors per plate section is required.
3. Elevated Floors: 10d nails placed at 8 inches on center and embedded in a continuous rim board. Rim board depth to match depth of floor framing. Rim board shall be nailed to the end of each floor framing member with three 10d nails. Where floor framing parallels exterior wall, 2 rim boards shall be provided and nailed per Table R602.3(1). The rim board shall be fastened to wall top plate with metal plates at 6 feet (1829 mm) on center; installed plate capacity shall equal or exceed 440 pounds.

R301.2.2.3.1.2 Anchorage all interior structural walls (Sole Plates). Interior wall framing shall be secured by one of the following methods:

1. Foundation: ½ inch (12.7 mm) anchor bolts, with 3 inches by 3 inch (76 mm by 76 mm) washers, embedded a minimum of 7 inches (178 mm) in depth in the concrete foundation (thickened slab) at 4 feet (1219 mm) on center maximum and within 12 inches (305 mm) of the end of each plate section.
2. Foundation: By power actuated fasteners that provide 210 pounds per linear foot shear capacity, place 2 feet (610 mm) on center maximum and within 12 inches (305 mm) of each plate section or equivalent means of anchorage. A minimum of 2 anchors are required per plate section.
3. Elevated Floors: 10d nails placed at 8 inches (204 mm) on center and embedded in one of the following:
 - a) Structural wall top plate flush with bottom of floor sheathing, or
 - b) Floor joist parallel with and directly below plate, or
 - c) Blocking, depth to match, placed between floor joists and running the full length of the plate. Blocking to be nailed per Table R602.3(1).

RESIDENTIAL BUILDING CODE

R301.2.2.3.1.3 Stud spacing – Exterior walls. All 2x4 exterior walls shall be a maximum of 16 inch (406 mm) stud spacing up to 3 stories. Gypcrete flooring or similar cementitious leveling products shall not be used on elevated floors.

Exception: Thin-set or other base material required for installation of flooring products in isolated confined spaces such as bathrooms.

R301.2.2.3.1.4 Wall Sheathing

R301.2.2.3.1.4.1 Exterior Wall Sheathing. Exterior wall sheathing shall be 7/16 inch (11 mm) exterior rated OSB or equivalent or 7/16 inch (11 mm) exterior rated plywood, minimum. Sheathing is to be fastened every 6 inches (152 mm) on the edges and 12 inches (305 mm) at intermediate supports.

R301.2.2.3.1.4.2 Interior Wall Sheathing. Interior walls shall have sheathing on both sides. Interior sheathing shall be a minimum of ½ inch (12.7 mm) gypsum fastened every 7 inches (178 mm) on edges and every 7 inches (178 mm) at intermediate supports. Minimum fastener size shall be 5d cooler or wall board nails or 1 ¼" #6 Types S or W screws.

R301.2.2.3.1.5 Garage Door Openings. Brace wall panels are required for garage openings as per Section R602.10.6 of the Code.

Exception: An engineered pre-manufactured wall panel is allowed to be used at garage openings.

R301.2.2.3.1.6 APA Narrow Wall Systems are not permitted. Use of APA narrow wall systems is not permitted for establishing compliance with these requirements.

R301.2.2.3.1.7 Connections across floor joist space. 18 gauge galvanized steel coil strapping (ex. CS 18) installed at 48 inch (1219 mm) on center across floor joist space or equivalent is required on all exterior walls and stacked interior structural walls. Strapping shall run vertical along edge of studs and shall be centered on floor joist space. Studs shall be vertically aligned.

R301.2.2.3.1.8 Roof framing connections. Roof framing members shall be fastened to wall top plate with 18 gauge galvanized steel clips (ex. H2.5A) or equivalent, not to exceed 48 inches (1219 mm) on center maximum. Provide clips in addition to fastening requirements in Table R602.3(1). This requirement applies to all contact points with structural walls. In the event wind fastening requirements differ, the more stringent shall apply.

R301.2.2.3.1.9 Shearwall holddowns.

1. Exterior walls: A single holddown shall be installed at each end of each wall over 8 feet (2438 mm) in length (2 holddowns per wall length). Holddown capacity (P), in pounds, shall be equal to 210 lbs/ft times wall height. ($P = 210 * H$)
2. Wall height (H): distance from wall bottom plate to wall top plate.
3. A cut sheet of the holddown type(s) used shall be provided to Code Enforcement when requested to the Code Official. Cut sheet shall show tested product load rating and manufacturer information.

RESIDENTIAL BUILDING CODE

R301.2.2.3.1.10 Opening straps/clips. This section applies only to window and door openings and only to openings located in exterior walls and interior structural walls. Louver, pipe penetrations, dryer vents, and all other wall openings are not required to meet this section unless they exceed 4 sq. ft. in area.

1. Studs above and below headers and window sill plates; Provide 18 gauge galvanized steel clips (ex. H2.5A) or equivalent at 32 inches (813 mm), top and bottom of studs, minimum 2 clips per opening width at headers and sills.
2. Headers: Headers shall bear on minimum 1 ply jack post and be fastened to post with 18 gauge galvanized steel clips (ex. H2.5A), or continuous sheathing from king post to header or sill or equivalent.
3. Window Sill Plate: Sill plate shall be end nailed with three 10d nails each end through minimum 1 ply of king/jack post, or continuous sheathing from king post to header or sill, or equivalent.
4. King/Jack Posts: Provide 20 gauge galvanized steel stud plate connector (ex. SP1) or equivalent from post to wall plate, top and bottom. Post plys shall be nailed together with 10 d nails at 8 inches (204 mm) on center staggered full height.

R301.2.2.3.1. Brick Veneer.

1. Exterior brick veneer shall not exceed 25 feet (7620 mm) in height above non-combustible foundation. Brick at gable peaks shall not exceed 40 feet (12 192 mm) in height above non-combustible foundation.
2. Exterior brick veneer shall comply with all other applicable Chapter 7 IRC requirements.
3. Interior brick veneer and masonry chimneys shall comply with Chapter 7 IRC requirements.

R301.2.2.3.1.12 Floor Openings. When floor openings in the second or third floors exceed 15 percent of the ground floor square footage, garage space excluded, they shall be considered as large floor openings.

1. The gross floor area shall be the area bounded by exterior walls.
2. Openings for stairs and egress are excluded from the net floor opening area.
3. Perimeter interior walls bounding a large floor opening shall be considered structural walls and shall be subject to all requirements as such. If perimeter walls are not present below opening perimeter (i.e. beam and column system is used), the supporting structure shall be engineered.

RESIDENTIAL BUILDING CODE

R302.3 and R302.3.1 shall be amended to delete the entire sections and replace with the following :

R302.3 Two-Family Dwellings

R302.3.1 Two-Family Dwellings

Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263, or Section 703.2.2 of the International Building Code. Such separation shall be provided regardless of whether a lot line exists between the dwelling units or not. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of ½ hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13 D.
2. Wall assemblies need not extend through attic spaces where the ceiling is protected by not less than 5/8-inch (15.9 mm) Type X gypsum board, an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings and the structural framing supporting the ceiling is protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

AMEND Section R312.1.1 as follows:

R312.1.1 Retaining Walls

Retaining walls 36" in height or greater are required to be designed by a licensed engineer and a plan submitted at the time of application for a permit. Height of the retaining wall shall be measured from the top of the footing to the top of the wall. A minimum of a 4 foot barrier (fence or guard) at the top of the wall may be required as determined by the Director of Code Enforcement. Retaining walls less than 36 inches in height may be constructed of wood. Retaining walls taller than 36 inches are required to be made of concrete or masonry. Permits are required for all retaining walls.

ADD New Section R312.1.1.1 as follows:

R312.1.1.1 Curtain Wall

A curtain wall is required to be placed around the perimeter of a manufactured house when not supported with a perimeter foundation wall. A curtain wall is required to be a minimum of 4 inch masonry supported by a footing.

RESIDENTIAL BUILDING CODE

AMEND Section R313.1 as follows:**R313.1 Townhouses.****EXCEPTION 1:** Rename Exception to Exception 1.**EXCEPTION 2:** Except where a two hour wall is provided between units.**AMEND Section R313.2 to read as follows:****R313.2** When an automatic residential fire sprinkler system is installed in one-and-two family dwellings it shall comply per Section R313.2.1.**ADD Section R401.2.1 and R401.2.2 as follows:****R401.2.1** All new buildings with concrete slab foundations 400 square feet and greater shall be required to submit an engineer's letter verifying compliance for footing and foundation requirements as per the 2018 International Residential Code and the City of Bartlett residential building amendments for footing and foundation. The required engineer's letter shall be submitted prior to framing.**R401.2.2** A foundation form board survey letter will be required for all new homes. The required form board survey complying with the required zoning setbacks shall be required for all new houses prior to any framing being erected.**DELETE Section R401.3 and its Exception in their entirety and REPLACE as follows:****R401.3 Drainage and Foundation Elevation**

Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The finish floor (elevation) shall be nominal 10 inches above the exterior finish grade (ground) and the finish grade shall slope a minimum of 8% (1 in 12) away from foundation for a minimum of 3 feet for drainage.

DELETE Section R403.1.1 "Minimum Size" in its entirety and REPLACE as follows:**R403.1.1 Minimum Size**Minimum size for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width, *W*, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. All footings shall be at least 10 inches (255 mm) in thickness. Footing projections, *P*, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footing supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1.

RESIDENTIAL BUILDING CODE

DELETE Section R403.1.4 “Minimum Depth” in its entirety and REPLACE as follows:**R403.1.4 Minimum Depth**

All footings shall bear on undisturbed or properly compacted soils a minimum of 13 inches (330 mm) below grade. When applicable the depth of footing shall also conform to Section R403.1.4.1 through R403.1.4.2.

Figure R403.1 (2) entitled “Permanent Wood Foundation Basement Wall Section” and Figure R403.1 (3) entitled “Permanent Wood Foundation Craw Space Section” are deleted with no replacement provided.

Section R403.2 is deleted in its entirety and replaced with the following language:

Section R403.2. Reserved.

ADD Section 403.4.3 as follows:

R403.4.3 Accessory Structures.

Section R404.2 is deleted in its entirety and replaced with the following language:

Section R404.2. Reserved.

Section R405.2 is deleted in its entirety and replaced with the following language:

Section R405.2. Reserved.

Section R406.3 is deleted in its entirety and replaced with the following language:

Section R406.2. Reserved.

Chapter 5 Floors

Section R504 is deleted in its entirety and replaced with the following language:

Section R504. Reserved.

Chapter 7 Wall Covering

Section R703.2 Water-Resistive Barrier is amended to add #5 in the list of approved materials as follows:

5) Tyvek sheathing for exterior sheathing.

RESIDENTIAL BUILDING CODE

Delete Chapter 11 in its entirety and replace it with the following Sections:**Chapter 11 Energy Efficiency****Section N1101 – General**

N1101.1 Scope. This chapter sets forth the energy-efficiency related requirements for the design and construction of buildings regulated by this code.

Exception: Provided that they are separated by building envelope assemblies from the remainder of the building, portions of the building that do not enclose conditioned space shall be exempt from the building envelope provision, but shall comply with the provisions for building mechanical and service water heating systems.

N1101.2 Compliance for one and two family dwellings.

Compliance for one and two family dwellings shall be demonstrated by meeting the requirements of the 2021 Edition of the *ICC International Energy Conservation Code* for detached one and two family dwellings in Climate Zone 3A as found in the Residential provisions thereof and as those provisions are amended by the local ordinances adopting that code.

N1103.3 Compliance for Townhouses.

Compliances for townhouses shall be demonstrated by meeting the requirements of the 2021 Edition of the *ICC International Energy Conservation Code* for residential buildings of Group R-2 or townhouses in Climate Zone 3A as found in the Residential provisions thereof and as those provisions are amended by the local ordinances adopting that code.

ADD Section E3405.8 as follows:**E3405.8 Weather Proof Panels**

Weather Proof Panels are not allowed in the City of Bartlett per Ordinance #93-14.

AMEND Section E3406.2 as follows:

DELETE phrase [except as otherwise provided in the code]. This is a reference to allow other than copper conductors. Conductors of material other than copper may be used from a transformer through to the electrical panel box when proper connections are made.

ADD Section E3406.2(A) as follows:

E3406.2(A) Aluminum and copper-clad aluminum conductors are not allowed beyond the panel or in the interior of a residential house.

RESIDENTIAL BUILDING CODE

ADD TO Section E3601 as follows:**E3601.8 Unprotected Services Conductors Length**

Service entrance conductors (without over current protection) shall not be extended more than 15 feet inside a building measuring horizontal from the point of entrance.

ADD TO Section E3702 as follows:

E3702.15 Any residential appliance or equipment rated at 1,000 watts and any electric motor of ½ H.P. (horse power) or larger shall be supplied by individual circuits of adequate capacity for the device to be connected. Receptacles installed in such circuits shall be single opening grounding type rated at 125% of the name plate current of the equipment to be connected, but in no case shall they be rated less than 20 amperes. Service outlets installed at heating equipment may be duplex outlets rated at 20 amperes.

ADD TO Section E3703 as follows:

E3703.3(A) Electric washer-dryer combinations rated 5 KW or less may be wired on a 30 ampere circuit with a 30 ampere grounding type receptacle. The service demand shall be 20 amperes.

ADD TO Section E3706 as follows:**E3706.1(A) Weather Proof Panels**

Weather Proof Panels are not allowed in the City of Bartlett per Ordinance #93-14.

ADD TO Section E3901.4.2 as follows:

Exception: Receptacles are **NOT** required or allowed on moveable island counters without appliances (See Definitions below).

ADD to DEFINITIONS as follows:

MOVEABLE: Capable of being moved without being injured by one person or on wheels.

ADD Section E3910 as follows:**E3910 Fire Damage and Building Relocating**

Buildings moved from one location to another that is to be used as a single family dwelling shall meet the following minimum requirements:

E3910.1 Service entrance conductors shall be governed by new service rules.

RESIDENTIAL BUILDING CODE

E3910.2 Kitchens shall have no less than two (2) circuits with a maximum of three (3) convenience outlets per circuit.

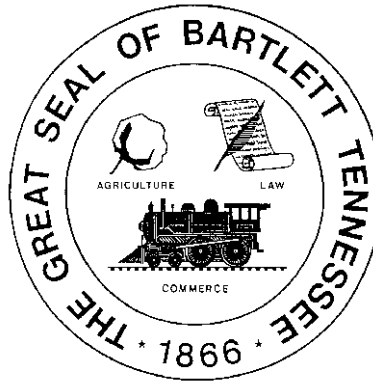
E3910.3 Lights and convenience outlets shall comply with existing branch circuit residential occupancies general requirements.

E3910.4 An inspection and written FIRE ruling must be obtained from the City of Bartlett Code Enforcement Office prior to commencing work on fire damaged jobs.

DELETE APPENDIX J IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:

Appendix J-New Installations of Manufactured Homes

New manufactured homes are required to be provided with curtain wall masonry around the perimeter of the structure. The masonry curtain wall shall be a minimum of 4 inches wide and shall give an appearance of other buildings in the area of the installation. Trailer type hitches are to be removed from the structure prior to installation of the curtain wall.



**BUILDING CODE AMENDMENTS
TO THE

2021
INTERNATIONAL
BUILDING
CODE**

Attachment: 2021 IBC CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

BUILDING CODE

AMEND Section 101.1 as follows:**101.1 Title.**

These regulations shall be known as the Building Code of The City of Bartlett, hereinafter referred to as “this code.”

AMEND Section 101.2.1 as follows:**101.2.1 Appendices.**

To be enforceable, the appendices included in the Technical Codes must be referenced in the code text or specifically included in the adopting ordinance. The following appendices are referenced.

2018 International Building Code:	C-Group U-Agricultural Building
	E-Supplementary Accessibility Requirements
	F-Rodent Proofing
	G-Flood-Resistant Construction

ADD the following as 101.4.8:**101.4.8 Electrical.**

The provisions of the 2017 National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

ADD New Section 102.7 as follows:**102.7 Change of Occupancy.**

If the occupancy classification of any existing building or structure is changed, the building electrical, gas, mechanical and plumbing systems shall be made to conform as required by the Code Official.

AMEND Section 103.1 to read as follows:**103.1 Creation of Enforcement Agency.**

The Department of Code Enforcement is hereby created and the official in charge thereof shall be known as the Director of Code Enforcement.

BUILDING CODE**ADD New Section 103.4 as follows:****103.4 Restrictions on Employees.**

An officer or employee connected with the department, except one whose only connection is as a member of the board established by this code, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specification thereof, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interests of the department or the City of Bartlett.

ADD New Section 104.3.1 as follows:

104.3.1 Buildings and structures that have been vacant for a period of two (2) years or more are required to meet the requirements of the current adopted code. To the degree which compliance is required will be at the discretion of the Code Enforcement Director.

DELETE 105.1 in its entirety and replace with:**105.1 Permit Application Required.**

Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system or to cause any such work to be done shall first hire or cause to hire a licensed and/or registered contractor. The contractor shall first make application to the Code Official and obtain the required permit for the work. Building permits may be issued to the property and building owners when so allowed by The City of Bartlett Technical Codes and The State of Tennessee Contractors' License Laws. Alterations, repairs or rehabilitation work may be made to any existing structure, building, electrical, gas, mechanical or plumbing system without requiring the building, structure, plumbing, electrical, mechanical or gas system to comply with all the requirements of this code, provided that the alteration, repair or rehabilitation work conforms to the requirements of this code for new construction. The Code Official shall determine the extent to which the existing system shall be made to conform to the requirements of this code for new construction. Permits are required to be obtained by an individual licensed in that field (plumbing, gas, mechanical and electrical).

ADD Section 105.1.3 and 105.1.4 as follows:**105.1.3 Permits Required for Appurtenances to Buildings and Other Structures and Apparatus.**

A permit shall be required to erect, install, alter, or repair any of the following list of building appurtenances, new structures, and apparatus, and shall include, but not limited to the following:

Conveyor systems; Racking systems/Shelving;

Permit and inspection fees for the above list will be as set forth in the Fee Ordinance.

Process Piping Systems;

Permit and inspection fees for the Process Piping System will be as set forth in the Fee Ordinance.

BUILDING CODE**105.1.4**

A permit shall be required to erect, install, alter, or repair any of the following list of building appurtenances, new structures, and apparatus, and shall include but not be limited to the following:

Cooling tower; Elevator; Fire Alarms; Fire Protection; Sprinkler System; Fire Suppression Systems, including commercial kitchen hoods; Generators, except outdoor self-contained units; Incinerator; Liquefied Petroleum Gas Systems; Medical Gas Systems; Mechanical Refrigeration System; Portable Water Systems; Pressure Piping System; Sewer Private (Private Drive) (see policy & procedures); Special Event Permits (see policy & procedures); Spray Booth; Storage Tank or Bin; Temporary Construction Trailers.

DELETE 105.2 items numbered under Building heading: 1, 2, 4, 5, 6, 8, 9, 10, 12, 13.

ADD Section 105.8 as follows:**105.8 Contractors Responsibilities****105.8.1 Bonding.**

105.8.1.1 Every person doing business in the City of Bartlett as a Registered and/or Licensed Building, Building/Structure, Mechanical, Mover, Demolition, Gas (Master A & B), Electrical, and Plumbing Contractor shall file with the Code Official a bond in the penal sum of \$25,000, and issued by an incorporated insurance company authorized to do business in the City of Bartlett which has an office or agent located in Shelby County.

105.8.1.1.1 The condition of such bond shall be that the principal and surety shall indemnify the City of Bartlett and County of Shelby for their own use, and/or to any citizen against loss by improper compliance with Technical Codes and any other law or ordinance governing such work; that the principal will suffer no work to be done without a permit, and will report work done for inspection by the Code Official in conformity with Technical Codes.

105.8.1.1.2 Such bond shall be continuous and remain in effect every year thereafter, unless cancelled by providing 60 days written notice to the principal and oblige. Immediately upon receiving written notice of cancellation, the Code Official shall require that a new bond be furnished. The proper bond form will be provided by the Code Official.

105.8.1.1.3 Every contractor who fails to furnish a new bond as required above shall be deemed to have ceased to engage in the business of contracting. No further permits for work under the Technical Codes shall be issued, nor shall work proceed on permitted work until the required bond is furnished.

BUILDING CODE**105.8.1.2 Deposit or Bond to Insure Lot Cleaning.**

Before issuing a permit to demolish a building or structure, the Code Official shall require that a deposit be posted, either a cashier's check or an approved surety bond, to insure that the premises, from which a building has been demolished or removed, will be properly cleaned and left in condition as outlined hereinafter. Deposit shall be in the following amounts for each building or structure:

1. A deposit of \$300 shall be made when the demolition is of residential dwellings of one or two stories in height, and containing not more than 5,000 square feet per floor, and said demolition is by the property owner of record.
2. A deposit of \$500 shall be made when the demolition is of residential and/or multi-dwellings of one or two stories in height, and containing not more than 10,000 square feet per floor.
3. A deposit of \$1,000 shall be made when the demolition is of residential dwellings or more than two stories in height, and/or those containing over 10,000 square feet per floor.
4. A deposit of \$1,500 shall be made when the demolition is of commercial and industrial structures of one or two stories in height, and containing not more than 10,000 square feet per floor.
5. A deposit of \$2,500 shall be made when the demolition is of commercial and industrial structures of 1 to 3 stories in height, and containing not more than 25,000 square feet floor space.
6. A deposit of \$5,000 shall be made when the demolition is of commercial and industrial structures of more than 3 stories in height, and/or containing over 25,000 square feet per floor.

105.8.1.3 Exceptions.

Where a permit is for demolition under condemnation by a sovereign, either federal, state, or municipal, the above deposit or bond may be waived by the Code Official.

105.8.2 Liability Insurance.

105.8.2.1 Every Registered and/or Licensed Contractor, acting as a contractor as listed below, shall be required to file with the Code Official an insurance policy issued by an incorporated insurance company licensed to do business in Tennessee with an office or agent located in Shelby County. The policy must cover the Registered and/or Licensed Contractor, their employees, and the City of Bartlett with liability insurance providing a minimum coverage of \$150,000 per person, and \$500,000 for any one occurrence of bodily injury and for property damage to the extent of \$150,000 per accident. Such insurance policy shall specify (one of the following) in its coverage:

Building Movers Contractor: Such insurance policy shall specify moving of buildings as the purpose and coverage.

Demolition Contractor: Such insurance policy shall specify demolition as the purpose and coverage.

Electrical Contractor: Such insurance policy shall specify installing, erecting, altering, or repairing electric wiring, conductors, materials, machinery, apparatus, or systems used for the transmission of electrical current for electrical light, heat, power, control, or signaling purposes in its coverage.

BUILDING CODE**105.8.2.2 Insolvency or Bankruptcy.**

Such policy shall provide that the insolvency or bankruptcy of the assured shall not relieve the company from payment of damages for injuries or death sustained or loss occasioned within the provisions of the policy.

105.8.2.3 Cancellation.

Such policy shall further provide that it may not be cancelled unless the Code Official is given at least 30 days written notice, sent by registered mail, prior to the cancellation date.

105.8.2.4 Exception.

A property owner of record shall not be required to file with the Code Official proof of liability insurance when demolishing his own residential building, provided such building is not more than two stories in height and contains not more than two living units.

105.8.3

It shall be the duty of every contractor who shall make contracts for the installation or repairs of building, structure, electrical, gas, mechanical or plumbing systems, for which a permit is required, to comply with state or local rules and regulations concerning registration and/or licensing which the applicable governing authority may have adopted.

**105.8.4 Vehicle used by Gas, Mechanical, and Plumbing Contractors to have signs-
Identifying Ownership**

105.8.4.1 All trucks and similar vehicles used by gas, mechanical, and plumbing contractors or their employees shall be conspicuously displayed on the body of both sides of said vehicles, in any color or contrast to the color of the vehicle's body, the following identification: the full name of the firm to which it belongs, in lettering at least 2 inches high on the top line, and the wording MSC in lettering at least 1 ½ inches high on the second line.

105.8.4.2 In the event a contractor obtains a vehicle for temporary use, he will be permitted to identify said vehicle by placing on it, in a clearly visible position on both sides, a temporary sign or decal letters which may be easily removed. Said temporary sign or letters shall conform to the same requirements as the permanent lettering described hereinabove.

105.8.5 Contractors shall comply with the State of Tennessee Contractors License Law & Rules and Regulations: TCA, Title 62 Chapter 6.

BUILDING CODE

ADD to end of Section 107.3.4 the following:

The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

1. All Group A, E, and I Occupancies.
2. Buildings and Structures three stories or more high.
3. Buildings and Structures 5,000 square feet (465 m²) or more in area.

EXCEPTION: One and Two family buildings, regardless of size, shall require neither a registered architect or engineer, nor a certification that an architect or engineer is not required unless required by the Code Official.

ADD Section 109.7 as follows:**109.7 Permit Requirements.**

All contractors that do work in the City limits of Bartlett are required to have a State of Tennessee Contractors license for work valued at \$25,000 dollars or greater. Value of the Building Permit is to include the value of all aspects of the project (i.e. plumbing, electrical, mechanical, gas, and design).

ADD Section 110.3.10.1 thru 110.3.10.4 as follows:**110.3.10.1 Electrical**

1. **Underground Inspection:** To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
2. **Rough-in Inspection:** To be made after the roof, framing, fire blocking and bracing is in place and prior to the installation of wall or ceiling membranes.
3. **Temporary Electrical Final Inspection:** To be made after one (1) or more circuits are completed and no unfinished circuits are connected.
4. **Final Inspection:** To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

110.3.10.2 Plumbing

1. **Underground Rough-In Inspection:** To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. **Top Out Inspection:** To be made after the roof, framing, fire blocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.
3. **Final Inspection:** To be made after the building is complete, all plumbing fixtures are in place and properly connected and the structure is ready for occupancy.

BUILDING CODE

110.3.10.3 Mechanical

1. **Underground Inspection:** To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. **Rough-In Inspection:** To be made after the roof, framing, fire blocking and bracing are in place and all ducting and other concealed components are complete, and prior to the installation of insulation of wall or ceiling membranes.
3. **Final Inspection:** To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

110.3.10.4 Gas

1. **Rough-In Inspection:** To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
2. **Temporary Gas Final:** To be made after all piping authorized by the permit has been installed and concealed by sheetrock, or other materials, and after one (1) or more fixtures or gas appliances have been connected.
3. **Final Inspection:** to be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to insure compliance with all the requirements of the Technical Codes and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

ADD Section 110.7 and 110.8 as follows:**110.7 Re-inspection Fee for Excessive or Repeat Inspection Calls.**

When an inspector rejects an inspection of part or all of a building, electrical, gas, mechanical, and/or plumbing system or equipment due to the work being in violation or incomplete, or no plainly visible street address is posted on the job site, an additional fee shall be as set forth in the Fee Ordinance and charged for re-inspection of the same infraction and each re-inspection thereafter until the infraction is corrected.

110.8 See Fee Schedule for Re-Inspection Fees.**ADD Section 111.5 thru 111.5.4 as follows:****111.5 Street Numbers for Buildings and Lots.****111.5.1 Required.**

Every main entrance to every building, suite (each tenant space), and every lot fronting upon any street within Bartlett shall bear and be known by an official street number assigned by Memphis Light, Gas and Water Division.

111.5.2 No Fractional Numbers Allowed.

There shall be no fractional street numbers.

BUILDING CODE**111.5.3 Attaching, Stenciling, or Painting Numbers on Buildings.**

Every person owning or occupying any house or building fronting on any street in Bartlett shall, prior to occupancy, have the proper number attached to, stenciled, or painted on, the front part of such house or building, over, on, or by a main entrance in such manner that the number shall be plainly visible from the street. Such street numbers shall conform with this Section. If, because of the setback of the house or building, or for any other reason, the number cannot readily be seen from the street, then the occupancy shall, in addition to the provision above, position the numbering so that it is clearly visible from the street.

111.5.4 Display of Incorrect Number.

It shall be unlawful for any person to display any false or incorrect house or lot number knowingly and willfully or with the intention to deceive another person.

DELETE Section 113.1 and replace with the following:**113.1 Code Appeals Board.**

The Code Appeals Board is the board for the City of Bartlett.

ADD the following to Section 202:

International Electrical Code-Whenever the word “International Electrical Code” is used in this code herein adopted, it shall mean the 2017 National Electrical Code (NEC) with Local Amendments and will be known as the Electrical Code of the City of Bartlett, Tennessee Technical Codes.

International Building Code-Whenever the word “International Building Code” is used in this code herein adopted, it shall mean the 2021 International Building Code with Local Amendments and will be known as the Building Code of the City of Bartlett, Tennessee Technical Codes.

International Fuel Gas Code-Whenever the word “International Fuel Gas Code is used in this code herein adopted, it shall mean the 2021 International Fuel Gas Code with Local Amendments and will be known as the Fuel Gas Code of the City of Bartlett, Tennessee Technical Codes.

International Mechanical Code-Whenever the word “International Mechanical Code” is used in this code herein adopted, it shall mean the 2021 International Mechanical Code with Local Amendments and will be known as the Mechanical Code of the City of Bartlett, Tennessee Technical Codes.

International Plumbing Code-Whenever the word “International Plumbing Code” is used in this code herein adopted, it shall mean the 2021 International Plumbing Code with Local Amendments and will be known as the Plumbing Code of the City of Bartlett, Tennessee Technical Codes.

BUILDING CODE

International Existing Building Code-Whenever the word “International Existing Building Code” is used in this code herein adopted, it shall mean the 2021 International Existing Building Code with Local Amendments and will be known as the Existing Building Code of the City of Bartlett, Tennessee Technical Codes.

International Code Council A117.1-2017 Accessibility Code-Whenever the word “International Code Council A117.1-2017 Accessibility Code” is used in this code herein adopted, it shall mean the 2017 International Code Council A117.1-2017 Code with Local Amendments and will be known as the Accessibility Code of the City of Bartlett, Tennessee Technical Codes.

ADD Section 708.4.1.1 as follows:

708.4.1.1 Concealed spaces in the mall roof/ceiling assembly and floor/ceiling assembly shall be separated from the adjoining tenant spaces and concealed spaces above storefront entries and the mall.

ADD Section 708.5.1 as follows:

708.5.1 Private Balconies.

On private exterior balconies with less than 50% open perimeter and constructed of combustible construction, tenant separation requirements at the balcony floor shall be maintained.

ADD to Section 903.1.2 as follows:

903.1.2 All structures exceeding 10,000 square feet are required to have an automatic fire sprinkler system installed. See Bartlett Ordinance Title 12, Chapter 8.

ADD Section 1808.1.1 as follows:

Accessory structures 400 square feet or greater require a footing/foundation with an engineer confirming its compliance with the current code as adopted. Engineer’s verification must be signed, sealed, and dated. Submittal to the Code Enforcement Department is required.

ADD SECTION 1808.7.2.1 as follows:

1808.7.2.1 Retaining Walls.

Retaining walls 36 inches or taller shall be designed to ensure stability against overturning, sliding, excessive foundation and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning. Retaining walls are required to be designed by an Engineer and supporting documentation submitted to Code Enforcement prior to the installation of any retaining wall. Retaining walls 36 inches or taller shall not be constructed out of wood. The height of the wall shall be measured from the top of the footing to the top of the highest portion (top) of the wall.

BUILDING CODE**DELETE 1st SENTENCE OF SECTION 1809.4 and REPLACE with the following:**

1809.4 Depth of Footings-The minimum depth of footings below the undisturbed ground surface shall be 13 inches (331 mm).

ADD Section 3009 as follows:**3009 Special Provisions for Amusement Services****3009.1 Visual Inspections and NAARSO Amusement Inspection Required.**

The City of Bartlett Code Enforcement inspection of amusement rides shall consist of a visual inspection of fencing, entrances, exits, blocking, and a cursory observation of electrical services. Owner/Operator shall also be required to provide a report of a NAARSO inspection to the City of Bartlett Code Enforcement prior to the commercial operation of the amusement ride at that location.

3009.1.1 Technical Information.

Providing all Technical Information and conducting all testing required by manufacturer is the responsibility of the amusement device owner. This information shall be presented to the City of Bartlett Code Enforcement before the operation of the amusement device. A daily maintenance and safety check shall be available upon request by the City of Bartlett Code Enforcement.

3009.2 Amusement Device Operator.

Amusement devices shall be in the charge of competent persons of sound mind who shall have attained the age of 18 years.

3009.3 Inspection of Amusement Devices.

Amusement devices shall be inspected by NAARSO Certified Inspector before the season or engagement period opens and/or at least once a year. A copy of such report shall be supplied to the Code Official.

DELETE SECTION 3107.1 in its entirety and REPLACE with the following:

3107.1 Signs shall be designed, constructed and maintained in accordance with the City of Bartlett sign code ordinances and this code.

ADD Sections 3303.8 thru 3303.19 as follows:**3303.8 Demolition of Buildings****3303.9 Demolition Permits.**

The standards set forth in this section shall apply to the demolition of buildings or structures for which a permit is required.

3303.10 Definition.

Demolition-the act of razing, dismantling, or removal of a building or structure, or portion thereof to the ground level.

3303.11 Time Limit.

Notwithstanding the provision of 105.3, the Code Official may impose a time limit as an additional condition of a permit for completion of demolition work once such work shall have commenced, provided that for cause one or more extensions of time, for periods not exceeding thirty (30) days each, may be allowed in writing by the Code Official.

3303.12 Standards**3303.12.1 Limit Unsafe Working Conditions.**

Demolition work having commenced shall be pursued diligently and without unreasonable interruption with due regard to safety. It is the intent of this section to limit the existence of an unsafe condition or nuisance on the premises during the period of demolitions operations.

3303.12.2 Fill Lot to Grade.

Any surface holes or irregularities, wells, septic tanks, basements, cellars, swimming pools, sidewalk vaults, or coal chutes remaining after demolition of any building or structure shall be removed and/or filled with material as approved by the Code Official, and shall be graded in such manner that will provide effective surface drainage.

3303.12.3 Remove Debris.

All debris and accumulation of material resulting from demolition of any building or structure shall be removed from the premises.

3303.12.4 Seal Sewer Pipes.

All building sanitary sewers shall be effectively plugged with concrete 18 inches below grade or as may be required by the Code Official.

3303.12.5 Dust Control.

Except where there is adequate space, or approval has been granted by the Code Official, the demolition of a multi-story building by other than explosive means shall proceed with the complete removal of one story at a time. In the demolition of any building other than by explosive means, story after story shall be removed and shall be properly wet to alleviate any dust.

BUILDING CODE**3303.12.6 Proper Demolition Procedures.**

No wall, chimney, or other construction shall be allowed to fall in mass on an upper floor. Bulky material, such as beams and columns, shall be lowered and not allowed to fall. When any building over one story in height is demolished, precautions for protecting the public shall be taken as prescribed in Chapter 33.

3303.13 Inspections.

In lieu of the inspections required by 105.6, the Code Official or his/her designee shall make the following inspections upon notification from the permit holder or his agent:

1. **Initial Inspection:** To be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or remain after demolition operations.
2. **Final Inspections:** To be made after all demolition work is completed.

3303.14 Permits**3303.14.1 Required.**

No person, firm or corporation shall wreck, demolish, or raze any building or structure within the City of Bartlett without first obtaining a permit from the City of Bartlett Code Enforcement office. Such permit shall be issued only to a person, firm or corporation licensed as a demolition contractor in accordance with the provisions of the Technical Codes and they shall obtain a Bartlett Business License.

EXCEPTION: A permit may be issued to the property owner of record for demolition of his own residential building if such building is not more than two stories in height and contains not more than 5,000 square feet per floor. The property owner shall be required to make affidavit in his application for a permit and that he shall personally supervise all demolition and cleanup of the site for which the permit was issued.

3303.14.2 Application For a Permit.

Application for a demolition permit shall be made by the owner of the building or structure, or authorized agent of the owner, or by a licensed demolition contractor employed by the owner.

The full names and addresses of the owner, applicant, and responsible officers, if the owner is a corporate body, shall be stated, and the application shall be signed by the owner and the demolition contractor.

3303.14.3 Approval of Permit.

The Code Official shall cause to be examined all applications for permit within a reasonable time after filing. If the proposed work conforms to the requirements of the Section, regarding proof of liability insurance and posting of necessary deposit, the Code Official shall issue a permit therefore as soon as practical. Each permit to raze a building shall name the owner of the property to be razed and the person performing the razing for or on behalf of such owner, and such permit shall be valid only as long as the razing work authorized by it is actually performed by or under the supervision of the person named thereon as being the person to perform such work. It shall be a misdemeanor for any person to perform work in connection with the razing of a building under the purported authority of a permit, which does not name him as the person to perform such work.

BUILDING CODE**3303.14.4 Time Limitations.**

Each permit shall set forth a definite number of days in which demolition work shall be completed and the premises cleaned as required hereinafter. An extension of time may be granted by the Code Official for good cause.

3303.14.5 Service Connections.

Before a structure can be demolished or removed, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer, and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities stating that their respective service connections and appurtenant equipment have been removed and plugged in a safe manner. Sewer lines shall be capped in an approved manner, approximately 18 inches below grade, by the demolition contractor. A capped sewer line shall not be covered until it has been inspected. If covered, the contractor shall expose the cap for inspections.

ADD Section 3304.1.5 as follows:**3304.1.5 Grading and Drainage.**

Slopes of filled dirt shall not encroach upon side property lines and shall not change the design flow of surface water. A final drainage plan shall be submitted at the time of permit application submittal.

3315.1 Prohibitions.

No structure or portion thereof being demolished or declared to be dangerous or unsafe shall be thrown, pulled or blasted, unless special approval is given by the Code Official.

3315.2 Control of Dust.

All material and rubbish apt to produce dust must be kept wet or covered to prevent its being blown by the wind.

3315.3 Approval of Debris Disposal.

All demolition debris must be disposed of in a place approved by the governing authority.

3316 Treatment of Party Walls**3316.1 Masonry Walls.**

When any building or other structures is demolished so as to expose any party wall which forms a part of the building or other structure upon which any of the aforesaid operations are being performed, the permit holder shall repair and restore any flashing of adjoining property which is broken or damaged during such operations, and shall fill from the exposed side of such party wall any and all holes. He shall also install such new flashing as may be required to protect any vertical joints exposed by his demolition operations.

BUILDING CODE**3316.2 Non-Masonry Walls.**

Where party walls are of other than masonry construction, such walls shall be restored and weather proofed in accordance with the requirements of the building code for exterior walls of the particular type of construction involved. All such party walls shall be faced with material commonly used, or exterior finish identical to, or as closely resembling as practicable, the facing material of the other exterior walls of the building left standing, and shall be painted or otherwise finished in a manner similar to other parts of the building.

3317 Protection of Open Pits and Holes.

Demolition shall be properly protected with barricades and warning lights, as directed by the Code Official, until such time as they can be properly filled to grade. All excess materials, rubbish, and debris shall be removed from the premises.

3318 Treatment of Lot After Building Demolished or Removed**3318.1 Leveling.**

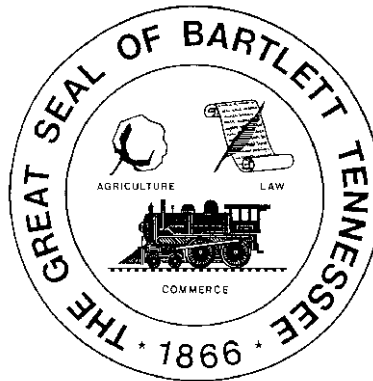
When a structure of building is demolished or removed, all walls, except party walls, including foundations and basement walls located on the lot involved in razing operation, shall be reduced to a level of the final grade. Excavations, holes, and depressions shall be filled and leveled to provide a final grade, which will affect good drainage. The finished surface of the lot shall be free of holes and depressions, which could accumulate water or be hazardous to pedestrians. All grade slabs shall be removed from the site.

3318.2 Fill.

No materials other than clean earth shall be used in filling depressions and grading the site. All excess earth, brick, lumber, and other building materials and debris shall be removed from the site, and the premises shall be left in a safe, clean, and sanitary condition.

3319 Failure to Clean Premises.

Failure of a person, firm, or corporation to comply with the provisions dealing with the cleaning of premises shall be sufficient cause to withhold a demolition contractor's privilege of obtaining demolition permit until there has been compliance with the cleaning provisions, and may be considered a misdemeanor offense and subject to fines and related costs. Repeated failure to properly clean premises shall be cause for suspension or revocation of a contractor's license



**CITY OF BARTLETT
AMENDMENTS
TO THE

2021
INTERNATIONAL
FUEL GAS
CODE**

Attachment: 2021 IFGC CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

FUEL GAS CODE

When adopting the 2021 International Fuel Gas Code, the following Appendices will also be adopted: A, B, & C.

AMEND Section 101.1 as follows:

101.1 Title.

These regulations shall be known as the Fuel Gas Code of the City of Bartlett TN, hereafter referred to as “this code.”

AMEND Section 103.1 as follows:

103.1 Creation of agency. The City of Bartlett, TN Code Enforcement Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

AMEND Section 106.1 as follows:

106.1 When permit required. A licensed *Mechanical Contractor* or *Plumbing Contractor* who desires to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, or to erect, install, remove, convert or replace any fuel gas system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

AMEND Section 202 as follows:

Code Official. Whenever the term “*Code Official*” is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Director of the City of Bartlett Construction Code Enforcement.

Board of Appeals. Whenever the term “Board of Appeals” is used in the City of Bartlett Fuel Gas Code herein adopted, it shall mean the Code Appeals Board of Bartlett, Tennessee.

Building Department. Whenever the term “Building Department” is used in the technical codes herein adopted, it shall mean the Office of Construction Code Enforcement of Bartlett, Tennessee.

Building Official. The officer or the other designated authority, or their duly authorized representative, charged with the administration and enforcement of the technical codes.

Chief Appointing Authority. Whenever the term “Chief Appointing Authority” is used in the technical codes herein adopted, it shall mean the Mayor of the City of Bartlett, Tennessee.

FUEL GAS CODE

City Municipality or Governing Body. Whenever the word “City” or “Municipality” or “Governing Body” is used in the technical codes herein adopted, it shall mean the City of Bartlett, Tennessee.

International Building Code. Whenever the words “International Building Code” are used in the codes herein adopted, they shall mean the 2021 International Building Code with the City of Bartlett TN amendments.

International Electrical Code. Whenever the words “International Electrical Code” are used in the codes herein adopted, they shall mean the 2017 National Electrical Code (NEC) with the City of Bartlett TN amendments.

International Fuel Gas Code. Whenever the words “International Fuel Gas Code” are used in the codes herein adopted, they shall mean the 2021 International Fuel Gas Code with the City of Bartlett TN amendments.

International Mechanical Code. Whenever the words “International Mechanical Code” are used in the codes herein adopted, they shall mean the 2021 International Mechanical Code with the City of Bartlett TN amendments.

International Plumbing Code. Whenever the words “International Plumbing Code” is used in the codes herein adopted, they shall mean the 2021 International Plumbing Code with the City of Bartlett TN amendments.

International Residential Code. Whenever the words “International Residential Code” is used in the codes herein adopted, they shall mean the 2018 International Residential Code with the City of Bartlett TN amendments.

Mechanical Contractor. Whenever the term “Mechanical Contractor” is used in the Technical Codes herein adopted, it shall mean a contractor who holds a current Mechanical license issued by State of Tennessee or Shelby County Construction Code Enforcement.

Plumbing Contractor. Whenever the term “Plumbing Contractor” is used in the Technical Codes herein adopted, it shall mean a plumbing contractor who holds a current license issued by State of Tennessee or Shelby County Construction Code Enforcement.

Workmanship. Workmanship shall mean that the fuel gas system be installed uniform in slope, plumb, and level (as required) without stress or strain to piping or structure as required by Other sections of the Code. Valves, pipes and fitting shall be installed in correct relationship to the direction of flow.

FUEL GAS CODE

ADD Section 301.3.1 as follows:

301.3.1 Approval installation of listed or unlisted equipment. All listed appliances and equipment shall be installed in accordance with their listings. All unlisted appliances and equipment shall be installed in accordance with the manufacturer's instructions, the gas codes, and the gas official. All appliances shall be equipped with a gas appliance pressure regulator which will satisfactorily limit the gas supply pressure, unless not required by the appliances listing.

ADD Section 301.12.1 as follows:

301.12.1 Seismic Protection for Gas Piping. A seismic-letter will be required for gas piping installation.

AMEND Section 301.15 as follows:

301.15 Prohibited Locations. The *appliances, equipment,* and systems regulated by this code shall not be located in an air duct, clothes chute, chimney or vent, ventilating duct dumbwaiter or elevator shaft.

Exception: Where the *code official* finds that it is impossible to avoid installing gas piping through or in building duct system for heat, ventilating or air conditioning system, the gas pipe may be installed in a casing of non-combustible, rigid gas tight material.

ADD Section 301.15.1 as follows:

301.15.1 Plenums. Gas piping shall be prohibited in plenum spaces unless such spaces are accessible. This provision shall not apply to gas piping in non-plenum concealed locations. Shut off valves, union shut off valves, or unions for gas piping shall be prohibited in all concealed locations and all spaces used as plenums.

ADD Section 305.4.1 as follows:

305.4.1 Gas utilization equipment. Gas utilization equipment may be installed in a repair garage when there is no dispensing or transferring of liquefied petroleum gas or other flammable liquids, provided all burners, burner flames, and burner ignition devices are located not less than 18 inches above the floor, and provided continuous mechanical ventilation is supplied at a rate of not less than one cubic foot per minute per square foot of floor area. For installations in below-grade areas, an approved means shall be provided for introducing an equal amount of outdoor air. The equipment and the ventilation system shall be interlocked so the equipment will not operate unless the ventilation system is in operation. Gas utilization equipment shall be located or protected so it is not subject to physical damage by a moving vehicle.

FUEL GAS CODE

ADD Section 306.1.1 as follows:

306.1.1 Access and service space. Only a permanent access ladder, inside stairway, or pulldown stairs shall be used to provide access. Scuttle holes shall not be used as a means of providing access.

ADD Section 401.1.2 as follows:

401.1.2 Medical gas systems. Medical gas systems shall be installed in accordance with the requirements of NFPA 99C gas and vacuum systems.

AMEND Section 401.3 to add the following new sub-section:

401.3.1 Gas safety inspection for out of service locations. No fuel gas system which has been out of service for 365 consecutive days or more on residential property or 90 consecutive days or more on commercial property shall be used without a successful safety inspection conducted by the City of Bartlett TN Construction Code Enforcement. An inspection will be made once a licensed and registered gas contractor has obtained a permit for the required test and/or repairs and requested the safety inspection.

ADD Section 401.5 #1 as follows:

401.5 #1 Identification and labeling. All indoor and outdoor piping with a line pressure of 2 psi or higher shall be labeled with amount of pressure within the pipe. Labels shall not be spaced more than 20 feet apart.

ADD Section 402.3 #4 - #5 as follows:

4. When the gas pressure is 0.5 pounds per square inch or less, all consumer gas pipe from the point of delivery of the first branch in the house piping shall not be less than 1 inch in diameter. The minimum size of pipe outlets shall be ½ inch.
5. In CSST piping systems, ½ inch tubing allowed if sized to manufacturer specification.

ADD Section 402.6 #9 as follows:

9. All gas piping up with a line pressure up to 2 psi can be screwed or welded. All gas piping 5 psi or greater shall be welded. All gas piping over 2 inches shall be welded.

Exception: Three fittings at cut off valve to regulator on 5 psi systems.

FUEL GAS CODE**ADD Section 403.3.3.1 as follows:**

403.3.3.1 Approval. Copper, copper alloy, and aluminum tubing or piping shall be used only for specialty use on natural gas with prior approval by the *code official*.

ADD Section 403.3.2.1 as follows:

403.3.2.1 Approval. Schedule 10 steel piping allowed only with prior approval from the *code official*.

ADD Section 403.10.1 #1 as follows:

1. The use of welded steel fittings either shop, field fabricated or manufactured commercially for connecting pipe and fittings by welding is permissible. 2 psi piping systems may be screwed or welded. 5 psi piping systems shall be welded.

AMEND 403.9.5 #1 as follows:

1. Threaded fittings in sizes larger than 2 inches (51 mm) shall not be used.

ADD 403.10.4 #10 as follows:

10. Fittings (except stopcocks and valves) shall be malleable iron or steel when used with steel or wrought iron pipe and shall be copper or copper alloy when used with copper or copper alloy pipe or tubing. The use of welded steel fittings, either shop or field fabricated and connecting of pipe and fittings by welding is permissible.

ADD 403.10.4 #11 as follows:

11. No bushings allowed on interior gas piping unless approved by manufacturer of equipment being installed.

ADD 404.5.1 as follows:

404.5.1 Trailer park piping. Where information is not available on the location of the trailer supply connection, the gas riser to each trailer site should be placed in the rear one third section of the site and not less than 18' from the roadside wall of the trailer. It shall be located and protected or supported so as to minimize the likelihood of damage by moving vehicles. When the gas pressure at the terminal of the gas riser at each trailer site is .5 psig or less, the minimum size of the gas piping shall be 1 inch for other than undiluted liquefied petroleum gases.

FUEL GAS CODE

ADD 404.5.2 as follows:

404.5.2 Connection of house trailer. Piping shall not be installed underground beneath manufactured homes or house trailers. Trailers shall be connected to the gas piping system with rigid pipe or listed connections of adequate size and installed so as to be protected against physical damage.

ADD Section 404.6.1 as follows:

404.6.1 Piping in solid floors. No threaded connectors may be used on piping in solid floors.

ADD Section 404.9.1 as follows:

404.9.1 Protection of above ground piping. All gas piping exposed to outside weather shall be protected with approved paint coatings to prevent corrosion.

ADD Section 404.12.2 as follows:

404.12.2 Separation from underground electrical. Underground gas piping shall maintain a minimum of 12 inches of separation where buried in the same ditch as direct-burial conductors, raceways, conduits, etc.

AMEND Section 406.4.1 as follows:

406.4.1 Method of Testing. Low pressure (not in excess of 2 psi gauge) gas piping shall withstand a pressure of 10 psig without showing any drop in pressure. All high pressure gas piping must have a minimum of 30 psig test.

ADD Section 409.1.4 as follows:

409.1.4 Location of shut-off valves. Outlets for individual manufactured homes or trailers shall be provided with a readily accessible manual shut-off valve located outdoors at the trailer. Trailers shall be connected to the gas piping system with rigid pipe or listed connections for adequate size and installed so as to be protected against physical damage.

ADD 409.5.1.1 as follows:

409.5.1.1 Fireplace logs and starters. All fireplace logs and starters must be installed according to their listings and have a readily accessible manual shutoff valve within reach of and extraneous to the fireplace. A manual main shutoff valve shall be installed ahead of all controls including the pilot gas valve.

FUEL GAS CODE**AMEND Section 411.1 #10 and #11 as follows:**

10. Flexible connectors used outdoors shall be listed for outdoor use. Flexible connectors used in fireplace fireboxes shall be approved for such use or be stainless steel.

11. Connectors shall have an overall length not to exceed 18 inches except for range and domestic clothes dryer connectors, which shall not exceed 3 feet in length. Connectors shall not be concealed within, or extended through walls, floors, partitions, ceilings or appliance housing. A shutoff valve not less than the nominal size of the connector shall be installed ahead of the connector in accordance with Section 409.5. Connectors shall be sized to provide the total demand of the connected appliance.

ADD Section 501.10.1 as follows:

501.10.1 Room exhausters and appliance blowers. A fan or blower shall not be discharged into any vent, chimney or vent connector into which a gas appliance is vented by natural draft.

AMEND Section 503.10.2.3 as follows:**503.10.2.3 Residential type appliance connectors**

Where vent connectors for residential type appliances are not installed in attic or other unconditioned spaces, connectors for listed appliances having draft hoods and for appliances having draft hoods and equipped with listed conversion burners shall be one of the following:

1. Type B or Type L Vent Material
2. Delete
3. Delete
4. Delete
5. Delete
6. A Listed Vent Connector

Vent connectors shall not be covered with insulation.

Exception: Listed insulated vent connectors shall be installed according to the terms of their listing.

ADD Section 603.2 as follows:**603.2 Log starters**

Log starters shall have support installed on end of starter.

FUEL GAS CODE**ADD Section 624.1.2 Water Heaters as follows:**

624.1.2 Prohibited installations. Water heaters, with the exception of those having direct vent systems, shall not be installed in bathrooms and bedrooms or in a closet with access only through a bedroom or bathroom. However, water heaters of the automatic storage type may be installed as a replacement in a bathroom, when specifically authorized by the *code official*, providing they are properly vented and are supplied with adequate combustion air.

Exception: When a closet, having a weather stripped solid door an approved door closing device, has been designed exclusively for the water heater and where all air for combustion and ventilation is supplied from outdoors.

ADD Section 624.1.3 thru 624.1.4 as follows:

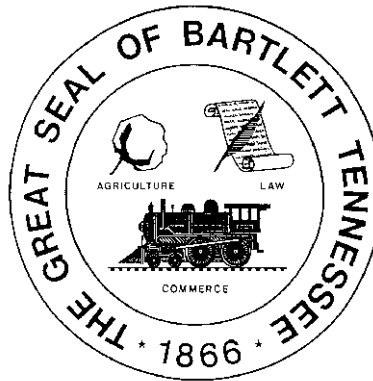
624.1.3 Water heater location. Water heaters shall be located as close as practical to the vent.

624.1.4 Installation in garages prohibited.

Gas fired water heaters or central furnaces shall not be installed in residential garages. Combustion air ducts shall not terminate in a residential garage. Doors in garages, accessing gas fired appliances in closets, furnace rooms etc. shall be weather stripped to provide an air tight seal which will prevent gasoline vapors from entering the appliance closet or room. Appliances shall be installed a minimum of 18 inches above ground level.

ADD Section 628.5 as follows:

628.5 Shutoff. All illuminating gas appliances must have an accessible manual shut off valve within reach of and extraneous to the appliance.



CITY OF BARTLETT

MECHANICAL CODE
AMENDMENTS
TO THE

2021

INTERNATIONAL
MECHANICAL CODE

Attachment: 2021 IMC CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

MECHANICAL CODE

AMEND Section 101.1 as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Bartlett TN, hereafter referred to as “this code.”

AMEND Section 103.1 as follows:

103.1 Creation of agency. The City of Bartlett, TN Code Enforcement Department is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

AMEND Section 106.1 as follows:

106.1 Permit required. A licensed *Mechanical Contractor* who desires to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, or to erect, install, remove, convert or replace any mechanical system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

AMEND Section 202 as follows:

Board of Appeals. Whenever the term “Board of Appeals” is used in the City of Bartlett Mechanical Code herein adopted, it shall mean the Code Appeals Board of Bartlett, Tennessee.

Building Department. Whenever the term “Building Department” is used in the technical codes herein adopted, it shall mean the Office of Code Enforcement of Bartlett, Tennessee.

Building Official. The officer or the other designated authority, or their duly authorized representative, charged with the administration and enforcement of the technical codes.

Chief Appointing Authority. Whenever the term “Chief Appointing Authority” is used in the technical codes herein adopted, it shall mean the Mayor of the City of Bartlett, Tennessee.

City Municipality or Governing Body. Whenever the word “City” or “Municipality” or “Governing Body” is used in the technical codes herein adopted, it shall mean the City of Bartlett, Tennessee.

Code Official. Whenever the term “Code Official” is used in the City of Bartlett Mechanical Code herein adopted, it shall mean the Director of the City of Bartlett Code Enforcement.

MECHANICAL CODE

International Building Code. Whenever the words “International Building Code” are used in the codes herein adopted, they shall mean the 2021 International Building Code with City of Bartlett TN amendments.

International Electrical Code. Whenever the words “International Electrical Code” are used in the codes herein adopted, they shall mean the 2017 National Electrical Code (NEC) with City of Bartlett TN amendments.

International Fuel Gas Code. Whenever the words “International Fuel Gas Code” are used in the codes herein adopted, they shall mean the 2021 International Fuel Gas Code with City of Bartlett TN amendments.

International Mechanical Code. Whenever the words “International Mechanical Code” are used in the codes herein adopted, they shall mean the 2021 International Mechanical Code with City of Bartlett TN amendments.

International Plumbing Code. Whenever the words “International Plumbing Code” is used in the codes herein adopted, they shall mean the 2021 International Plumbing Code with City of Bartlett TN amendments.

International Residential Code. Whenever the words “International Residential Code” is used in the codes herein adopted, they shall mean the 2018 International Residential Code with City of Bartlett TN amendments.

Mechanical Contractor. Whenever the term “Contractor” is used in the Technical Codes herein adopted, it shall mean a contractor who holds a current Mechanical license issued by State of Tennessee or Shelby County Construction Code Enforcement.

State of Tennessee Licensed Plumbing Contractor. Defined as a Contractor licensed by the State of Tennessee who is not required to have a journeyman plumber or apprentice plumber on the job site. Also, employees are not required to be registered.

Workmanship. Workmanship shall mean that the mechanical system be installed uniform in slope, plumb, and level (as required) without stress or strain to piping or structure as required by Other sections of the Code. Valves, pipes and fitting shall be installed in correct relationship to the direction of flow.

ADD Section 106.3.1 as follows:

106.3.1 Structural Inspection.

Upon replacement of a roof top unit in excess of 5 tons of cooling for commercial businesses, a letter from a registered structural design professional is required to verify the new load is within tolerance of the existing structure.

MECHANICAL CODE

ADD Section 301.10.1 as follows:

301.10.1 Location for Power Interruption. Means for interrupting the electrical supply to the air conditioning/heating equipment or to its associated cooling tower shall in no case be installed farther than 6 feet from the service side of the equipment.

ADD Section 301.15.1 as follows:

301.15.1 Seismic Protection of Mechanical Systems. Engineered letter is required for installation of seismic restraints on mechanical systems.

ADD Section 304.6.1 as follows:

304.6.1 Installation in garages. Gas-fired water heaters or central furnaces shall not be installed in residential or public garages. Combustion air ducts shall not terminate in a residential or public garage. Doors in garages accessing gas fired appliances in closets, furnace rooms, etc. shall be weather stripped to provide an air tight seal which will prevent gasoline vapors from entering the appliance closet or room.

ADD Section 306.3.2 as follows:

306.3.2 Accessibility. Attics **containing mechanical equipment** shall be accessible by a pull-down stairway, permanent ladder or permanent stairway.

ADD Section 301.10.1 and 301.10.2 as follows:

301.10.1 Mechanical equipment disconnect. The disconnecting means for heating, air conditioning and refrigeration equipment shall in no case be installed farther than 6 feet (1.83 M) from the service side of the equipment.

301.10.2 Mechanical equipment service receptacle requirements. A 120 volt, single phase, 15 or 20 ampere rated receptacle outlet shall be installed within 25 feet (7.62 M) of the service side of the heating, air conditioning and refrigeration equipment.

ADD Section 307.2.1.1 thru 307.2.1.3 as follows:**307.2.1.1 Condensate discharge.**

Exception: A roof top unit shall not spill on a roof unless there is a minimum of 350 square feet of roof area per ton of cooling capacity. The condensate discharge on the surface of the roof shall be a minimum of 40 feet from the nearest roof drain, gutter or downspout. **This will only be allowed for existing systems only.**

307.2.1.2 Alternate condensate disposal. When the condensate drain(s) cannot be connected to the drainage system as determined by the Mechanical Inspector, an alternate method of disposal may be used with prior approval from Mechanical Inspector.

MECHANICAL CODE

307.2.1.3 Air gap. The air gap between the indirect waste and the building drainage system shall be at least twice the effective diameter of the drain served and shall be provided by the following:

- 1) Extending the indirect waste pipe to an open, accessible floor drain, floor sink, or hub drain, which is properly trapped and vented. The indirect waste shall terminate a sufficient distance above the floor level rim to provide the required air gap.
- 2) Mechanical contractor may connect to indirect waste opening provided by plumbing contractor by one of the following:
 - a) A direct connection may be made with an approved flexible coupling.
 - b) Air gaps shall be required between mechanical contractor's drain and waste receptacle in all food handling establishments.

ADD Section 307.2.2.1 as follows:

307.2.2.1 Drain lines. Condensate drain lines shall be ¾ inch minimum with a maximum horizontal run of 2 feet. Any drain exceeding 2 feet shall be a minimum of 1 ¼ inches. No tubing allowed. Contractor shall use approved DWV fittings. ¾ inch drain pan lines shall be allowed to be connected for two drain pans only. Third drain pan shall be installed separately.

ADD to Section 307.2.3 #5 as follows:

5. Install PVC 90 degree elbow at ¾ inch drain pan line horizontal termination to outside.

ADD Section 504.9.2.1 as follows:

504.9.2.1 Underground domestic clothes drying ducts. Under slab dryer ducts shall be smooth wall schedule 40 PVC and terminate 12 inches above the exterior grade.

ADD Section 506.1.1 as follows:

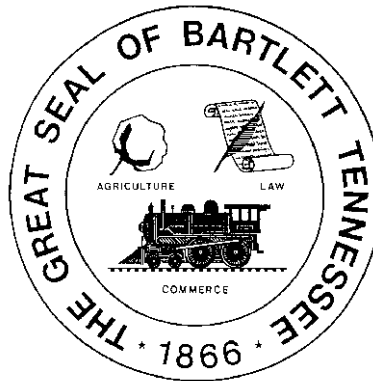
506.1.1 Commercial kitchen hood ventilation system ducts. Commercial kitchen hood ventilation system ducts and exhaust equipment shall comply with Section 506 or the most current edition of NFPA 96.

ADD Exception to 507.1.2.1 as follows:

Exception: Specialty use requesting to use a domestic stove with 4 or less burners with a residential type hood vented to the outdoors with a residential fire suppression system must have prior approval of the Mechanical Inspector.

ADD Section 507.2.2.1 as follows:

507.2.2.1 Spark arresters. All solid fuel cooking equipment must have spark arresters at hood.



**CODE AMENDMENTS
TO THE

2021
INTERNATIONAL
ENERGY CONSERVATION
CODE**

Attachment: 2021 INTL. ENERGY CONSERVATION CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

ENERGY CONSERVATION CODE AMENDMENTS

AMEND Section C101.1 Entitled “Title” as follows:**C101.1 Title**

This code shall be known as the 2021 Bartlett Energy Conservation Code and shall be cited as such. It is referred to herein as “this code.”

AMEND Section C105.2.6 by Removing Requirements on Commissioning of a Building in the Final Inspection so when amended the Section shall read as follows:**C105.2.6 Final Inspection**

The building shall have a final inspection and shall not be occupied until approved. The final inspection shall include verification of the installation and proper operation of all required building controls.

AMEND Section C109.4 Entitled “Failure to Comply” so when amended it shall read as follows:**C109.4 Failure to Comply**

Any person who shall continue any work after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one dollar or more than fifty dollars per day that violation continues.

AMEND Section C301 Entitled “General” so when amended it shall read as follows:**C301 General**

Climate zones in Figure C301.1 or Table C301.1 shall be used in determining the applicable requirements from Chapters 4 and 5.

DELETE Sections C301.3 Entitled “International Climate Zones” and C301.4 Entitled “Tropical Climate Zones” without replacement.**AMEND Table C403.3.2 Entitled “Equipment Efficiency Performance Exceptions for Economizers” by Adding Climate Zone 3A in the same location as 3B for clarity of requirements in the Climate Zone covering the City of Bartlett. When modified the Table shall read as follows:**

ENERGY CONSERVATION CODE AMENDMENTS

Table C403.3.2
EQUIPMENT EFFICIENCY PERFORMANCE EXCEPTIONS FOR ECONOMIZERS

Climate Zones	Cooling Equipment Performance Improvements (EER or IPLV)
2B	10% Efficiency Improvement
3A & 3B	15% Efficiency Improvement
4B	20% Efficiency Improvement

DELETE Section C403.2.11 Entitled “Mechanical System Commissioning and Completion Requirements” in its entirety without replacement, but Reserve the Section for numbering consistency so when amended it shall read as follows:

C403.2.11 – Reserved

DELETE Section C404.11 Entitled “Service Water Heating System Commissioning and Completion Requirements” without replacement.

AMEND Section C403.5 Entitled “Economizers” by adding a New Exception #8 which shall read as follows:

8. Buildings, which due to their size or intended use, and based on an analysis provided by the engineer and satisfactory to the Code Official, will not realize an economic payback on the use of this equipment within a 10 year equipment life assumption.

DELETE Section C404.11 Entitled “Service Water Heating System Commissioning and Completion Requirements” without replacement.

AMEND Section C405.2.3 Entitled “Daylight Response Controls” by adding a New Exception #4 which shall read as follows:

4. Any area or room which classifies as a single daylight control zone which does not have fenestration, either by window or skylight, that exceeds 250 square feet.

DELETE Section C408 Entitled “Maintenance Information and System Commissioning” and All Its Subsections, without replacement.

ENERGY CONSERVATION CODE AMENDMENTS

AMEND Section C502.2 Entitled “Change in Space Conditioning” by Deleting the Existing Provisions and Replacing it as follows:**C502.2 Change in Space Conditioning**

Any nonconditioned space that represents 5% of a commercial building, in which it is located, which is altered to become conditioned space shall be required to be brought into full compliance with this code. The Code Official may look back for two years prior to the application to capture other projects during that time that increased the floor area of conditioned space and total those previously conditioned areas with the proposed project’s area to determine if the applicable area threshold is exceeded.

AMEND Section C502.3 Entitled “Change of Occupancy or Use” so when amended it shall read as follows:**C502.3 General**

Spaces undergoing a change in occupancy, which would result in an increase in demand for either fossil fuel or electrical energy, shall comply with this code. Where the use in a space changes from one use in Table C405.4.2(1) or C405.4.2(2) to another use in the same table, the installed lighting wattage shall comply with Section C405.4.

Exception: Compliance with the requirements of Section C402 (Building Envelope Requirements) is not required unless the change in occupancy or use will increase fuel or energy use by more than twenty five percent (25%) and the renovations include changes to at least twenty five percent (25%) of the building envelope. In such a case, all envelope renovations must incorporate Section C402 requirements to the extent it is not structurally impractical to do so.

AMEND Section C503.3 to add the following Exception 1:

Exception 1: If change in occupancy or use which will increase fuel or energy use requires renovations that are more than 25% of the area of the space then that renovated portion of the building must meet all requirements in Sections C403 (Building Mechanical Systems), C404 (Service Water Heating), and C405 (Electrical Power and Lighting Systems) except compliance with Sections C403 and C404 is waived where HVAC and water heating systems do not serve at least twice the area renovated.

AMEND Section C503.4 to add the following Exception 1:

Exception 1: If change of occupancy or use which will increase fuel or energy use requires renovations that are more than twenty five percent (25%) of the area of the space then that renovated portion of the building must meet all requirements in Section C404 (Service Water Heating) except compliance with Section C404 is waived where heating water systems do not serve at least twice the area renovated.

ENERGY CONSERVATION CODE AMENDMENTS

AMEND Section C503.5 to add the following Exception 2:

Exception 2: If change of occupancy or use which will increase fuel or energy use requires renovations that are more than twenty five percent (25%) of the area of the space then that renovate portion of the building must meet all requirements in Section C405 (Electrical Power and Lighting System).

AMEND Section C505.1 Entitled “Change of Occupancy Or Use” So When Amended It Shall Read as Follows:

C505.1 General. Spaces undergoing a change in occupancy which would result in an increase in demand for either fossil fuel or electrical energy, shall comply with this code. Where the use in a space changes from one use in Table C405.4.2(1) or C405.4.2(2) to another use in the same table, the installed lighting wattage shall comply with Section C405.4.

AMEND Section R101.1 Entitled “Title” so when Amended it shall read as follows:**R101.1 Title**

This code shall be known as the 2021 Bartlett Energy Conservation Code and shall be cited as such. It is referred to herein as “this code.”

DELETE Section R107 Entitled “Fees” and all Subsections under it and Reserve the Section Number so that when amended it shall read:

Section R107 - Reserved

DELETE Section R401.3 Entitled “Certification” without replacement.**REPLACE Table R402.1.2 Entitled “Insulation and Fenestration Requirements by Component” with the Table provided below:**

Table R402.1.2
Insulation and Fenestration Requirements by Component ^a

Climate Zone	Fenestration U-Factor _b	Skylight U-Factor _b	Glazed Fenestration SHGC _b	Ceiling R-Factor	Wood Frame Wall R-Value	Mass Wall R-Value _g	Floor R-Value	Basement Wall R-Value	Slab R-Value & Depth _f	Crawl Space Wall R-Value _c
3	0.50 _g	0.65	0.3	30	13	5/8	19	5/13 _e	0	5/13

ENERGY CONSERVATION CODE AMENDMENTS

Footnotes:

a – R-Values are minimums. *U*-factors and SHGC are maximums. R-19 batts compressed into normal 2X6 framing such that the *R*-Value is reduced by R-1 or more shall be marked with the compressed batt *R*-Value in addition to full thickness *R*-value.

b – The fenestration *U*-factor column excludes skylights. The SHGC column applied to all glazed fenestration.

c – “5/13” means 5-R continuous insulated sheathing on the interior or exterior of the home or R-13 insulation at the interior of the crawl space wall.

d – R-5 shall be added to the required slab edge R-Values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Zone 3 for heated slabs.

e – Basement wall insulation shall not be required in warm-humid locations as defined by Figure R301 and Table 301.1.

f – The second R-value applies when more than half the insulation is on the interior of the mass wall.

g – For impact rated fenestration complying with Section R301.2.1.2 of the International Residential Code or Section 1609.1.2 of the International Building Code the maximum *U*-factor shall be 0.65.

AMEND Section R402.2.4 Entitled “Access Hatched and Doors” by Deleting All Language in the Section after the word “Weatherstripped” so that when Amended it shall read as follows:

R402.2.4 Access Hatches and Doors

Access hatches from conditioned spaces to unconditioned spaces such as attics and crawl spaces shall be weatherstripped.

AMEND Section R402.3.3 Entitled “Glazed Fenestration SHGC” by Inserting “45 Square Feet (4.2 M²)” in place of “15 Square Feet (1.4m²)” so when it is Amended the Section shall read as follows:

R402.3.3 Glazed Fenestration Exemption

Up to 45 square feet (4.2M²) of glazed fenestration per dwelling unit shall be permitted to be exempt from the *U*-factor and SHGC requirements in Section R402.1.2. This exemption shall not apply to the *U*-factor alternative approach in Section R402.1.4 and the Total UA alternative in Section R402.1.5.

DELETE Section R402.4.1.2 Entitled “Testing” in its entirety with no replacement.

AMEND Section R402.4.2 Entitled “Fireplaces” by Deleting the phrase “And Outdoor Combustion Air” without replacement so when amended it shall read as follows:

R402.4.2 Fireplaces

New wood-burning fireplaces shall have tight fitting flue dampers or doors. Where using tight-fitting doors on factory-built fireplaces listed and labeled in accordance with UL 127, the doors shall be tested and listed for the fireplace. Where using tight-fitting doors on masonry fireplaces, the door shall be listed and labeled in accordance with UL 907.

ENERGY CONSERVATION CODE AMENDMENTS

DELETE Existing Table R402.4.1.1 Entitled “Air Barriers and Insulation Installation” and Replace it with the following Table below:

**Table R402.4.1.1
Air Barriers and Insulation Installation Component Criteria**

COMPONENT	CRITERIA
Air Barrier and Thermal Insulation	Exterior thermal envelope insulation for framed walls is installed in substantial contact or continuous alignment with the building envelope air barrier. Breaks or joints in air barrier are filled and repaired. Air-permeable insulation is not used as a sealing material. Air-permeable insulation is inside of an air barrier.
Ceiling/attic	Air Barrier in dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed. Attic access (except unvented attic), knee wall door or drop down stair is sealed.
Walls	Corners and headers are sealed. Junction with foundation and sill plate is sealed.
Windows and Doors	Space between windows/door jams and framing is sealed.
Rim Joists	Rim joints are insulated and include air barrier.
Floors (including above garage and cantilevered floors)	Insulation installed to maintain permanent contact with underside of subfloor decking. Air Barrier is installed at any exposed edge of insulation.
Crawl space walls	Insulation is permanently attached to walls. Exposed earth in unvented crawl space is covered with Class 1 vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled with sprayed or blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.
Recessed lighting	Recessed light fixtures are air tight, IC rated, and sealed to drywall. Exception -Fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior wall have insulation and an air barrier separating them from the exterior wall.

Electrical/phone box on exterior walls	Air barrier extends behind box or air sealed-type boxes are installed.
Common Wall	Air barrier is installed in common wall between dwelling units.
HVAC Register Boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

DELETE Section R403.3.3 Entitled “Duct Testing” without replacement.

DELETE Section R403.3.4 Entitled “Duct Leakage” without replacement.

AMEND Section R403.3.5 Entitled “Building Cavities” by ADDING the phrase at the end of the existing language “Except for Return Air on Interior Walls” so when amended it reads as follows:

R403.3.5 Building Cavities (Mandatory)

Building framing cavities shall not be used as ducts or plenums except for return air on interior walls.

DELETE Section R403.5.1 Entitled “Heated Water Circulation and Temperature Maintenance Systems” without replacement and the Section held In Reserve so when amended it shall read as follows:

R403.5.1 – Reserved

AMEND Section R403.5.2 Entitled “Demand Recirculating Systems” by Removing the words “Pumps shall have controls that comply with the following:” and the Two Compliance Methods Thereunder, so when Amended it shall read as follows:

R403.5.2 Demand Recirculating Systems

A water distribution system having one or more recirculation pumps that pump water from a heated water supply pipe back to the heated water source through a cold water supply pipe shall be a demand recirculation system.

AMEND Section R403.6 Entitled “Mechanical Ventilation” by Deleting the last sentence in so that when Amended it shall read as follows:

R403.6 Mechanical Ventilation (Mandatory)

The building shall be provided with ventilation that meets the requirements of the *International Residential Code* or *International Mechanical Code*, as applicable or with other approved means of ventilation.

ENERGY CONSERVATION CODE AMENDMENTS

DELETE Sections R403.10 Entitled “Pools and Permanent Spa Energy Consumption” and ALL of its Subsections (R403.10.1, R403.10.2, R403.10.3), R403.11 Entitled “Portable Spas” and R403.12 Entitled “Residential Pools and Permanent Residential Spas” without replacement.

AMEND Section R404.1 Entitled “Lighting Equipment” by replacing “75 percent” with “25 percent” in the two places it appears in this section so that when amended it shall read as follows:

R404.1 Lighting Equipment (Mandatory)

Not less than 25 percent of the lamps in permanently installed light fixtures shall be high-efficiency lamps or not less than 25 percent of the permanently installed lighting fixtures shall contain only high-efficiency lamps.

Exception: Low voltage lighting.

DELETE Section R404.1.1 Entitled “Lighting Equipment” without replacement.

DELETE Section R405.4.2.1 Entitled “Compliance Report for Permit Application” and Section R405.4.2.2 Entitled “Compliance Report for Certification of Occupancy” in their entirety without replacement, but showing the Section Numbers as “Reserved” to preserve numbering consistency of the remaining sections, so when amended they shall read as follows:

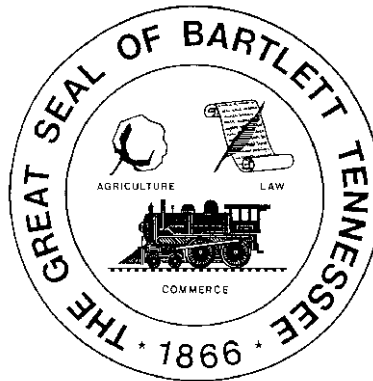
R405.4.2.1 – Reserved

R405.4.2.2 – Reserved

DELETE Existing Section R503.2 Entitled “Change in Space Conditioning” and Replace it with the following:

R503.2 Change in Space Conditioning

Any nonconditioned space which is altered to become conditioned space shall be required to be brought into full compliance with the envelope insulation requirements of Section 402.1.2 of this code.



**CODE AMENDMENTS
TO THE

2021
INTERNATIONAL
EXISTING BUILDING
CODE**

Attachment: 2021 INTL. EXISTING BUILDING CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

AMEND Section 101.1 as follows:

101.1 Title

These regulations shall be known as the 2021 International Codes for the City of Bartlett hereinafter referred to as this code.

ADD Section 101.7.1 as follows:

101.7.1 Appendices adopted

Appendix A – Guidelines for the Seismic Retrofit of Existing Buildings.

Appendix B – Supplemental Accessibility Requirements for Existing Buildings and Facilities of the 2015 Edition of the *ICC International Existing Building Code* are adopted.

ADD A New Section 101.8 as follows:

101.8 Maintenance.

Buildings and parts thereof shall be maintained in a safe and sanitary condition. The provisions of this code and the Building Code shall apply to the maintenance of existing buildings and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards, responsibilities of owners, operators, and occupants; and occupancy of existing buildings. The owner or owner's designated agent shall be responsible for the maintenance of the building. To determine compliance with this subsection, the Building Official shall have the authority to require a building to be reinspected. Except where specifically permitted by this code, the code shall not provide the basis for removal or abrogation of the fire protection and safety systems and devices in the existing buildings.

AMEND Section 105.2 as follows:

105.2 Work Exempt from Permits.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Temporary motion picture, television, and theater stage sets and scenery.
3. Reserved

Delete permit exemptions for Mechanical, Plumbing and Gas.

ADD Section 105.4.1 as follows:

105.4.1 Permitting and Inspection.

The inspection and permitting of any building system or plans by any jurisdiction, under the requirements of the Technical Codes shall not be construed in any court as a warranty of the physical condition of such building, system or plans or their adequacy. No jurisdiction or any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plans, or for any failure of any component of such, which may occur subsequent to such inspection or permitting.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

ADD Section 106.2.1.1 as follows:

106.2.1.1 Structural and Fire Resistance Integrity.

Construction documents for all buildings shall indicate how required structural and fire resistant integrity will be maintained. Where a penetration of a require fire restraint wall, floor or partition will be made for electrical, gas, mechanical, plumbing or communication conduits, pipes, and systems the plans shall indicate in sufficient detail how the fire integrity will be maintained.

AMEND Section 107.1 as follows:

107.1 General.

The Code Official is authorized to issue permits for temporary structures and temporary uses such as construction sheds, seats, canopies, tents, and fences used for construction work or for temporary purposes. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The Code Official is authorized to grant extensions for demonstrated cases.

AMEND Section 109.3.7 as follows:

109.3.7 Other Inspections.

In addition to the inspections specified above the Code Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the City of Bartlett Code Enforcement.

AMEND Section 110.2 as follows:

110.2 Certificate Issued.

After the Code Official inspects the building and finds no violations of the provisions of this code or other laws that are enforced by the City of Bartlett, the Code Official shall issue a certificate of occupancy that shall contain the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. Any special stipulations and conditions of the building permit.

ADD the following to the end of Section 114.2:

Where an emergency exists, the Code Official shall not be required to give written notice prior to stopping work.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

ADD to Section 202 as follows:

International Building Code – Whenever the word “International Building Code is used in this code as adopted, it shall mean the 2021 Edition of the *ICC International Building Code* with local amendments thereto and will be known as the 2021 Bartlett Building Code.

International Electric Code – Whenever the word “International Electrical Code” is used in this code as adopted, it shall mean all the 2017 Edition of the *National Electrical Code (NEC)* with local amendments thereto, and will be known as the 2017 Bartlett Electrical Code.

International Existing Building Code – Whenever the word “International Existing Building Code (IEBC)” is used in this code as adopted, it shall mean all the 2021 Edition of the *ICC International Existing Building Code* with local amendments and will be known as the 2021 Bartlett Building Code.

International Fire Code – Whenever the word “International Fire Code (IFC)” is used in this code adopted, it shall mean all the 2021 Edition of the *ICC International Fire Code* with local amendments as adopted by the City of Bartlett and will be known as the 2021 Bartlett Fire Code.

International Fuel Gas Code – Whenever the word “International Fuel Gas Code (IFGC)” is used in this code as adopted, it shall mean all of the 2021 Edition of the *ICC International Fuel Gas Code* with local amendments and will be known as the 2021 Bartlett Fuel Gas Code.

International Mechanical Code – Whenever the word “International Mechanical Code (IMC)” is used in this code as adopted, it shall mean all the 2021 Edition of the *ICC International Mechanical Code* with local amendments and will be known as the 2021 Bartlett Mechanical Code.

International Plumbing Code – Whenever the word “International Plumbing Code (IPC)” is used in this code as adopted, it shall mean all the 2021 Edition of the *ICC International Plumbing Code* with local amendments and will be known as the 2021 Bartlett Plumbing Code.

AMEND Section 1401.6.3.2 as follows:

1401.6.3.2 Floor/Ceiling Construction.

A floor/ceiling assembly used to create compartments shall conform to Section 712 of the International Building Code and shall have a fire-resistance rating of not less than 2 hours.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

ADD Sections 1510 Through 1519 as follows:**1510 Demolition of Buildings****1510.1 Demolition Permits.**

The standards set forth in this section shall apply to the demolition of buildings or structures for which a permit is required under Section 105 of the International Codes.

1510.2 Definition.

Demolition – the act of razing, dismantling, or removal of a building or structure, or portion thereof to the ground level.

1510.3 Time Limit.

Notwithstanding the provision of Section 104.6, the Code Official may impose a time limit as an additional condition of a permit for completion of demolition work once such work shall have commenced. The Code Official may also provide one or more extensions of time with such extensions granted in no more than 30 day intervals, upon written request by the contractor or owner conducting the demolition when good cause is present. Any extension shall only be granted in writing.

1511 Standards**1511.1 Limit Unsafe Working Conditions.**

Demolition work having commenced shall be pursued diligently and without unreasonable interruption with due regard to safety. It is the intent of this section to limit the existence of an unsafe condition or nuisance on the premises during the period of demolition operations.

1511.2 Fill Lot to Grade.

Any surface holes or irregularities, wells, septic tanks, non-petroleum underground storage tanks, basements, cellars, sidewalk vaults, or coal chutes remaining after demolition of any building or structure shall be filled with material as approved by the Code Official, and shall be graded in such manner that will provide effective surface drainage.

1511.3 Remove Debris.

All debris and accumulation of material resulting from demolition of any building or structure shall be removed from the premises.

1511.4 Seal Sewer Pipes.

All building sanitary sewers shall be effectively plugged with concrete 18 inches below grade or as may be required by the Code Official.

1511.5 Dust Control.

Except where there is adequate space, or approval has been granted by the Code Official, the demolition of a multi-story building by other than explosive means shall proceed with the complete removal of one story at a time. In the demolition of any building other than by explosive means, story after story shall be removed and shall be properly wet to alleviate any dust.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

1511.6 Proper Demolition Procedures.

No wall, chimney, or other construction shall be allowed to fall in mass on an upper floor. Bulky material, such as beams and columns, shall be lowered and not allowed to fall. When any building over one story in height is demolished, precautions for protecting the public shall be taken as prescribed in Chapter 33.

1512.1 Inspections.

In lieu of the inspections required by Section 109 of the Bartlett Building Code, the Code Official shall make the following inspections upon notification from the permit holder or his agent:

1. Initial Inspection: To be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or remain after demolition operations.
2. Final Inspections: To be made after all demolition work is completed.

1513 Permits

1513.1 Required.

No person, firm or corporation shall wreck, demolish, or raze any building or structure within Bartlett without first obtaining a permit from the City of Bartlett. Such permit shall be issued only to a person, firm or corporation licensed as a demolition contractor in accordance with the provisions of the Technical Codes.

Exception: A permit may be issued to the property owner of record for demolition of his own residential building if such building is not more than two stories in height and contains not more than 5,000 square feet per floor. The property owner shall be required to make affidavit in his application for permit that he shall personally supervise all demolition and clean up of the site for which the permit was issued.

1513.2 Application for Permit.

Application for demolition permit shall be made by the owner of the building or structure, or authorized agent of the owner, or by a licensed demolition contractor employed by the owner. The full names and addresses of the owner, applicant, and responsible officers, if the owner is a corporate body, shall be stated, and the application shall be signed by the owner and the demolition contractor. In the case of all commercial buildings, or residential buildings being razed by a contractor for the development of commercial property, notice from the Shelby County Health Department that a "Ten Day Asbestos Notice" has been filed with that Department's Pollution Control Section is also required.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS

1513.3 Approval of Permit.

The Code Official shall cause to be examined all applications for permit within a reasonable time after filing. If the proposed work conforms to the requirements of this Section, regarding proof of liability insurance and posting of necessary deposit and when necessary, filing of a pre-demolition survey, the Building Official shall issue a permit therefore as soon as practical. Each permit to raze a building shall name the owner of the property to be razed and the person performing the razing work for or on behalf of such owner, and such permit shall be valid only so long as the razing work authorized by it is actually performed by or under the supervision of the person named thereon as being the person to perform such work. It shall be a violation of this code for any person to perform work in connection with the razing of a building under the purported authority of a permit, which does not name them as the person to perform such work.

1515.3.1 Time Limitations.

Each permit shall set forth a definite number of days in which demolition work shall be completed and the premises cleaned as required hereinafter. An extension of time may be granted by the Code Official for good cause.

1513.3.2 Service Connections.

Before a structure can be demolished or removed, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer, and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities stating that their respective service connections and appurtenant equipment have been removed and plugged in a safe manner. Sewer lines shall be capped in an approved manner, approximately 18 inches below grade, by the demolition contractor. A capped sewer line shall not be covered until it has been inspected. If covered, the contractor shall expose the cap for inspection.

1514 Safeguards During Demolition

1514.1 Roof Covering.

During the demolition of any building exceeding one story in height that is located at a distance less than 10 feet, or less than $\frac{1}{4}$ of the height of the building, from any street or alley property line, or when required by the Code Official, a roof covering for the entire length of the project shall be provided over the temporary or permanent sidewalk, from the time demolition commences above the second floor level until materials are no longer being used or handled on the front above such walk. Where required for demolition operation, the passageway shall be covered with an enclosed canopy or shed the width of the passageway with a head clearance of not less than 7 feet. The support shall be four-inch by six-inch (4" x 6") timbers, with beams of three-inch by twelve-inch (3"x12") timbers on centers of not over four feet (4'), and such shed shall be roofed with two layers of sound two-inch (2") planks; however, other construction of equal strength may be used when approved by the Code Official. The sides shall be enclosed with tight, smooth sheathing and such covered walks shall be suitably lighted with necessary.

Exception: Where, in the opinion of the Code Official, a covered walk is not necessary, permission may be granted to block off part of the sidewalk, street, or alley with the approval of the traffic engineer.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS**1514.2 Fence.**

Where the distance from the building to the street or alley property line is less than half the height of the building, a fence of solid construction at least six feet high shall be provided.

1514.3 Sidewalk Access.

Areas occupied by a sidewalk or temporary walkway in use shall not be excavated unless such area is provided with a walkway capable of supporting at least 150 pounds per square foot. Walkways shall be provided with suitable ramps at each end.

1515 Method of Razing**1515.1 Required to Start at Top.**

Razing, by other than explosive means, shall begin at the top of the structure and proceed downward. No wall, beam, column, or member supporting a load shall be disturbed or weakened until such load is entirely removed. All masonry walls shall be removed unit by unit or in the manner approved by the Code Official. All loosened materials and debris shall be removed from time-to-time so as not to accumulate in such quantity or in such weight as may overload any floor, platform, or scaffold. Plain or reinforced concrete structures shall be razed in such sections and in such manner as approved by the Code Official.

1515.2 Prohibitions.

No structure or portion thereof being demolished or declared to be dangerous or unsafe shall be thrown, pulled or blasted, unless special approval is given by the Code Official.

1515.3 Control of Dust.

All material and rubbish apt to produce dust must be kept wet or covered to prevent its being blown by the wind.

1515.4 Approval of Debris Disposal.

All demolition debris, which is not being reused or recycled, must be disposed of in a place approved by the governing authority. Materials to be recycled or reused that are stored on-site during demolition activities shall be managed and stored so as not to pose a danger to workers on the site or to the general public.

1516 Treatment of Party Walls**1516.1 Masonry Walls.**

When any building or other structures is demolished so as to expose any party wall which forms a part of the building or other structure upon which any of the aforesaid operations are being performed, the permit holder shall repair and restore any flashing and other weatherproofing of adjoining property which is broken or damaged during such operations, and shall fill from the exposed side of such party wall any and all holes. For purposed of this section, a "party wall" is a dividing partition between two adjoining buildings (or units) that is shared by the tenants of each residence or business. The permit holder shall also install such new flashing as may be required to protect any vertical joints exposed by the permitted demolition operations.

INTERNATIONAL EXISTING BUILDING CODE AMENDMENTS**1516.2 Non-Masonry Walls.**

Where party walls are of other than masonry construction, such walls shall be restored and weather proofed in accordance with the requirements of the building code for exterior walls of the particular type of construction involved. All such party walls shall be faced with material commonly used, or exterior finish identical to, or as closely resembling as practicable, the facing material of the other exterior walls of the building left standing, and shall be painted or otherwise finished in a manner similar to other parts of the building.

1517 Protection for Open Pits and Holes.

Demolition shall be properly protected with barricades and warning lights, as directed by the Code Official, until such time as they can be properly filled to grade. All excess materials, rubbish, and debris shall be removed from the premises.

1518 Treatment of Lot After Building Demolished or Removed**1518.1 Leveling.**

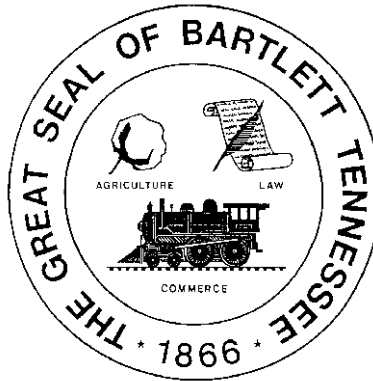
When a structure or building is demolished or removed, all walls, except party walls, including foundations and basement walls located on the lot involved in razing operation, shall be reduced to a level at least 18 inches (46 cm) below the final grade. Excavations, holes, and depressions shall be filled and leveled to provide a final grade, which will affect good drainage. The finished surface of the lot shall be free of holes and depressions, which could accumulate water or be hazardous to pedestrians. All grade slabs shall be removed from the site.

1518.2 Fill.

No materials other than clean earth may be used in filling depressions and grading the site. All excess earth, brick, lumber, and other building materials and debris shall be removed from the site, and the premises shall be left in a safe, clean, and sanitary condition.

1519 Failure to Clean Premises.

Failure of a person, firm, or corporation to comply with the provisions dealing with the cleaning of premises shall be sufficient cause to withhold a demolition contractor's privilege of obtaining demolition permits until there has been compliance with the cleaning provisions. Repeated failure to properly clean premises shall be cause for suspension or revocation of a contractor's license.



**CITY OF BARTLETT
CODE AMENDMENTS TO THE

2021
INTERNATIONAL
PLUMBING
CODE**

Attachment: 2021 IPC CODE AMENDMENTS (3133 : Ord. 22-03, International Code Adoption)

PLUMBING CODE

AMEND Section 101.1 as follows:

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Bartlett TN, hereafter referred to as “this code.”

AMEND Section 103.1 as follows:

103.1 Creation of agency, The City of Bartlett, TN Code Enforcement Department is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

AMEND Section 106.1 as follows:

106.1 Permit required. A licensed *Plumbing Contractor* who desires to construct, enlarge, alter, move, demolish or change the *occupancy* of a building or structure, or to erect, install, remove, convert or replace any plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the code official and obtain the required permit for work.

AMEND Section 202 as follows:

Air Conditioning Unit. The condensate or waste from an air conditioning unit shall be classified as a plumbing fixture and shall connect to the plumbing system as an indirect connection as per amendments of Chapter 3 of this Code.

Board of Appeals. Whenever the term “Board of Appeals” is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Code Appeals Board of Bartlett, Tennessee.

Building Department. Whenever the term “Building Department” is used in the technical codes herein adopted, it shall mean the Office of Code Enforcement of Bartlett, Tennessee.

Building Official. The officer or the other designated authority, or their duly authorized representative, charged with the administration and enforcement of the technical codes.

Chief Appointing Authority. Whenever the term “Chief Appointing Authority” is used in the technical codes herein adopted, it shall mean the Mayor of the City of Bartlett, Tennessee.

City Municipality or Governing Body. Whenever the word “City” or “Municipality” or “Governing Body” is used in the technical codes herein adopted, it shall mean the City of Bartlett, Tennessee.

Code Official. Whenever the term “*Code Official*” is used in the City of Bartlett Plumbing Code herein adopted, it shall mean the Director of the City of Bartlett Code Enforcement.

PLUMBING CODE

International Building Code. Whenever the words “International Building Code” are used in the codes herein adopted, they shall mean the 2021 International Building Code with the City of Bartlett TN amendments.

International Electrical Code. Whenever the words “International Electrical Code” are used in the codes herein adopted, they shall mean the 2017 National Electrical Code (NEC) with the City of Bartlett TN amendments.

International Fuel Gas Code. Whenever the words “International Fuel Gas Code” are used in the codes herein adopted, they shall mean the 2021 International Fuel Gas Code with the City of Bartlett TN amendments.

International Mechanical Code. Whenever the words “International Mechanical Code” are used in the codes herein adopted, they shall mean the 2021 International Mechanical Code with the City of Bartlett TN amendments.

International Plumbing Code. Whenever the words “International Plumbing Code” is used in the codes herein adopted, they shall mean the 2021 International Plumbing Code with the City of Bartlett TN amendments.

International Residential Code. Whenever the words “International Residential Code” is used in the codes herein adopted, they shall mean the 2018 International Residential Code with the City of Bartlett TN amendments.

Plumbing Contractor. Whenever the term “Plumbing Contractor” is used in the Technical Codes herein adopted, it shall mean a plumbing contractor who holds a current license issued by State of Tennessee or Shelby County Construction Code Enforcement.

Workmanship. Workmanship shall mean that the plumbing system be installed uniform in slope, plumb, and level (as required) without stress or strain to piping or structure as required by Other sections of the Code. Valves, pipes and fitting shall be installed in correct relationship to the direction of flow.

AMEND Section 305.4.1 as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a maximum of 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade. The dimensions shall be taken from the top of the pipe.

PLUMBING CODE

AMEND Table 308.5 as follows:

Table 308.5 Copper or copper-alloy piping to be supported vertically at mid-story.

ADD Section 314.2.1.2 as follows:

314.2.1.2 Drain connection location. The Plumbing contractor shall provide a trap within 2 feet (610 mm) of equipment.

ADD Section 314.2.1.3 as follows:

314.2.1.3 Pumped condensate. The pump shall connect to the trap supplied by the plumbing contractor.

ADD Section 314.2.1.4 as follows:

314.2.1.4 Alternate condensate disposal. When the condensate drain(s) cannot be connected to the drainage system as determined by the Plumbing Inspector, an alternate method of disposal may be used with prior approval from Plumbing Inspector.

AMEND Section 421.3 as follows:

421.3 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches (51 mm) in diameter and, for other than waste outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than ¼ inch (6.4 mm) in least dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located and the floor pitched so that waste from one shower does not flow over the floor areas serving another shower. Waste outlets shall be fastened to the waste pipe in an *approved* manner.

ADD Section 423 as follows:

423.4 Pedicure tubs. Pedicure tubs shall be trapped as a sanitary fixture on gravity drain types. When they have a pump discharge, they must be hard piped to a deep seal trap or wash machine box. When tub filler is below rim, a double check valve is required.

ADD Section 422.4 as follows:

422.4 Floor sinks. Floor sinks shall be installed a minimum of ½" inch (13 mm) above finished floor.

ADD Section 503.3 as follows:

503.3 Water connections to water heaters. All water connections to water heaters shall be made with material from Table 605.4. Flexible connectors shall not be used. Water cutoff valve shall not be located above tank cylinder.

AMEND Section 504.7.1 as follows:

504.7.1 Pan size and drain. The pan shall be not less than 4 inches deep when installed on the first floor and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a minimum diameter of 1 inch or the outlet diameter of the required relief valve, whichever is larger. When the water heater is installed in the attic, a pan shall not be less than 6 inches (152 mm) deep and shall be 36 inches (914 mm) in diameter or 30 inches (762 mm) X 30 inches (762 mm) square. T&P valve piping shall be corrosion resistant and have a minimum pressure rating of 100 psi at 180 degree Fahrenheit as per Section 605.4. When multiple pan drains are piped together. The drain pipe from junction to termination will be increased one pipe size for each additional water heater connected to the drain. The maximum number of water heater pan drains shall be limited to four, with the maximum drain being 2 inches (51 mm) in diameter.

AMEND Section 504.7.2 as follows:

504.7.2 Pan Drain Termination. The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain or extend to the exterior of the building and terminate not less than 6 inches (152 mm) and not more than 24 inches (610 mm) above the adjacent ground surface. A 90-degree ell turned down must be installed at the termination of the pan drain. The termination must be visible.

AMEND Section 603.1 as follows:

603.1 Size of Water Service Pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this Code. The water service pipe shall be not less than 1 inch (25 mm) in internal diameter.

ADD Section 603.1.1 as follows:

603.1.1 PVC Water Service. PVC underground water service pipe shall have a minimum wall thickness of SCH. 40 with permanent identification markings.

AMEND Table 605.3 as follows:

Table 605.3 Delete all references to Type M copper, WM copper.

AMEND Table 605.4 as follows:

Table 605.4 Delete all references to Type M copper, WM copper.

PLUMBING CODE

AMEND Section 608.17.5 as follows:

608.17.5 Connections to lawn irrigation systems. The potable water supply shall be protected against backflow by a reduced pressure backflow prevention assembly. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure backflow prevention assembly.

ADD Section 608.18.9 as follows:

608.18.9 Wells. All wells serving irrigation systems shall have a reduced pressure backflow preventer protecting the well from backflow or back pressure.

AMEND Section 702.3 as follows:

702.3 Building sewer pipe. No building sewer shall be less than 4 inches (102 mm) in diameter with the exception of forced lines. When plastic pipe is used on lines 4 inches (102 mm) and smaller, it shall have a wall thickness not less than SCH. 40 (0.237 inches or 6mm).

AMEND Table 709.1 as follows:

T709.1 Shower trap - Minimum size of trap shall be 2 inches (51 mm).

ADD Sections 802.1.4.1 through 802.1.4.6 as follows:

802.1.4.1 Waste Water Disposal, Generally. All waste water from public, semi-public, or permanent private swimming pools and wading pools shall have an indirect connection to the sanitary sewer and/or such connections and type of disposal shall be as determined by the Shelby County Health Department.

802.1.4.2 Discharge location. No waste water from a permanent or temporary type swimming pool or wading pool shall drain any water on any premise so as to permit waste water to run on adjoining premises. No waste water shall drain into the surface or into a storm water drain system.

802.1.4.3 Above ground pools. Pool contractor shall furnish owner with a flexible hose to discharge waste water to sewer connection for above ground pools.

802.1.4.4 In ground pools. In ground pools shall be permanently connected to the sanitary sewer.

802.1.4.5 Waste and deck drain piping. Waste and deck drain piping for pools shall comply with the provisions set forth in Chapters 3 and 8 of this code, as applicable to building sewers and underground piping within building.

PLUMBING CODE

802.1.4.6 Deck drain disposal. Any deck drain located within seven feet of pool edge shall waste to sanitary system through catch basin. All others shall waste to grade or storm system. Deck shall be designed so that surface water, other than that within the 7 foot (2.17 M) limit, shall not enter sanitary system.

AMEND Section 903.1.1 as follows:

904 3.1.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 10 inches (254 mm) above the roof.

AMEND Section 903.1.2 as follows:

Where a roof is to be used as a promenade, restaurant, bar, or sunbathing deck, as an observation deck, or for similar purposes, open vent extension shall terminate not less than 10 feet (3.05 M) above the roof used for receptional or assembly purposes.

ADD Section 1303.1.1 as follows:

1301.1.1 Connection between nonpotable water systems. No connection between on-site nonpotable water reuse systems and nonpotable rainwater collection and distribution systems are allowed. No connection between nonpotable rainwater collection and distribution systems and sanitary drainage systems are allowed.

Amendments to the 2021 ICC Fire Code

Amend Section 101.1 Title, by deleting the phrase **[NAME OF JURISDICTION]** and replacing it with the following:

The City of Bartlett, Tennessee

Amend Section 103.1 Code Compliance Agency, by deleting the phrase **[Insert Name of Department]** and replacing it with the following:

Bartlett Fire Department

Amend Section 103.2 Appointment, by deleting the word **appointed** in the first sentence and replacing it with the word **designated**.

Amend Section 103.3 Deputies; by deleting the phrase **appoint a Deputy Fire Code Official** in the first sentence and replacing it with the phrase **designate a Deputy Fire Code Official**.

Amend section 105.2.2 Inspection authorized, by deleting it in its entirety and replacing it with the following;

105.2.2 Inspection authorized. Before a new Operational Permit, Business License Application, or Use and Occupancy Permit is approved, the Fire Code Official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

Amendments to the 2021 ICC Fire Code

Amend Section 105.5.34 Open Burning, by deleting the Exception **Recreational Fires.**

Amend section 112.4 Violation Penalties, by deleting it in its entirety and replacing it with the following;

112.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the *approved construction documents* or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a code violation. Those responsible for violations are subject to a citation and fines as determined by a court of law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Amend section 113.4 Failure to comply, by deleting it in its entirety and replacing it with the following;

113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a citation and/or fines as determined by a court of law.

Amendments to the 2021 ICC Fire Code

Amend section 307.2 Permit required, by inserting recreational fires, in front of the words or a bonfire at the end of the first sentence.

Add section 307.4.4 Warming fires. All warming fires must be contained within a metal barrel or drum. Warming fires are not allowed inside structures and cannot be built directly upon the ground. The immediate area around the warming fire container must be clear of combustible materials and the container shall not be closer than fifteen feet from any structure or combustible materials. Warming fires must be fully extinguished at the end of each work day.

Amend section 307.5 Attendance by inserting the words warming fires following the words recreational fires in the first sentence.

Amend section 308.1.4 Open-flame cooking devices by deleting Exceptions #2 and #3 in their entirety.

Amend section 503.2.4 Turning radius by adding the words and shall not be less than a fifty foot radius after the word official.

Amend section 503.2.5 Dead ends by adding the words as required in Appendix D after the word apparatus at the end of the sentence.

Amendments to the 2021 ICC Fire Code

Amend section 503.6 Security gates by adding sub-sections 503.6.1 through 503.6.8.

503.6.1 Gated or fenced communities. These communities shall have at least one primary Fire Department access. This gate shall conform to sections 503.6.1 through 503.6.8 and if automated, shall be equipped with primary and secondary overrides.

503.6.2 Automatic gates. All automatic gates on required Fire Department access roadways shall be provided with approved override and power off systems designed to allow fire department access in the case of an emergency. These override systems shall provide controls to open and override timer functions for emergency access and power off equipment for manual operation.

503.6.3 Emergency override. Emergency override of all automatic gate systems shall operate with power on or off. The override system shall consist of a fire access housing/box. The access box shall be red in color and shall have 'Fire Department' or 'Fire Access' in white letters on the faceplate. The faceplate shall be hinged and designed to accept a Knox padlock keyed to the Bartlett Fire Department. The fire access box shall be equipped with an internal switch that will signal the gate to operate when the faceplate is unlocked and/or opened. The fire access box shall be installed so as to be plainly visible from the cab of the approaching emergency vehicle.

503.6.4 Manual disconnects. All automatic entry gates shall be equipped with Knox padlocked disconnects for use in the event the power supply to the gates fails, or the fire access box switch fails to open the gate.

Amendments to the 2021 ICC Fire Code

503.6.5 Sliding gates. For sliding gates, the rear chain attachment point, where the chain attaches to the gate, shall be secured with a Knox padlock to allow access by removal of the lock. If the disconnect is not accessible from the public side, an access entry gate shall be provided to allow access to the gate disconnect. The required entry gate shall also be padlocked with a Knox padlock.

503.6.6 Swing gates. For swing gates, the attachment point where the swing arm connects to the gate shall be equipped with a padlocked disconnect pin. If this disconnect pin cannot be accessed from the public side an access entry shall be required as in 503.6.5.

503.6.7 Additional gates. If additional gates are required, these gates shall conform to the same standards as the primary gate. The Fire Code Official may declare these gates to be secondary and allow them to be padlocked with the approved Knox lock, interlocked with the owner's padlock, rather than be automated.

503.6.8 Locking access gates. Gates in fenced compounds which require Fire department access shall be secured with the approved Knox padlock, interlocked with the owner's lock.

Amend section 506.1 Where required by adding the following after the last sentence.

Key boxes shall be located at or near the front door or such location as determined by the Fire Code Official. Commercial or Industrial structures protected by a monitored automatic fire alarm system, automatic sprinkler system, automatic suppression system, facilities which handle, use, or store hazardous materials above the exempt quantities, and other structures deemed necessary by the Fire Code Official shall be required to install and maintain a key box.

Amendments to the 2021 ICC Fire Code

Amend section 507.5.1 Where required by deleting the exceptions.

Amend section 507 Fire Protection Water Supplies by adding the following sub-section.

507.5.7 Hydrant access. The Fire Code Official shall require all fences that impede access to hydrants, whether from the street or from the building, to have 48 inch access gates installed at or near the hydrant. To allow proper access to these hydrants, fences shall not be located within a 10-foot radius from the center of the hydrant. Gates, if locked, shall be secured with the approved Knox padlocks keyed to the Bartlett Fire Department.

Amend Chapter 5 Fire Service Features by adding the following new section:

Section 511 Electric security fence installations

511.1 Electric security fence installations. All new and existing electric security fence installations shall be equipped with the following features:

1. An approved manual disconnect shall be provided that will interrupt the power supply to the fence. The manual disconnect means shall be located at an approved and accessible location. It shall be secured by an approved locking device that is keyed to the Bartlett Fire Department's specifications.
2. The manual disconnect means shall clearly indicate the fence power status.
3. Signage shall be provided at the manual disconnect that indicates "Fence Power Emergency Bypass" in red letters at least 1" high on a white background. Based on the installation, additional signs may be required at additional points to clearly indicate the location of the manual disconnect means.

Amendments to the 2021 ICC Fire Code

Amend section 806 Natural Decorative Vegetation in New and Existing Buildings by adding the following sub-section:

806.5 Combustible decorative Materials. Combustible decorative materials such as, but not limited to cotton batting, vegetation, moss, loose or baled straw or hay, vines, split bamboo, leaves, or other similar materials shall not be used in Group A, B, E, I-1, I-2, I-3, I-4, M, R-1, R-2, or R-4 occupancies.

Exceptions:

1. Fire retardant treated combustible decorative materials shall not be prohibited in Group A, B, E, M, R-1, and R-2 occupancies if those occupancies are protected throughout by an approved automatic sprinkler system.
2. In Group A, B, M, R-1, and R-2 occupancies protected by an approved automatic sprinkler system, treated decorative materials shall be limited to no more than 10% of the aggregate area of walls and ceiling
3. Group E occupancies shall be allowed 20% of wall area. This shall include treated decorative materials, artwork, and teaching materials combined.

Amend section 901.2 Construction Documents by adding the following after the last sentence in the section.

Construction documents for fire protection systems will be required where alterations to the existing system will involve more than ten (10) sprinkler heads or when hydraulic calculations for the system must be revised.

Amendments to the 2021 ICC Fire Code

Amend section 903.4 Sprinkler system supervision and alarms by adding the following to the end of the first paragraph following the word unit: **and secured (padlocked) in the normal/open position.**

Amend section 903.4 Sprinkler system supervision and alarms by adding the following exception:

9. Valves on existing systems that were not previously required to be supervised shall be secured (padlocked) in the normal/open position.

Amend section 903.4.3 Floor control valves by deleting the words **high rise buildings** at the end of the sentence and replacing them with the words **all buildings two or more stories in height.**

Amend section 912 Fire Department Connections by adding the following sub-section:

912.8 Proximity to Fire Hydrants. Fire department connections shall be located not more than one hundred (100) feet from an approved fire hydrant.

Amendments to the 2021 ICC Fire Code

Amend section 1001 Administration by adding the following sub-section:

1001.3 Other Standards. When this code does not address requirements pertaining to an unusual or uncommon aspect of a means of egress system, NFPA 101 shall be used as an acceptable standard.

Amend section 5704.1 by adding the following sub-section:

5704.1.1 Storage of motorized vehicles and equipment. Gasoline powered equipment such as vehicles, motorcycles, lawn equipment, and etc. shall not be stored in any building unless the room or space has been approved for such use.

Amend section 6103.2.1 Portable Containers by adding the following sub-section:

6103.2.1.8 Flame Effects before a Proximate Audience. The use of LP-gas as part of a flame effect before a proximate audience shall comply with this chapter and NFPA 160. It shall also be approved by the Fire Code Official.

Amendments to the 2021 ICC Fire Code

Amend Appendix B

Fire Flow Requirements For Buildings

Amend section B105.1 by removing it in its entirety and replacing it with the following:

B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration requirements for one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).

Amend section B105.2 by removing it in its entirety and replacing it with the following:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).

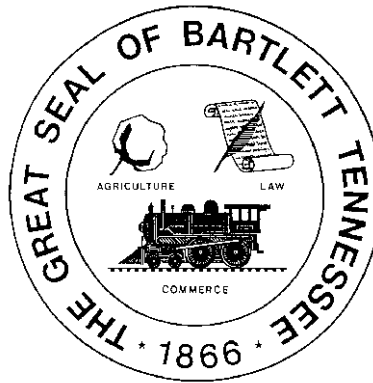
Exceptions: 1. A reduction in required fire-flow of up to 30 percent is allowed when the building is provided with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2. A reduction in required fire-flow of up to 40 percent is allowed when the building is provided with an *approved ESFR sprinkler system* installed in accordance with this code and NFPA 13. A reduction in required fire-flow which exceeds the percentages listed above must be specifically approved by the *fire code official*.

Amend Table B105.1(1) by deleting it in its entirety.

Amend Table B105.2 by deleting it in its entirety.

Amendments to the 2021 ICC Fire Code

7-101. Fire Code Adopted. Pursuant to authority granted by Tennessee Code Annotated, 6-54-501 through 6-54-506, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the International Fire Code, 2021 edition with Appendices B, C, D, E, F, G, H, I, L, and N and city amendments, (referenced standards shall be the most current published editions), as recommended by the International Code Council, is hereby adopted by reference and included as part of this code



ELECTRICAL CODE AMENDMENTS TO THE

2017 NATIONAL ELECTRICAL CODE

AND THE

2018 INTERNATIONAL RESIDENTIAL CODE

REQUIRED LICENSES TO DO WORK IN THE CITY OF BARTLETT

ADD Article 91:

91 Required

All contractors that do work in the city limits of Bartlett will be required to have either a Shelby County Electrical License or a State of Tennessee Electrical License (no LLE) and a Bartlett Business License before a permit can be acquired.

91.1 Bartlett Business License Fees

A Bartlett Business License can be obtained in the Tax and Finance Office at Bartlett City Hall for \$20.00 or 1/15 of 1%. Bartlett Business Licenses are to be renewed on an annual basis.

91.2 Low Voltage Contractors

When a Low Voltage Contractor does work in the city of limits of Bartlett they will be required to have a Shelby County Low Voltage Electrical License or a State of Tennessee Electrical License that includes Low Voltage (no LLE) and a Bartlett Business License before a permit can be acquired.

ADD Article 92:

92 Permits

All electrical work requiring a permit must be applied for by a duly licensee and bonded contractor.

ADD Article 93:

93 Final Electrical Inspection

All light fixtures must have bulbs installed in all sockets of each fixture meeting the manufacturers recommended wattage before a final will be approved.

AMEND Article 200 to Article 100 Definitions:

100 Definitions

Administrator-Whenever the term “Administrator” is used in the Technical Codes herein adopted, it shall mean the Director of The City of Bartlett Code Enforcement.

Administrative Authority-Whenever the term “Administrative Authority” is used in the Electrical Code herein adopted, it shall mean the Code Official.

ELECTRICAL CODE

Approved: Acceptable to the authority having jurisdiction-Whenever the term “approved” is used in the NEC, it shall mean the Code Official.

Building Contractor Registration-The term Building Contractor Registration as used in the Building Code is defined to include any person, firm, or corporation whose principal business is to, or performing, any of the following: erect, construct, enlarge, alter, repair, move, improve, convert, or demolish any building or structure in the applicable jurisdiction, or cause the same to be done.

Building Department-Whenever the term “Building Department” is used the Technical Codes herein adopted, it shall mean The City of Bartlett, Tennessee.

Chief Appointing Authority-Whenever the term “Chief Appointing Authority” is used in the Technical Codes herein adopted, it shall mean the Mayor of The City of Bartlett, Tennessee.

City, Municipality, or Governing Body-Whenever the word “City” or “Municipality” or “Governing Body” is used in the Technical Codes herein adopted, it shall mean The City of Bartlett, Tennessee.

Code Official-The officer or other designated authority, or their duly authorized representative, charged with the administration and enforcement of the Technical Codes.

Commercial, Industrial and Institutional Electrical Maintenance Electrician-The term Commercial, Industrial and Institutional Electrical Maintenance Electrician is defined to include any person having in his charge the maintenance of electrical systems plants, buildings, or places.

Electrical Contractor-Whenever the term “Electrical Contractor” is used in the Electrical Code herein adopted, it shall mean an Electrical contractor who holds a current license issued by the Office of Construction Code Enforcement of Memphis & Shelby County or a properly registered Certified State Contractor.

Electrical Contractor, Certified-Certified Electrical Contractor is defined as an electrical or specialist contractor who has received a license from the Tennessee State Contractor Licensing Board after passing an examination to qualify for certification as an electrical or specialist contractor and complied with the registration procedure of the State of Tennessee.

Electrical Fixture Installer-The term Electrical Fixture Installer is defined to include any person having a license to engage in such business which shall authorize the holder thereof to secure permits only for assembling, installing and wiring of electric light fixtures, fixtures to be attached only to such outlets as have been properly installed by a licensed Electrical Contractor. Every Electrical Fixture Installer shall be required to have an Electrical Fixture Installer’s license from the Code Official of Memphis & Shelby County.

Electrical Section-Whenever the term “Electrical Section” is used in the Electrical code herein adopted, it shall mean the Electrical Section of The City of Bartlett Code Enforcement.

Electrical or Specialist Contractor-The term Electrical or Specialist Contractor as used in the Technical Codes is defined to include any person, firm, or corporation properly licensed or registered to engage in the business of installing, erecting, altering, repairing or contracting to install, erect, alter or repair electric wires, conductors, material, machinery, apparatus or systems used for the transmission of electrical power or electric light, heat, power, control or signal purposes.

Elevator Installer-The term Elevator Installer is defined to include any person who is licensed by the Code Official to install, service, alter or repair elevators of any type where electricity is used as a motive power. Each Elevator Installer shall be required to have an Elevator Installer’s License from the Board.

ELECTRICAL CODE

Employee-Whenever the word “Employee” is used in the Technical Codes herein adopted, it shall mean a person working directly for a licensed contractor for wages or salary subject to federal and/or state payroll tax laws.

Employment-Employment shall be defined as set forth in the rules and regulations of the United States Internal Revenue Service.

Industrial Plant Electrician-The term Industrial Plant Electrician is defined to include any person licensed and regularly employed by an industrial manufacturing plant operated in the County for the purpose of maintaining the existing electrical equipment of said plant. Every Industrial Plant Electrician shall be required to have an Industrial Electrician license.

Licensed Contractor-Licensed Contractor will be the same as Contractor as defined by State of Tennessee Licensing Board, and the Technical Boards.

Master Electrician-The term Master Electrician as used in the Technical Codes is defined to include any duly certified person having the general charge and supervision of the business of an Electrical Contractor, whether on his own account, or as the manager or superintendent of a licensed Electrical Contractor. Every Master Electrician shall be required to have a Master Electrician’s license issued by the Code Official of Memphis & Shelby County.

Mechanic Elevator Constructor-A Mechanic Elevator Constructor is defined as an individual with no less than 4 years experience in the physical installation of elevators, hoists, dumbwaiters, and the wiring related thereto as described under JEC Section 308.

Moveable -Capable of being moved by one person without causing damage to floor. (*Island on wheels*)

National Electrical Code-Whenever the word “National Electrical Code” is used in the Technical Codes herein adopted, it shall mean the National Electrical Code and Local Amendments and will be known as the Electrical Code of The City of Bartlett.

Residential Electricians-The term Residential Electrician as used in the Technical Codes is defined to include any person having the general charge of supervision of the business of installing, erecting or repairing electrical wires, conductors, moldings, conduit, apparatus, devices, systems, or instruments for single family or two-family dwellings only, whether on his/her own account or as the manager or superintendent of a Licensed Residential Electrical Business.

Right of Control-When the term “Right of Control” is used, it shall be understood to mean right of control in accord with Tennessee Law, statutory and common, relating to partnership, and business law.

State of Tennessee Certified Licensed Contractor (E, M, P)-Defined as a Contractor Licensed by the State of Tennessee who is not required to have a journeyman or apprentice on the job site. Also employees are not required to be registered.

Supervising Sign Installer-The term supervising Sign Installer is defined to include any person licensed to assemble, install, alter, repair, and service illuminated signs, including outdoor on-premise signs or the secondary wiring required for indoor signs such as neon and outline lighting and the assembling, installing and wiring of electric light fixtures where such fixtures can be attached to existing outlets which have been properly installed by a licensed, bonded, and insured Electrical Contractor. All such work shall be performed in strict accordance with the Electrical Code and the NEC.

Wiring Definition-Wiring as described in this section shall mean the service entrance conduit and conductors, busways, bus bars or other devices connecting an overhead or underground source of power to the electrical metering equipment, and all equipment, apparatuses, conductors, busways, bus bars, and other items connected to the load side of the electrical metering equipment or main disconnect switch(es).

ELECTRICAL CODE**101.0 Tense, Gender and Number.**

Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and the plural number includes the singular.

COMMERCIAL/ INDUSTRIAL INSTALLATIONS**ADD Article 210 as follows:****210 Wiring Methods for Living Quarters in Commercial Occupancies.**

Living quarters located in connection with commercial building shall be wired in accordance with requirements for the commercial portion and may have separate meters.

ADD Articles 210.26(A) and 210.26(B) as follows:**210.26 General Wiring Requirements; Ampacity of Circuits and Number of Outlets per Circuit.**

210.26(A) Circuits supplying convenience outlets, lighting or appliances shall have a minimum capacity of 20 amperes.

210.26(B) Not more than six convenience outlets or floor box receptacles, single or duplex shall be connected to on 120-volt circuit. Convenience outlets shall not be installed on lighting circuits.

ADD New Article 220.16(C) as follows:**220.16(C) Responsibility for Service and Feeders; Designing, Installing, or Adding Electrical Load.**

Any person, firm or corporation designing, installing or adding load to an existing electrical system shall be responsible that the main service conductors, main service equipment and feeders on which the additional load is added shall be of the proper size for the total connected load as required by the Electrical Code.

ADD New Article 230.28(C) as follows:

230.28(C) A 2" rigid metal conduit or 2" IMC conduit will be the minimum size allowed for an overhead service mast when used as the service attachment device. The conduit shall be securely mounted to withstand a minimum pull of 2,000 pounds.

ADD New Article 230.2 (F)(G) as follows:**230.30 Marking and Labeling of Service Equipment; Devices to be Identified.**

230.30(F) The service disconnecting means meters for multiple occupancy buildings shall be legibly and permanently marked showing occupancy or apartment designation.

230.30(G) Each meter of all multiple meter installation shall be permanently and legibly identified with a tag showing the occupancy designation and located so as to be visible after installation in a manner acceptable to MLGW.

ELECTRICAL CODE**230.70(A) (1) (a) Service Entrance Conductors without Over Current Protection.**

Service entrance conductors without over current protection shall not extend more than 15 feet inside a building measured from the point of entrance.

230.201 Service and Feeder Requirement in Excess of 600 Volts; Design Requirements.

230.201(A) System installed by contractors for private owners above 600 volts shall be designed by a Registered Professional Engineer in accordance with the requirement of MLGW and the NEC.

230.201(B) The plans of such systems shall be approved by the Building Official and MLGW prior to installation.

300.4(A) Wiring Methods Inside Buildings where the Voltage is less than 600 volts.

In order to provide a greater degree of protection from electrical fires, all electrical wiring for lighting, receptacles, appliances, power and controls in construction, alteration or repair of buildings shall be installed in rigid or intermediate metallic conduit, electrical metallic tubing, surface metal raceway, under floor raceway, wire way, busway, MC Cable, Rigid PVC, ENT, or other approved wiring methods.

AMEND ARTICLE & ADD SECTION (5) as follows:

300.5(D) Protection from Damage. Direct-Buried Conductors and cables shall be protected from damage in accordance with (D)(1) through (D)(5)

(5) Separation from gas piping. Direct-Buried conductors, raceways, conduits, etc., shall be separated from gas pipe by a minimum of 12 inches when installed in the same ditch, trench, slab, etc.

310.104 (1) Aluminum conductors shall be permitted under any of the following conditions:

1. Indoor Installations.
 - (a) Sizes No, 1/0 AWG and larger.

DELETE the following Articles and REPLACE with:

Delete Article 320 of NEC and replace with the following:

320 Armored Cable shall not be used.

Delete Article 322 of NEC and replace with the following:

322 Flat cable assemblies shall not be used.

Delete Article 324 of NEC and replace with the following:

324 Flat conductor cable shall not be used.

AMEND ARTICLE 334.12 Uses Not Permitted (A) "Type NM, NMC and NMS" by adding a new Section 334.12(A)(11) so that when amended it reads as follows:

334.12(A)(11) In non-residential occupancies.

ELECTRICAL CODE

AMEND ARTICLE 340.12 "Uses Not Permitted" by adding a new section 340.12(12) so that when amended it reads as follows:

340.12(12) In non-residential occupancies.

ADD Article 680.20(A) as follows:**680.20 (A) Pool Alarms**

As of January 1, 2011, Tennessee Code Annotated Title 68, Chapter 14 requires a pool alarm to be installed on any structure that is intended for swimming or recreational bathing and contains water over thirty-six inches (36") deep. This includes, but is not limited to in-ground, above ground and on-ground swimming pools, hot tubs, and non-portable spas (T.C.A. 68-14-802 (3)).

A "pool alarm" means a device which emits a sound of at least fifty (50) decibels when a person or an object weighing fifteen (15) pounds or more enters the water in a swimming pool. But shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water (T.C.A. 68-14-802 (1)).

Each person, enterprise, agency or entity that purchases or acquires a swimming pool to be installed after the effective date of this act shall install a pool alarm before using or making available for use such swimming pool (T.C.A. 68-14-804).

When an electrical inspection is required for the installation of a swimming pool, the electrical inspector shall not give final approval for the electrical wiring unless a properly functioning swimming pool alarm has been installed (T.C.A. 68-14-805 (a)).

No local government shall issue a building permit for the construction or substantial alteration of a swimming pool located at a residential dwelling unless the project calls for a functioning swimming pool alarm to be installed prior to the completion of the construction project (T.C.A. 68-14-805 (b)(1)).

It is an offense for any person, firm, association or corporation to knowingly accept a building permit for a swimming pool located at a residential dwelling unless a functioning swimming pool alarm will be installed prior to the completion of the construction project (T.C.A. 68-14-805 (b)(2)).

701.2.1.1 Exception 1: See City of Bartlett Ordinance # 93-14, Codified Ordinance # 09-0604 (Weather Proof Panels). Except by special permission from the City of Bartlett Director of Code Enforcement and the City of Bartlett Electrical Inspector.

IRC CHAPTER 34-43 AMENDMENTS TECHNICAL RULES APPLICABLE TO RESIDENTIAL OCCUPANCIES (ONE & TWO FAMILY DWELLINGS)

3402.4 Wiring Penetrations. All wiring penetrations of top plates shall be sealed with caulk or other sealing material.

AMEND ARTICLE 3405.8 and ADD Exception 1 as follows:

3405.8 Weather Proof Panels. Weather proof panels are not allowed in Bartlett as per City Of Bartlett Ordinance.

Exception 1: Except as specifically approved by the Code Official.

3601.8 Unprotected Service Conductors Length. Service entrance conductors without over current protection shall not be extended more than 15 feet inside a building measuring horizontal from the point of entrance.

3702.15 Any residential appliance or equipment rated at 1000 watts and any electric motor of ½ horse power or larger shall be supplied by individual circuits of adequate capacity for the device to be connected. Receptacles installed in such circuits shall be single opening grounding type rated at 125% of the name plate current of the equipment to be connected, but in no case shall they be rated less than 20 amperes. Service outlets installed at heating equipment may be duplex outlets rated at 20 amperes. (Example: Microwave)

3703.3(A) Electric Washer-Dryer Combinations. Electric washer-dryer combinations rated 5KW or less may be wired on a 30-ampere circuit with a 30 ampere grounding type receptacle. The service demand shall be 20 amperes.

3706.6 Weather Proof Panels. Weather proof panels are not allowed in Bartlett as per City Of Bartlett Ordinance #93-14, Codified Ordinance #09-0604

3802.2.2.3 Installation Requirements; Cable Installation

General. Assemblies with conductors smaller than No. 8 AWG must be run through bored holes, except that in attics where the distance between the top of the ceiling joist and bottom of rafters is two feet or less, the cable may be secured directly to structural members.

3802.2.2.4 Truss Roof Construction Installation. In truss roof construction, cable assemblies with conductors smaller than No. 8 AWG may be secured to the bottom of top chord trusses or may be secured to the top of the bottom chord of trusses and/or may be secured to other structural members, except that protection for cable assemblies shall be required within 6 feet of the nearest edge of scuttle hole or attic entrance. Nominal 2 x 4 truss members shall not be bored for cable assemblies.

ELECTRICAL CODE

3901.4.2 Exception Island Receptacles. Receptacles are not required on moveable island counters without appliances. (SEE DEFINITIONS)

3910 Fire Damage and Building Relocations. Buildings moved from one location to another that are to be used as a single family dwelling shall meet the following requirements:

3910.1 Service entrance conductors shall be governed by new service rules.

3910.5 An inspection and written FIRE RULING must be obtained from the City Of Bartlett Code Enforcement Office prior to commencing work on fire damaged jobs.

IRC R314.4 Power for Smoke Detection Circuits. Smoke Detectors required by the International Residential Code and installed within dwelling units shall not be connected as the only load on a branch circuit. Such detectors shall be supplied by branch circuits having lighting loads consisting of lighting outlets in habitable spaces.

ELECTRICAL CODE

ADD Section E3401.5 City of Bartlett Electrical Code Chapter 17 as Alternate Method to NEC**Chapter 17- Technical Rules Applicable To Residential Occupancies (One and Two Family Dwellings)****Section 1701 General Requirements**

1701.1 Applicability. Chapter 17 shall apply to all one- and two-family dwellings except that sections 1703 and 1711 shall not apply where the prescriptive requirements of the NEC are met. Where the feeder and service loads are calculated in accordance with the NEC, the load calculations shall be submitted with the permit application.

1701.2 ARC Fault Protection. Arc Fault Circuit Interrupter protection shall not be required for bathrooms, garages, and unfinished basements; and for individual branch circuits supplying refrigeration equipment.

Section 1701.3 Additional Load for Existing Occupancies. On existing residential occupancies where the main service to each dwelling consist of No. 8 AWG conductors, additional load may be added without increasing the service conductor size provided the sum of the existing load and additional load as computed shall not exceed 40 amperes per phase or leg.

Section 1703 - Load Calculations

1703.1 General. The load for services and feeders shall be permitted to be calculated in accordance with this section in lieu of the methods required by Article 220 of the National Electrical Code. Where this method is used the installation shall comply with all of the provisions of this Chapter.

1703.2 General Purpose Circuits. The service conductors, feeder and service equipment in single and two family residential occupancies, for general purpose circuits shall have a capacity of not less than 10 amperes for each of the first six 120 volt 2-wire branch circuit; not less than 5 amperes for the next six 120 volt 2-wire branch circuits, and all other 120 volt 2-wire branch circuits 13 and over shall be computed at 3.5 amperes each.

1703.3 Addition of Load. On existing jobs where additional load is being installed, services, feeders, and service equipment shall be increased to provide for the additional load.

1703.4 Range Service Requirements. Where the total connected single-family range does not exceed 17 KW, a service and/or feeder demand of 35 amperes may be used. Conductors supplying outlets for ranges other than built-in type shall be of sufficient size for the range connected, but in no case shall they be smaller than number 8 copper (AWG) rated at 50 amperes. Receptacles used for disconnecting means shall be rated at 50 amperes and supplied by a 50-ampere overcurrent device. Cook tops may be wired with #10 conductors and protected by 30 ampere over current devices.

ELECTRICAL CODE

1703.5 Electric Washer-Dryer Combinations. Electric washer-dryer combinations rated 5KW or less may be wired on a 30-ampere circuit with a 30 ampere grounding type receptacle. The service demand shall be 20 amperes.

1703.6 Spare Circuits For Lighting and Appliances. Spare lighting and appliance branch circuits shall be computed as circuits in use.

1703.7 Other Spare Circuits. Spare circuits for loads other than lighting and appliances shall be computed on the basis of their intended use, or where the future load is not known, the average of the connected load of similar circuits in use on the premises.

1703.8 Other Loads. Loads for appliances and equipment not listed in this section shall be calculated in accordance with the 2017 National Electrical Code.

Section 1704 Unprotected Service Conductors Length. Service entrance conductors (without over current protection) shall not extend more than 15 feet inside a building measuring horizontal from the point of entrance.

Section 1705 Minimum Service Size. No service shall be installed with less than #6 AWG. In new single-family dwellings and in each unit of duplex residential dwellings, the service entrance conductors shall have the equivalent capacity of not less than the following:

1. 100-amperes for residences with an area of 501 square feet through 1,500 square feet; the service conductors shall extend from the service head to the terminals of the first over current devices or the distribution equipment.
2. 200-amperes for residences with an area of 1,501 square feet through 3,000 square feet; the service conductors shall extend from the service head to the line terminals of the first over current devices or the distribution equipment.
3. 225-amperes for residences with 3,001 through 4,000 square feet, the service conductors shall extend from the service head to the line terminals of the first over current device or distribution equipment.
4. 400 amperes for residences with over 4,000 square feet, the service conductors shall extend from the service head to the line terminals of the meter socket.

Section 1706 Service Conductor Splicing. On existing installations, the conductors from the meter to the service drop may be extended splices being made with the appropriate fittings. On new installations, service entrance conductors from the meter to the service drop shall be without splices, except as permitted by Section 1501.4.

Section 1707 Service Equipment and Meters; Location and Requirements.

1707.1 Location. Location of services outlets, meters, and metering equipment shall conform to the requirements of MLGW.

ELECTRICAL CODE

1707.2 Location of Disconnect. Disconnect means shall always be located on the load side of metering equipment.

1707.3 Additional Taps on Existing Residential Installations. On existing residential installations, in addition to the tap or connection from the load terminals of the meter socket to the line terminals of the main or sub-division switch, and that from the load terminals of the main or subdivision switch to the load, two additional taps to load may be made, one from the load terminal of the meter socket and one from either the line terminals or the load terminals of the main or sub-division switch.

1707.4 Taps for Alternative Energy Metering Equipment. A tap complying with MLGW requirements shall be permitted to be made to conductors or equipment on the line side of metering equipment, within the metering equipment enclosure, for the connection of alternative energy source metering equipment to the premises wiring system.

Section 1708 Wiring Methods; Single and Two Family Occupancies

1708.1 General. Nonmetallic-sheathed cable and service-entrance cable shall be permitted to be used in one- and two-family dwellings. Where nonmetallic-sheathed cable is extended through outside walls or floors the cable shall be run through a conduit nipple, properly bushed. Roof sheathing must be completed before cable is installed.

1708.2 Securing Methods for Cable. Service entrance cable and non-metallic sheathed cable, 8 AWG or larger, may be secured directly to permanent structural members on attics and lower edges of joists under houses and unfinished basements. Where distance between ceiling joist and bottom rafters is two feet or less in attics, cable may be run on top of joists or lower edges of roof rafters. Where cable is run parallel to joists, it shall be secured at intervals not exceeding 4-1/2 feet. Where cable is run across joists, it shall be secured on every other joist.

Section 1709 Installation Requirements; Cable Installation

1709.1 General. Assemblies with conductors smaller than No. 8 AWG must be run through bored holes, except that in attics where the distance between the top of the ceiling joist and bottom of rafters is two feet or less, the cable may be secured directly to structural members.

1709.2 Truss Roof Construction Installation. In truss roof construction, cable assemblies with conductors smaller than No. 8 AWG may be secured to the bottom of top chord trusses or may be secured to the top of the bottom chord of trusses and/or may be secured to other structural members, except that protection for cable assemblies shall be required within 6 feet of the nearest edge of scuttle hole or attic entrance. Nominal 2 x 4 truss members shall not be bored for cable assemblies.

1709.3 Branch Circuit Installation. All branch circuit conductors shall be properly joined and terminated prior to rough-in inspection.

ELECTRICAL CODE

Section 1710 - Wiring Methods Service Requirements for Townhouses

1710.1 Definition. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public on not less than two sides.

1710.2 Meter Location. The electric meter for townhouses shall be located on the apartment unit it serves.

Section 1711 Minimum Requirements for Dwellings Using the City of Bartlett Optional Calculation Method (1703)

1711.1 Applicability. This section amends the requirements of the NEC for dwelling units that have the service and feeder loads calculated in accordance with Section 1703. Where this optional method is used, the dwelling unit shall comply with all of the requirements of this section. This section shall not apply to dwelling units wired in accordance with the 2017 NEC. Wherever floor areas are mentioned herein, it shall be understood that such areas are to be calculated from the outside dimensions of the building and by the number of floors.

1711.1.2.1 Locations Not Included In Area. Carports, open porches, unfinished attics, basements, and rooms not connected to the house shall not be computed in the area requirements.

1711.1.2.2 Omissions Allowed For Lighting Circuits. Living rooms and dens without lighting outlets shall be omitted from floor area calculations for lighting circuit calculations.

1711.1.2.3 Kitchen Exclusion. The area of the kitchens supplied by special kitchen circuits shall be omitted from the floor area calculations for receptacles.

1711.2.1 Branch Circuit Wiring. At least one lighting outlet shall be installed in each room, including bathrooms, toilet rooms, halls, and storage rooms, on porches, and at outside entrances without porches, in attics where stairs are installed or provided, and in basement rooms, attached garages, except in living rooms, bedrooms, and dens where one or more convenience outlets are controlled by wall switch. Porch and outside entrance lights shall be wall switched. Switch shall be adjacent to door where practicable. Attic light shall be installed close to or over attic stairs and controlled by wall switch. Switches for lighting outlets shall be located on the strike side of doors; if this is not possible, it shall be located as near the door as possible, but in no case shall it be behind the door swing.

AMEND Section 1711.2.2 by ADDING Language for Clarity Type as follows:

1711.2.2 Lighting Circuits, Minimum Required. At least one lighting circuit shall be installed for each 750 square feet of floor area or fraction of this area, in residential occupancies. Not more than 12 lighting outlets **with the ability to use Edison based lamps** shall be connected to any lighting circuit. Lighting circuits may be wired with 14-gauge wire and protected by 15-amp overcurrent devices. Receptacles shall not be supplied by lighting circuits.

ELECTRICAL CODE

1711.2.3 Bathrooms. Toilet rooms that have a washbasin and bathrooms shall have one convenience outlet adjacent to each sink. Halls having over 50 square feet of floor space shall have at least one convenience outlet.

1711.2.4 Special Installation Allowed. Where the required number of convenience outlets is installed in a room, and due to special conditions it is impractical to space them 12 feet apart, they may be spaced in the most practical manner as near as possible to the 12 foot requirement.

1711.2.5 Separate Eating Areas. Receptacle outlets in eating areas, which are or are not a part of the kitchen may be installed as part of the kitchen receptacle circuits, or installed on receptacle circuits.

1711.2.6 Kitchen Circuits. Two or more circuits, each protected at 20 amperes, and with each such circuit supplying not more than three convenience outlets, shall be installed in every kitchen in new buildings or where kitchens are completely remodeled, or where kitchens are added to existing building, or where existing kitchens are enlarged. A vent-a-hood, gas fired appliance or electric clock may be wired as the fourth outlet on a kitchen circuit. These circuits and outlets shall not extend beyond the kitchen (except as permitted in Section 1715.5).

1711.2.7 Electric Clothes Washing Machines. Electric clothes washing machines shall be installed on a separate circuit.

1711.2.8 Central Vacuum Power Units. Permanently installed central vacuum cleaner power units shall be installed on a separate circuit.

Section 1711.1.3 Garage, Storage, Basements and Carports. Attached and detached garages, and attached carports, basements, and storage areas of 20 square feet or more in area shall have a minimum of one grounding type convenience outlet and one lighting outlet, which may be combined if supplied by a 20-ampere circuit. Such outlets shall not include those installed for door openers and freezers.

Section 1711.1.4 Detached Living Quarters. Rooms connected to a house and used, as living quarters shall comply with requirements for installation of convenience outlets. Ceiling outlets may be combined with the convenience outlet on a 20-ampere circuit in rooms not exceeding 250 square feet.

Section 1711.1.5 Receptacle Circuits. Not more than 16 convenience outlets, single or duplex shall be connected to any circuit and no single circuit shall supply an area of more than 750 square feet. Receptacle circuits shall be wired with 12-gauge wire and protected by 20-amp overcurrent devices.

Section 1711.6 Special Convenience Lighting. Special wall convenience outlets for clocks, fans, etc., located 5 feet or more above floor level shall not be considered as complying with the convenience outlet required in each room, but such special wall outlet may be connected to either lighting or convenience outlet circuits.

ELECTRICAL CODE

Section 1711.7 Room Additions. Rooms added to existing residential occupancies, where the addition does not exceed 250 square feet of floor areas, the lighting and convenience outlets, not exceeding 12, may be connected to the same circuit, and not less than 20 ampacity wires can be used. This shall not apply to kitchen additions.

Section 1712 Small Appliance Circuits. For installations not utilizing the optional methods permitted by sections 1703 and 1711, the small appliance circuits required by Section 210.11(C) of the NEC shall have the load evenly proportioned between the circuits by having each adjacent receptacle in the area(s) served supplied by a different circuit.

Section 1720 Branch Circuits Existing Residential Occupancies; General Wiring Requirement – (Minimum Property Standards)

1720.1 Removal of Unsafe Wiring. In existing dwelling building previously wired with cord wiring, unauthorized extensions, or where other hazardous wiring conditions exist, all hazardous wiring shall be removed, and the new wiring installed to comply with the minimum requirements.

1720.2 Wiring Upgrade for Substandard Dwellings. Existing substandard dwellings shall be wired to meet the minimum requirements as stated below.

1720.3 Retention of Existing Wiring. Existing portions of dwelling buildings may be wired with 15-ampere capacity circuits for lighting and 20-ampere capacity circuits for receptacles.

1720.4 Required Receptacles, Circuits, Special Location Standards and Lighting Outlets. In determining the minimum number of receptacles or lighting outlet in each room of a building, their location in such rooms, the circuits required to properly accommodate such receptacles and outlets and related requirements, the standards and minimum requirements established in the 2003 Edition of the *ICC Property Maintenance Code*, or any later edition hereafter adopted by City of Bartlett, shall be used to locate, size, type and establish the minimum number of such items.

Section 1721 Fire Damaged Buildings. An inspection and written ruling must be obtained from the City of Bartlett prior to commencing work, other than demolition work or temporary service, on fire damaged building.

Section 1722 Building Relocation. Minimum Requirements Buildings moved from one location to another that are to be used as a single-family dwelling shall meet the following minimum requirements:

1. Service entrance conductors shall be governed by new service rules.
2. Kitchens shall have no less than two circuits with a maximum of 3 convenience outlets per circuit.
3. Lights and convenience outlets shall comply with existing branch circuit residential occupancies general requirements.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 3176)

Meeting: 08/09/22 06:00 PM
Department: Code Enforcement
Category: Amendment
Prepared By: Penny Medlock
Initiator: Jim Brown
Sponsors:
DOC ID: 3176

Ordinance 22-04, an ordinance to amend Title 13, Chapter 1 Property Maintenance Regulations by adopting the 2021 Edition of the International Property Maintenance Code, as amended, and deleting Chapter 4, Location of Fences on Private Property.

WHEREAS, the City of Bartlett Charter empowers the City to provide for the health, and safety of the citizens and to ensure the health cleanliness and safety of all buildings, lands and places; and

WHEREAS, the 2021 Edition of the International Property Maintenance Code as amended outlines the minimum standards and requirements necessary to allow the City to provide for the health, safety and cleanliness of all property within the City of Bartlett.

WHEREAS, the location of fences on private property is currently contained in the Zoning Ordinance;

NOW, THEREFORE, BE IT HEREBY ORDAINED that the Board of Mayor and Aldermen hereby adopt the 2021 Edition of the International Property Maintenance Code, as amended, and delete Chapter 4 in Title 13.

SEVERABILITY - Should any portion or part of this Ordinance be rendered void or unenforceable by any Court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

EFFECTIVE DATE This Ordinance shall become effective on, August 9, 2022 the public welfare requiring it.

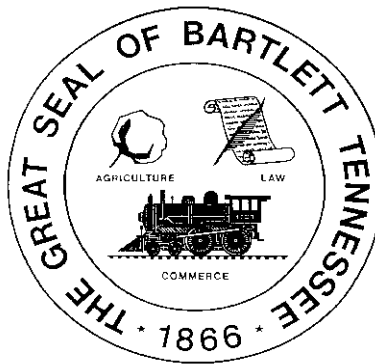
First Reading: July 12, 2022
Second Reading: July 26, 2022
Third Reading: August 9, 2022

W. C. Pleasant, Register to
the Board of Mayor and Aldermen

A. Keith McDonald
Mayor

ATTEST: _____
Penny Medlock
City Clerk

CITY OF BARTLETT



2021

**PROPERTY
MAINTENANCE
CODE
AMENDMENTS**

Attachment: 2021 PROPERTY MAINTENANCE CODE AMENDMENTS (3176 : Ord.22-04, Property Maintenance Code)

AMEND Section 101.1 as follows:**101.1 Title**

These regulations shall be known as the Property Maintenance Code of The City of Bartlett, hereafter referred to as “this code.”

AMEND Section 103.2 to read as follows:**103.2 Appointment**

The Code Official shall be appointed by the Mayor and shall serve at his will & pleasure.

AMEND Section 103.3 to read as follows:**103.3 Inspections**

The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Mayor.

DELETE Section 104 entirely and replace with the following:**104.1 Fees**

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be indicated in the Code Enforcement Fee Schedule. Copies of the fee schedule are available in the Code Enforcement office.

ADD the following to Section 109.3.1 as follows:**109.3.1 Prosecution of violation**

All repair costs are to include, but not necessarily be limited to the following:

- (a) Construction cost including removal and disposal, temporary repairs and barricading, materials and labor cost.
- (b) Administrative cost of one hundred dollars (\$100.00) or fifteen percent (15%), whichever is greater.

ADD the following to Section 302.3 as follows:**302.3.1 Sidewalks and Driveways**

If the property owner does not complete the necessary sidewalk repairs within sixty (60) days and the city undertakes the repairs, the property owner has the option of paying within thirty (30) days of completion of the repair work, wherein the administrative fee will be waived. If the property owner is unable to pay within the allotted thirty (30) days, he can pay via a 12-month payment plan set by the finance department.

AMEND Section 302.4 to read as follows:**302.4 Weeds**

All premises and exterior property shall be maintained free from weeds or plant growth in excess of nine (9) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 08/09/22 06:00 PM
Department: Parks and Recreation
Category: Bid
Prepared By: Debbie Christopher
Department Head: Shan Criswell

Bid for Spinner cycle bikes.

On July 15, 2022, an ad was placed in *The Daily News*. On July 28, 2022, the City of Bartlett received three bids, which were opened at City Hall.

Bids were received from the following companies:

FitworX	\$32,525.00 (due to the \$4500 trade-in of old bikes)
Design 2 Wellness	\$34,050.00
BSN Sports	\$39,674.10

We recommend the bid be awarded to FitworX for a total price of \$32,525.00.

Funds are available in Account 11044900.939.

Thank you for your consideration.

BID RESPONSE SHEET

FY2023-07-02 SPINNER CYCLE BIKES

DUE 07/28/2022 AT 2:00 P.M.

COMPANY/BIDDER	TOTAL BID	NOTES	W-9 if yes check	PUBLIC ACTS if yes check
Fit Worx	\$37,125.00	(\$2,475 each)	X	X
BSN Sports	\$39,674.10	(\$2,644.94 each)	X	X
Design to Wellness *	\$34,050.00	(\$2,270 each)	X	X
* Apparent low bidder pending review				



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 08/09/22 06:00 PM
Department: Finance
Category: Presentation
Prepared By: Penny Medlock
Department Head: Dick Phebus

Authorization to auction surplus property.

Department	Year	Make/Model	Color	Vehicle ID#
Parks	2008	Sunsource Tanning Bed	Silver	3A 9164
BPACC		60 Banquet Chairs	26 Red/34 Gray	
Fire	2006	Ford F350 Ambulance	White	1FDWF36P06EA4151
Public Works	2013	Kubota 60" Mower	Orange	33277/20331P-60
Public Works	1997	Ford Tractor	Blue	CA6P4C
Public Works	2003	Arrow Board	Orange	2EP63030531010196
Police	2004	Toyota Camry	Silver	4T1BE32K24U932544
Police	2012	Chevy Malibu	Silver	1G1ZC5E03CF149887
Police	2003	Nissan Altima	Silver	1N4BL11D93C339100
Public Works	2006	Elgin Street Sweeper	White	49HAADB37DX58062
Public Works	2014	Woods Finishing Mower	Brown	PRD7200
Public Works	1999	16 Ft Trailer		
Public Works	2011	Ford F150	White	1FTFW1CF5BK13017
Public Works	2005	International 4200	White	1HTMPAFL55H136298
Public Works	2007	Ford F150	White	1FTR12W57KB40430

Article V Section 4 of the Charter of the City of Bartlett designates the authority to the Mayor to sell surplus property with Board approval for items valued over \$500. The following items have been identified as surplus with a potential value of over \$500 and are eligible to be sold at public auction.

It is our recommendation that these items be approved to be sold at public auction. If approved, the City of Bartlett will advertise the items to be auctioned on the GovDeals website (www.govdeals.com).

Thank you for your consideration of the above item.

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

Meeting: 08/09/22 06:00 PM

Department: Engineering

Category: Contract

Prepared By: John Horne

Department Head: John Horne

AGENDA ITEM

Contract for Fletcher Creek Sewer System Flow Metering & Analysis.

As development of Union Depot proceeds, Sewer flow metering and analysis is needed for this portion of Fletcher Creek Sewer System (FCSS). Also, there are other developments within this portion of the FCSS that are interested in proceeding. The Engineering Department proposes to hire Barge Design Solutions to:

- 1) Install sewer flow meters that will document existing flows in the area and can be used for modeling proposed flows associated with Union Depot and other developments in this portion of the FCSS.
- 2) Assist the Engineering Department in communicating this analysis and data with the City of Memphis Engineering Department.

Barge Design Solutions submitted a proposal for these consulting services for \$49,750.00. The Engineering Department recommends awarding this contract to Barge Design Solutions in the amount of \$49,750.00.

Barge Design Solutions has performed work for the City of Bartlett on other projects. Attached is a copy of the proposal.

Funding is available in Account 312.48312.772.805.

BARGE DESIGN SOLUTIONS, INC.

PROFESSIONAL SERVICES AGREEMENT

This agreement is made as of the date last signed below by and between City of Bartlett (**Client**) and Barge Design Solutions, Inc. (**Barge**) for professional services for the assignment described as follows:

Project: Flow Monitoring and Survey for Wet Weather Storage

Location: Bartlett, Tennessee

Description of Project: Barge will assist the Client with development and implementation of a flow monitoring program, survey manholes, and coordinate with the developer's engineer for wet weather storage tanks.

- I. **PROFESSIONAL SERVICES:** **BARGE** agrees to perform the following Basic Services under this contract:

See Exhibit A

- II. **COMPENSATION:** **Client** shall compensate Barge for the Basic Services as follows:

See Exhibit A

In addition, **Client** shall pay **Barge** for additional services performed beyond the Basic Services in accordance with the hourly rate schedule attached as Exhibit B to this Agreement.

- III. **PAYMENTS:** Invoices for services rendered will be issued monthly, and payment is due upon receipt of each invoice. Unless special arrangements are made, a finance charge of 1.5% per month will be added to unpaid balances more than thirty (30) days old. In the event legal action is necessary to enforce the payment terms of this agreement, **Barge** shall be entitled to a judgment for its attorneys' fees, court costs, and other collection expenses.

- IV. **TIME:** unless agreed otherwise in writing, **Barge** will commence its services within a reasonable time after receipt of an executed copy of this agreement. **Barge** will perform its services in a timely manner commensurate with the exercise of due professional care. time for performance shall be extended as necessary for delays or suspensions due to circumstances beyond **Barge's** control. if such delay or suspension extends more than six months (cumulatively), **Barge's** compensation shall be equitably adjusted.

- V. **SUSPENSION OF SERVICES:** If **Client** fails to pay any invoice when due or otherwise is in material breach of this Agreement, **Barge** may at its sole discretion suspend performance of services upon five (5) days' written notice to **Client**. **Barge** shall have no liability to **Client**, and **Client** agrees to make no claim for any delay or damage as a result of such suspension. Upon cure of the cause of the suspension, **Barge** shall resume services within a reasonable time, and there shall be an equitable adjustment of the project schedule and fees to reflect the effects of such suspension.
- VI. **STANDARD OF CARE:** Notwithstanding any other provision of this Agreement or any other document describing the services, **Barge** shall perform its services in accordance with the standard of professional care ordinarily exercised under similar circumstances by reputable members of its profession in the same locality at the time the services are provided. No warranty, expressed or implied, is made or intended by **Barge**. The parties further agree that **Barge** is not a fiduciary of **Client**.
- VII. **TERMINATION:** The obligation to provide further services under this Agreement may be terminated without cause by either party upon ten (10) days' written notice to the other party. On termination by either the **Client** or **Barge**, **Client** shall pay **Barge** all amounts due for any services performed to the date of termination (plus all reimbursable expenses incurred). Upon such termination by **Client**, it shall immediately return to **Barge** all drawings, reports, documents, and other instruments of professional services prepared by **Barge**, and **Client** shall make no further use thereof.
- VIII. **OWNERSHIP AND REUSE OF DOCUMENTS:** All documents, including without limitation, drawings, specifications, and reports prepared by **Barge** pursuant to this Agreement are instruments of professional service. **Barge** shall own all legal and equitable rights therein, including copyrights. Such instruments are not intended or represented to be suitable for reuse by **Client** or others for additions or modifications of the Project or on any other project. Any reuse without written consent of **Barge** shall be at **Client's** sole risk and without liability to **Barge**; and to the fullest extent permitted by law, **Client** shall indemnify, defend, and hold harmless **Barge** from and against any and all claims, damages, losses, and expenses, including reasonable attorneys' fees and costs of defense arising out of or resulting therefrom. **Barge** shall be entitled to further compensation for services it is requested to perform in connection with any reuse of its instruments of professional service.
- IX. **ACCESS TO THE SITE/JOBSITE SAFETY:** Unless otherwise stated, **Barge** will have access to the site for activities necessary for the performance of its services. **Client** agrees that **Barge** shall have no responsibility for the means, methods, sequences, procedures, techniques, and scheduling of construction, as these decisions are solely the responsibility of the contractors. **Barge** further shall have no authority or duty to supervise the construction workforce and shall not be responsible for jobsite safety or for any losses or injuries that occur at the Project site.
- X. **INSURANCE:** **Barge** shall endeavor to secure and maintain insurance in such amounts as it deems necessary to protect **Barge** from claims of professional negligence arising from the performance of services under this Agreement.
- XI. **RISK ALLOCATION:** In recognition of the relative risks, rewards, and benefits of the Project to both **Client** and **Barge**, to the fullest extent permitted by law, the parties agree to allocate the risks such that **Barge's** total liability to **Client** for any and all injuries, claims, losses, expenses, damages, and/or claim expenses arising out of **Barge's** services under this Agreement from any cause or

causes shall not exceed the amount of **Barge's** fee. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

- XII. DISPUTE RESOLUTION:** It is agreed that all claims, disputes, or other matters in question arising out of or related to this Agreement shall be submitted to nonbinding mediation before any legal proceeding is commenced. The parties shall equally bear the fees and expenses charged by the mediator.
- XIII. OPINIONS OF CONSTRUCTION COST:** Any opinion of probable construction cost prepared by **Barge** represents the judgment of one or more **Barge** design professionals and is supplied for general guidance of **Client**. Since **Barge** has no control over the construction marketplace and does not use the same pricing methods used by contractors, **Barge** does not guarantee the accuracy of such opinions.
- XIV. GOVERNING LAW:** Unless otherwise specified within this Agreement, this Agreement shall be governed by the laws of the State of Tennessee.

City of Bartlett	Barge Design Solutions, Inc.
By:	By:
Printed Name:	Printed Name: Jonathan Childs
Title:	Title: Senior Vice President
Address:	Address: 615 3rd Avenue S
Date Signed:	Date Signed:
Tax I.D. Number:	



Exhibit A, Scope of Work
Flow Monitoring and Survey for Wet Weather Storage
City of Bartlett
June 30, 2022

Barge Design Solutions, Inc. (Barge) will provide the following scope of services for City of Bartlett (Client) for the Flow Monitoring and Survey for Wet Weather Storage, in accordance with the Professional Services Agreement (Agreement) dated _____. The scope of work is presented in the following elements:

- I. Project Description
- II. Scope of Services
- III. Project Schedule
- IV. Compensation

I. Project Description

The Client's sewer flow from the Fletcher Creek Basin 2 (FCB2) is conveyed to and treated by the City of Memphis (Memphis). There are two outfall points from FCB2 to Memphis, MF-16 and MF-17. Due to surcharge issues downstream, Memphis has stopped allowing flow from any new connections in the Client's system without the Client providing wet-weather storage to reduce peak wet-weather flows.

Under separate contracts, Barge has reviewed flow analysis and modeling completed by Memphis which determined the wet-weather storage required for additional buildout to occur with the Client's system and specifically for the proposed Union Station development. Additionally, Barge determined the additional storage capacity required at MF-16 and MF-17 to completely build out the FCB2 service area beyond what is required for the Union Station development.

The prior analysis and modeling used a single meter at the Memphis MF-16 outfall location to determine storage volumes. Due to the configuration of the Bartlett system, which splits into a north and south sub-basin, Figure 1, immediately before the MF-16 outfall, additional flow monitoring in the north and south sub-basin is required to determine how to allocate the required storage volume. Barge will assist the Client with development and implementation of a flow monitoring program and coordinate with the developer's design engineer.

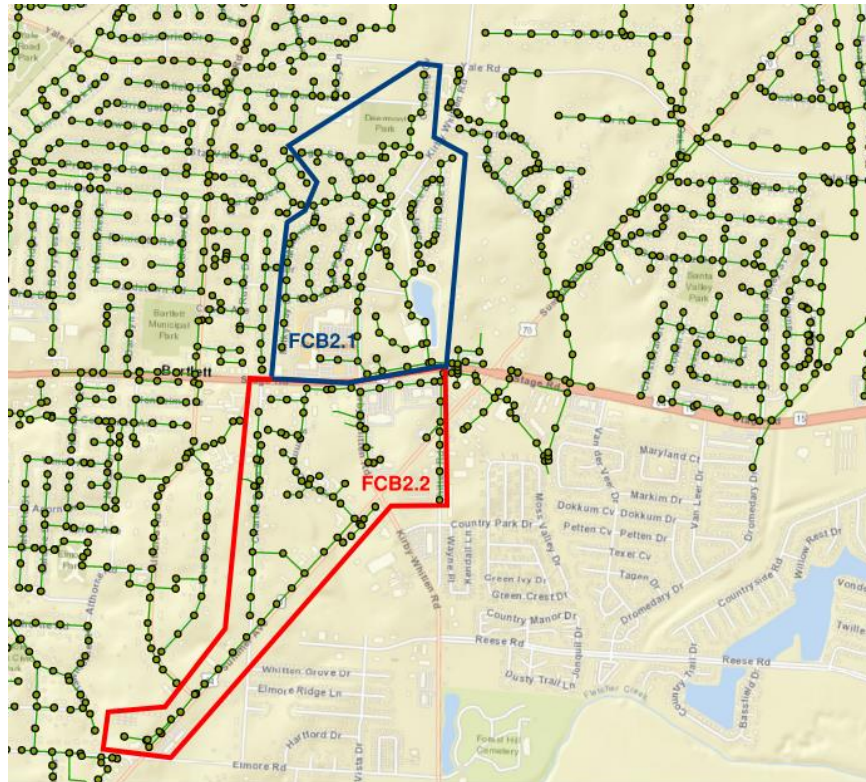


Figure 1: Potential Building Sites for Wet Weather Storage Tanks

II. Scope of Services

The scope of services is summarized into the following major tasks:

- Task 1 – Project Management
- Task 2 – Flow Monitoring
- Task 3 – Survey
- Task 4 – Coordination with Developer

The following sections provide a description of the purpose, activities, deliverables, and assumptions anticipated for each of the tasks.

Task 1 – Project Management

Barge will plan, manage, and execute the work in accordance with the schedule and budget established herein. The project management task will generally include the following activities:



Exhibit A, Scope of Work
Flow Monitoring and Survey for Wet Weather Storage
City of Bartlett
June 30, 2022

- Facilitate project initiation meeting with Client to identify key project stakeholders for distribution of project information, discuss pertinent data, project staffing and organization, and present project work plan and initial schedule.
- Perform general project management duties including supervising and coordinating the project team and subconsultants and monitoring of project progress, costs, schedule, and work to complete.
- Coordinate status's meetings as required with Client staff, prepare meeting agenda, and prepare meeting summaries with action items and decisions. These meetings will occur as part of each project task.
- Prepare and submit monthly invoices and project status reports. Communicate potential scope changes, schedule impacts, and cost risks to allow for timely guidance from Client staff to manage change.

Deliverables:

The following deliverables will be provided as part of this task:

- Project Initiation Meeting Agenda and Summary
- Meeting Agenda and Summaries
- Monthly Progress Reports and Invoices

Assumptions:

The following assumptions are applicable to the above scope of services:

- The project is assumed to include 6-months for collection of data.

Task 2 – Flow Monitoring

The flow monitoring task will include the deployment of the flow data collection equipment, maintenance of the equipment during the project period, and removal of the equipment at the end of the project period.

The following elements will be completed under this task.

- Install two flow monitors, one 10-inch and one 12-inch, (preliminary locations shown in Figure 3). The 6-month monitoring period will allow for capture of seasonal trends; however, if enough adequate rain events occur prior to the 6-months to complete the RDII analysis then the equipment will be removed sooner.
- An existing USGS rain gauge located near Fletcher Creek and Summer Ave will be used to track rainfall.

- Maintain flow monitors during monitoring period.
- Remove flow monitors at end of monitoring period.

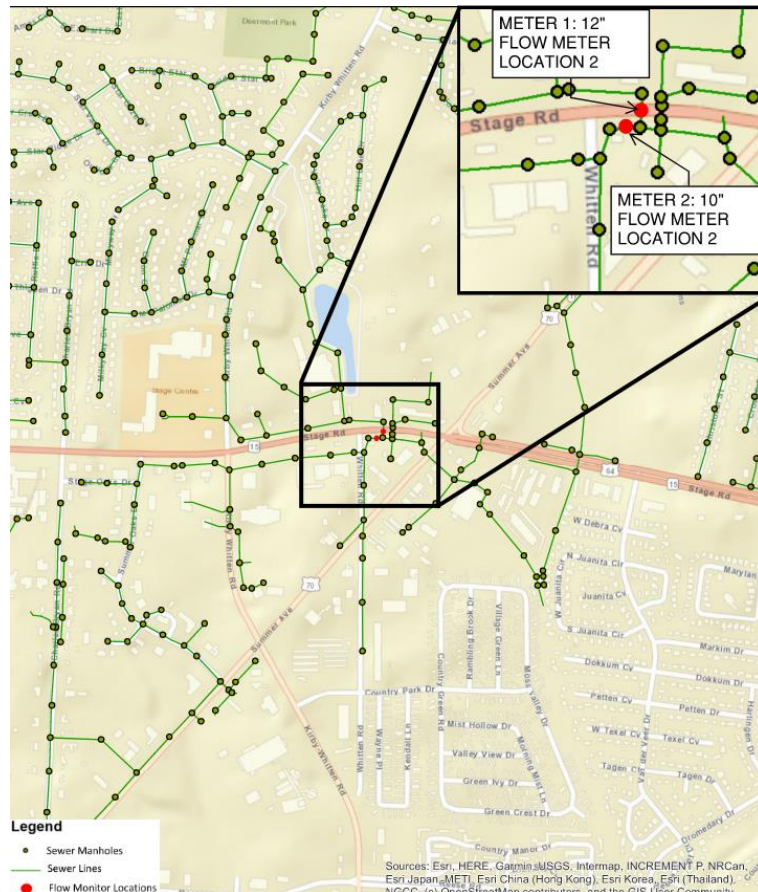


Figure 3: Proposed Flow Meter Locations

Deliverables:

The following deliverables will be provided as part of this task:

- Summary of flow and rainfall data

Assumptions:

The following assumptions are applicable to the above scope of services:

- Client will provide access to flow monitor locations during duration of monitoring period.
- USGS rainfall gauge (maintained by others) will be operational during the flow monitoring period.



Exhibit A, Scope of Work
Flow Monitoring and Survey for Wet Weather Storage
City of Bartlett
June 30, 2022

Task 3 - Survey

Barge will survey up to 35 manholes near the corner of Stage Summer Ave (HWY 70) and Stage Road (HWY 64) for location (coordinates), top of casting elevation, and invert elevations. The manholes selected to be surveyed either do not have existing information available in the Client's records or are critical to determining the feasibility of the storage tank locations and need to be confirmed.

Deliverables:

The following deliverables will be provided as part of this task:

- 2020 AutoCAD file of surveyed manholes

Assumptions:

The following assumptions are applicable to the above scope of services:

- Manholes will be accessible.

Task 4 – Coordination with Developer

Barge will participate in a kickoff meeting and one coordination meeting with the Client, Developer, and Developer's engineer. The goal of the meetings are to address deliverables, schedule, and other questions which will be defined in the technical memorandum regarding the design of the storage tank and associated elements being completed by the Developer's engineer.

Deliverables:

The following deliverables will be provided as part of this task:

- None

Assumptions:

The following assumptions are applicable to the above scope of services:

- Two virtual (1 hour) coordination meetings are included
- Agenda and meeting minutes will be prepared by others.
- No design documentation will be provided.



Exhibit A, Scope of Work
Flow Monitoring and Survey for Wet Weather Storage
City of Bartlett
June 30, 2022

III. Project Schedule

Total duration to completion for the project is anticipated to be six months. The preliminary project schedule is shown in the table below. Tasks 2 and 3 will run concurrently and Task 4 will be as required.

Tasks	Duration
Task 2 Flow Monitoring	6 months
Task 3 Survey	0.5 months
Task 4 Coordination with Developer	

IV. Compensation

Client agrees to pay Barge for time worked on the project by various personnel plus applicable outside services and other expenses properly charged to the project in accordance with the Schedule of Hourly Rates included in Exhibit B of the Agreement. The cost to complete the scope of work as defined in the tasks above is estimated to be \$49,750, a breakdown of this budget by task is included in the table below. The budget status will be summarized monthly in our progress report and invoice submittal.

Fee Summary Table

Tasks	Compensation
1. Project Management	\$5,000
2. Flow Monitoring	\$37,500
3. Survey	\$5,250
4. Coordination with Developer	\$2,000
TOTAL	\$49,750

BARGE DESIGN SOLUTIONS, INC.

EXHIBIT B SCHEDULE OF HOURLY CHARGES

The following hourly rates apply for personnel of **BARGE** and its wholly owned subsidiaries for time properly chargeable to the work.

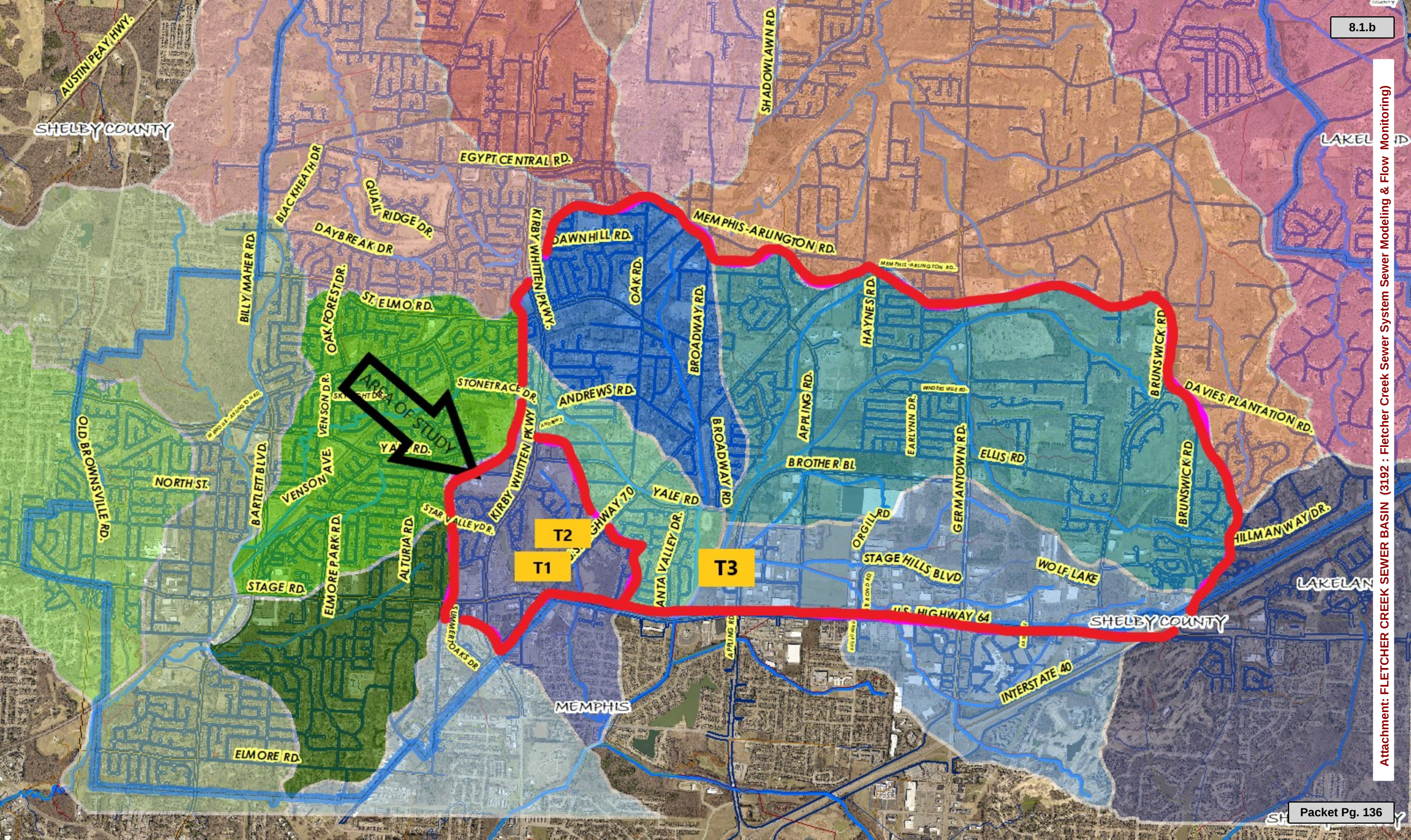
Hourly Rate Schedule

Classification	Hourly Rate
Principal-In-Charge/Technical Advisor	\$225
Sr. Project Manager/Sr. Technical Leader/Quality Control	\$215
Sr. Technical Specialist	\$215
Sr. Professional Engineer IV	\$195
Project Manager II/Engineering Manager II	\$195
Sr. Professional Engineer III	\$190
Project Manager I/Engineering Manager I	\$185
Sr. Professional Engineer II	\$180
Sr. Professional Engineer I	\$170
Professional Engineer II	\$155
Professional Engineer I	\$150
Staff Engineer II	\$125
Staff Engineer I	\$115
Designer III/Sr. Specialist	\$155
Designer II	\$125
Designer I	\$115
CAD Technician II/GIS Specialist II	\$110
CAD Technician I/GIS Specialist I	\$100
Sr. Registered Land Surveyor	\$150
Registered Land Surveyor	\$105
2-Man Survey Crew	\$150
Resident Project Representative III	\$120
Resident Project Representative II	\$105
Resident Project Representative I	\$90
Project Administrator	\$90
Office Administrator	\$85
Administrative Assistant	\$80

Outside services contracted for a specific project, such as professional and technical consultants, laboratory testing, reproduction, photography, etc., will be invoiced at the amount of the subcontractor's statement plus 10 percent.

Other expenses such as travel expenses, mileage (standard IRS rates), reproduction, photography or videography, or other direct expenses incurred by Barge and related to the work will be invoiced at the actual cost incurred.

The hourly rates listed above are valid until September 1, 2023, after which the rates may be adjusted.





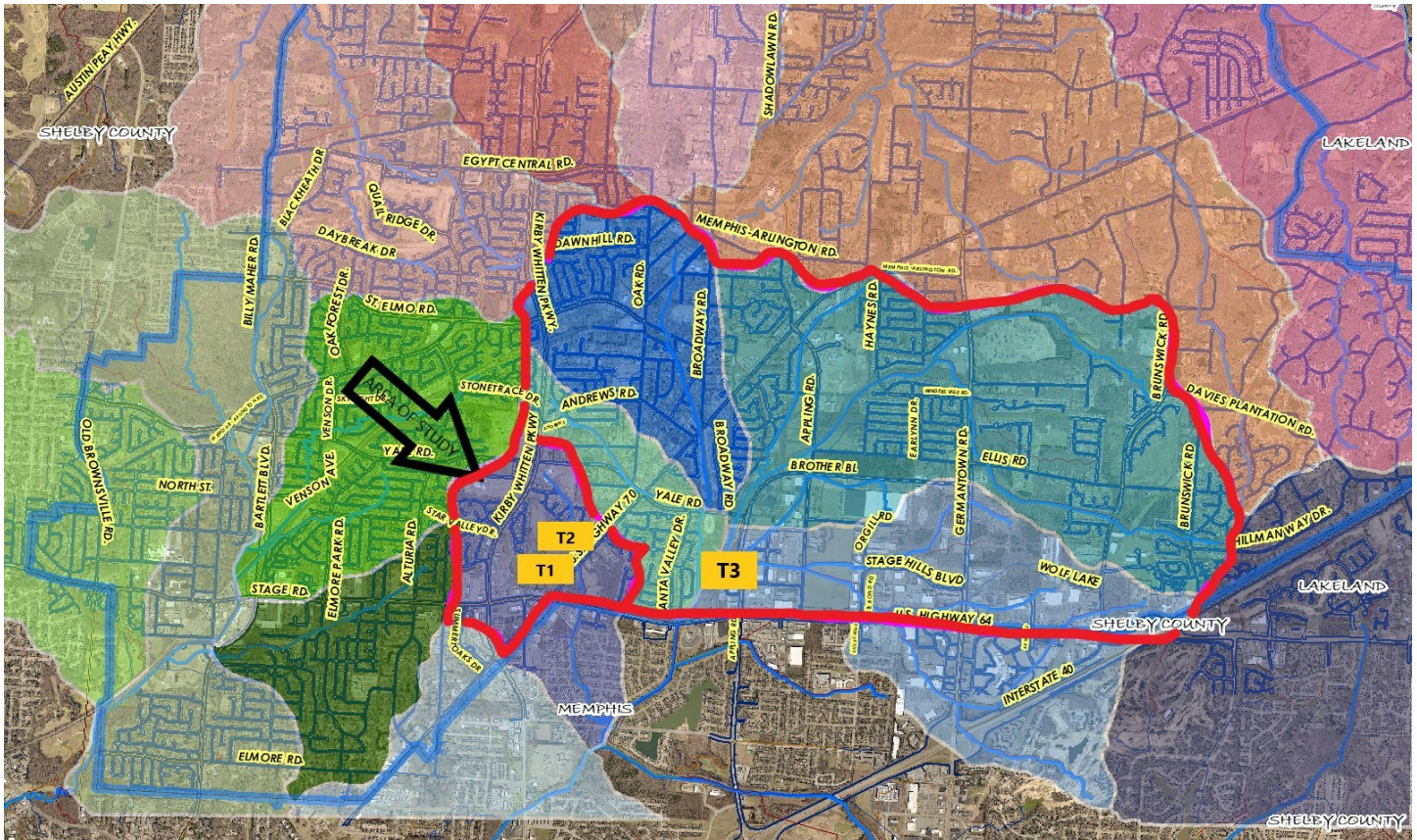
As you are aware, a portion of the City of Bartlett is sewer serviced to the south into the City of Memphis. In 2012, the City of Memphis was directed by the EPA to begin correcting sewer problems in their system.

In 2019, the Memphis Engineering Department mentioned to our Administration that sewer flows in our Fletcher Creek Sewer System (outlined in **RED** below) were considered excessive and the City of Bartlett should take corrective action. Through further documents, the City of Memphis *requested* the City of Bartlett to do the following:

1. Install 3 sewer storage tanks (labeled below as T1, T2, T3)
2. Require future developments within the Fletcher Creek Sewer Basin to install individual Sewer Holding Tanks.

Since then, the Engineering Department has complied with the 2nd request only.

Below, in the area marked "AREA OF STUDY" is the location of the proposed development called Union Depot.



Last Fall, The City of Memphis agreed to allow the Union Depot Sewer Plan to proceed with the following conditions:

The Developer (Grant) would be required to construct (2) underground Sewer Storage Tanks on site in the areas shown below as **YELLOW**.

1. Tank #1 would be 280,000 gallons.
2. Tank #2 would be 260,000 gallons.
3. The developer agreed to construct these (2) tanks as a part of the Phase 1 Site Development.
4. Once in operation, they will be owned and maintained by Bartlett Public Works.
5. These (2) tanks will accommodate the sewer flow for all phases of Union Depot.



Although these (2) tanks will accommodate Union Depot Sewer Flows, they are not large enough to accommodate future flows for future Developments In this part of the Fletcher Creek Basin shown in the area **above**. Potential Future Developable Parcels in this Basin are noted with **BLUE STARS**.

Barge Design Solutions were hired to use the City of Memphis Sewer Model and determine if an expansion of each of the (2) tanks could accommodate Future Sewer Flows in this Basin. Their results concluded that each tank could be expanded by 30,000 gallons (shown above as **GREEN SQUARES**) and this would accommodate future flows in this basin marked by the **BLUE STARS**.

PROPOSED BARGE DESIGN CONTRACT

At this point, **Sewer Flow Meters** are needed to complete the modeling for the Union Depot storage tanks and their expansions. These sewer flow meters will be installed in the area of the **RED CIRCLE**.

1. After installation, these meters will record sewer flow data for 3-6 months.
2. This sewer Flow data will be used to control the flow entering the storage tanks and discharging to the Memphis Sewer System.
3. Once the sewer flow monitoring is completed, Barge and the City of Bartlett Engineering Staff will meet with the City of Memphis Sewer Staff to finalize the design and operation of these (2) tanks and their expansions.

The Attached contract includes this Scope of Work for a total of \$49,750.00. I am requesting this be awarded to Barge Design Solutions.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 3190)

Meeting: 08/09/22 06:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 3190

Resolution 30-22, a resolution to delete uncollectible accounts from utility customers accounts receivable in the amount of \$38,723.91.

WHEREAS, the City of Bartlett has established a procedure regarding write offs of uncollectible utility accounts receivable; and

WHEREAS, the City Treasurer will review all past due accounts in excess of six months old. The City Treasurer, after determining the accounts which appear uncollectible, may write off all such accounts with a balance of \$25.00 or less; and

WHEREAS, the past due utility bills that are more than \$25.00 and are deemed uncollectible by the City Treasurer will be brought to the City of Bartlett Board of Mayor and Aldermen board meeting in June each year for approval of writing off all past due uncollectible accounts; and

WHEREAS, the list of past due water bills that are more than \$25.00 as of June 2022 that are deemed uncollectible by the City Treasurer totals approximately \$38,723.91; and

WHEREAS, a list of all customers with unpaid balances which have been written off shall be kept on file for public record. Any customer whose account was previously written off and desires to initiate service again with the City of Bartlett for water/utility service must pay the unpaid bill before service will be started again;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN that these water/utility accounts receivable, totaling \$38,723.91, will be deleted from the accounts receivable uncollectible aged list of accounts.

Adopted this day of August 9, 2022

W. C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____
Penny Medlock, City Clerk

UTILITY WRITEOFFS BY CODE

Aug-22

WATER

101	COMMERCIAL WATER INSIDE	448.95
102	RESIDENTIAL WATER INSIDE	5,718.12
111	NORTH BASIN RES INSIDE	1,809.64
112	NB RES INSIDE ANXD 2013	279.44
113	NORTH BASIN COMM INSIDE	714.61
132	NORTH BASIN RURAL RES OUTSIDE	279.93
7CONN	CONNECTION CHARGE TO BE BILLED	175.00
7DSCON	DISCONNECT	1,320.00
910	FAMILY FUND	1.65
LOKCUT	METER LOCK CUT POST TURN OFF	100.00
PENLT	PENALTY	3,297.48
NSF	NSF BANK FEE	100.00

SEWER

301	SEWER FLAT RATE	23.32
307	INSIDE RESIDENTIAL SEWER	4,807.63
308	INSIDE COMMERCIAL SEWER	466.59
321	NORTH BASIN RES INSIDE	1,722.61
322	NORTH BASIN RES IN ANXD 2013	216.00
323	NORTH BASIN COMM INSIDE	631.62
342	NORTH BASIN RURAL RES OUTSIDE	-

CITY SERVICE FEE

502	CITY SERVICE FEE	1,539.76
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SALES TAX

2STAX	SALES TAX	906.05
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GARBAGE

504	RESIDENTIAL GARBAGE	14,115.51
505	COMMERCIAL GARBAGE	-
706	EXTRA PURCHASE CART	50.00

2022 WRITE OFFS	38,723.91
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Attachment: BARTLETT WRITE-OFFS 8-1-2022 (3190 : Res. 30-22 Utility Accounts Write-offs)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 3189)

Meeting: 08/09/22 06:00 PM

Department: Planning and Economic Development

Category: Amendment

Prepared By: Penny Medlock

Initiator: Kim Taylor

Sponsors:

DOC ID: 3189

Ordinance 22-05, an ordinance amending the existing sign ordinance; Title 14, Chapter 4, Section 14-401(1) "Abandoned signs," Section 14-401(39) "Political signs," Section 14-401(51) "Temporary signs," Section 14-402 "General requirements," Section 14-410 "Moving signs prohibited," Section 14-426 "Political signs restricted," Section 14-446 "Private sale sign permitted," Section 14-452 "Signs permitted in other districts," and Section 14-471 "Establishment of a special sign corridor," of the Codified Ordinances of the City of Bartlett, Tennessee.

WHEREAS, Title 14, Chapter 4, Sections 14-401(1), 14-401(39), 14-401(51), 14-402, 14-410, 14-426, and 14-452 contain some provisions that are now inadequate or that could use clarity; and

WHEREAS, Title 14, Chapter 4, Section 14-471, identifies one specific location as a special sign corridor; that is now being broadened to include an additional location in the City; and

WHEREAS, the Planning Commission of the City of Bartlett, Tennessee has reviewed and approved the existing Sign Ordinance and the proposed amendments on August 1, 2022 and recommends adoption of the existing Sign Ordinance with the proposed amendments, by the Board of Mayor and Aldermen; and

WHEREAS, the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, desire to adopt the existing Sign Ordinance with the proposed amendments to the said Title, Chapter and Sections; and

WHEREAS, in accordance with Tenn. Code Ann. Section 13-7-203, the Board of Mayor and Aldermen held a public hearing on September 9, 2022 to obtain citizen input into the existing Sign Ordinance and the proposed amendments; and

WHEREAS, said public hearing notice was published in a newspaper of general publication at least fifteen days prior to the aforementioned public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE, THAT THE EXISTING SIGN ORDINANCE IS ADOPTED AND THAT:

Section 1. Title 14, Chapter 4, Section 14-401, Definitions, is hereby amended to read as follows:

14-401(1). Definition of “Abandoned signs.” This subsection is hereby deleted and replaced with the following language: “A sign which was lawfully placed on the property in conjunction with a particular use, that use having been subsequently discontinued for: (1) the period of time provided under Tenn. Code Ann. § 13-7-208(g) if the use is an industrial, commercial or other business use; or (2) a period of thirty days or more, for all other types of uses, or (3) a sign pertaining to an event or purpose that has passed in time, or (4) a permitted sign for which the permit has expired.”

14-401(39). Definition of “Political signs.” This subsection is hereby modified to add the following language: Political signs are considered to be temporary signs that require no permit. Regulations regarding temporary signs are addressed in Section 14-402(4). (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, Ord. #87-18, Feb. 1988; Ord. #91-3, June 1991; Ord. #95-13, Sept. 1995; Ord. #00-03, March 2003, and Ord. #13-01 March 2013).

14-401(51). Definition of “Temporary signs.” This subsection is hereby deleted and replaced with the following language: A temporary sign is any sign, handbill, or poster which is placed to advertise or announce a social/special event, or which pertains to a particular event or occurrence, or which is not permanently anchored or secured to a building and not having supports or braces permanently secured in the ground, and that is used for a limited time period, and without regard to message. Examples of temporary signs include, but are not limited to, “portable signs,” “political signs,” “election signs,” “real estate signs,” “garage sale signs,” “baby announcements,” “lost pet signs,” or any other non-commercial message. The term “temporary signs” does not include any government sign. Home occupation signs shall be considered commercial signs, and are not allowed within any residential district.

Section 2. That Title 14, Chapter 4, Section 14-402, “**General requirements**,” is hereby amended to be titled “General requirements, findings, purpose and intent, effect, exempt signs, and additional permitted signs;” and is hereby modified to include the existing language as “Subsection 1” and is hereby amended to add the following language as subsections 2 and 3:

14-402(2). Findings, purpose and intent, effect, exempt signs, and additional permitted on-premise signs.

(a) Findings. The Board of Mayor and Aldermen of the City of Bartlett hereby finds as follows:

- (1) Exterior signs have a strong visual impact on the character and quality of the community.
 - (2) Signs provide an important medium through which individuals may convey a variety of messages.
 - (3) As a prominent part of the scenery, signs attract the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the neighborhood.
 - (4) The City relies upon its scenery and physical beauty to attract businesses and residents, both current and prospective, and aesthetic considerations affect economic value.
 - (5) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
 - (6) The City's zoning regulations have always included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the city and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the city has a positive impact on traffic safety and the appearance of the community.
- (b) Purpose and intent.** It is not the purpose or intent of this chapter to regulate the message displayed on any sign; nor is it the purpose or intent of this chapter to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside of a building. The purpose and intent of this chapter is to:
- (1) Protect and enhance the City's historic and residential character and its economic base through the provision of appropriate and aesthetic signage.
 - (2) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to minimize

their distracting effect upon motorists, bicyclists or pedestrians, which is a threat to traffic safety and is harmful to the appearance of the community.

- (3) Seek to balance the need for the protection of public health, safety, welfare and community aesthetics, with the desire to protect the freedom of speech, and prevent discrimination in the application of free speech principles and tenets through the use of content-neutral regulations.
- (4) Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

(c) Effect. A sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of these regulations. The effect of these regulations, as more specifically set forth herein, is to:

- (1) Allow a wide variety of sign types in commercial districts, and a more limited variety of signs in other districts, subject to the standards set forth in this chapter.
- (2) In all zoning districts except residential, allow certain small, unobtrusive signs incidental to the principal use of a site when in compliance with the requirements of this chapter.
- (3) Provide for temporary signs in limited circumstances.
- (4) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- (5) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting and/or illegible signs.
- (6) Protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it is to be attached or the property to which it pertains; to encourage signs that are compatible with adjacent buildings and businesses and landscape designs; and to advance the City's goals of quality development.

- (7) Except to the extent expressly preempted by state or federal law, to ensure signs are constructed, installed and maintained in a safe and satisfactory manner, and to protect the public from unsafe signs.
- (8) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape and ensuring that signs are in harmony with buildings, neighborhoods, and conforming signs in the area and precluding sign types that create a nuisance to the occupancy or use of other properties as a result of their physical characteristics, such as their size (area), height, number, illumination and movement.
- (9) Provide consistent sign design standards.
- (10) Encourage signs that are of a quality design, that are pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood.
- (11) Provide an improved visual environment for the citizens and visitors to the City.
- (12) Provide for the enforcement of the provisions of this article.
(Ord. #79-10, May 1979, as amended by Ord. #91-3, June 1991, modified).

(3) Exempt signs.

The following on-premises signs are exempt from the operation of these sign regulations, provided that they are not placed or constructed so as to create a hazard of any kind through the obstruction of vision by motorists and pedestrians.

- (a) Within all districts, permanent signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission, as appropriate, from the State, the United States of America, or the City of Bartlett.
- (b) Within all districts, legal notices and official instruments from the

State, the United States of America, or the City of Bartlett.

- (c) Special event signs for community events sponsored in whole or part by the City of Bartlett.
- (d) Any sign inside an athletic field or other enclosed outdoor space, where the sign is not legible from more than three (3) feet beyond the lot line of the site on which it is located.

(4) Additional permitted on-premise signs.

The following on-premises signs are permitted, provided that they are not placed or constructed so as to create a hazard of any kind through the obstruction of vision by motorists and pedestrians

- (a) Within residential districts, holiday lights and decorations, including inflatables, up to 30 consecutive days before a nationally-recognized holiday, and removed within seven days after the holiday.
- (b) Within residential districts, lights and decorations, including inflatables, up to 31 consecutive days or one month, whichever is shorter, during any nationally-recognized month-long commemoration-type event, and removed within seven days after the commemoration-type event concludes.
- (c) Within all districts, public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards.
- (d) Within residential districts, temporary freestanding signs shall be limited to two per lot at any given time and a display period not to exceed sixty days per lot for all such signs in any calendar year. Such signs include, but are not limited to, political preference signs, and social/special event signs. Notwithstanding the foregoing, additional temporary freestanding signs may be displayed as follows:
 - i. During any period when a parcel is offered for sale or property within the parcel is offered for lease, one additional temporary freestanding sign advertising such sale or lease may be displayed.
 - ii. Pursuant to Tenn. Code Ann. § 2-7-143, and subject to any

homeowner association covenants, restrictions or rules to which Tenn. Code Ann. § 2-7-143 applies, in residential districts, one additional temporary freestanding sign per candidate, issue, or subject, may be placed per lot and per street frontage on any developed or vacant private property by the owner of the property or any lawful resident of a residence on the property that is located more than one hundred feet (100') from a polling place up to 60 days before the first day voting begins.

- iii. Pursuant to Tenn. Code Ann. § 2-7-143, in commercial and industrial districts, one additional temporary freestanding sign per candidate, issue, or subject may be placed per lot and per street frontage on developed or vacant private property by the owner of the property that is located more than one hundred feet (100') from a polling place up to 60 days before the first day voting begins.
- iv. Specifications: Sign area/removal.

Within residential districts, a temporary freestanding sign may not exceed sixteen square feet per side (double face signs are allowed) in size, with a maximum height of six feet from grade. Such signs cannot be within the public right-of-way for a road or within a pedestrian easement and must be located at least 10 feet back from the curb or edge of the pavement. Signs on corner lots may be no closer to the corner than 35 feet from the intersecting lines of the corner curbs. Such signs must be removed within seven days after the sale of the property, the issuance of a certificate of occupancy, the election, or the social/special event.

Within commercial and industrial districts, a temporary freestanding sign may not exceed thirty-two square feet per side (double face signs are allowed) in size, with a maximum height of six feet from grade. Such signs cannot be within the public right-of-way for a road or within a pedestrian easement. Signs less than 16 square feet must be at least 10 feet from the curb or edge of the pavement; 16 square feet signs must be located at least 40 feet back from the curb or edge of the pavement; and 32 square foot signs must be located at least 60 feet from the curb or edge of the pavement. Such signs must be removed within seven days after the election or social/special event.

- (e) Within all districts, signs carried by a person when the person does not receive any financial compensation. A handheld sign is any sign that is held by or otherwise mounted on a person (i.e., sandwich board). Clothing and hats are not considered signs. A handheld sign is not included in the maximum number of allowed signs but must be held by a person. A handheld sign that is placed on the ground or propped against something becomes a ground mounted sign and is counted toward the maximum limit of 1 per candidate/issue/subject. Because handheld signs displayed within the public right-of-way can distract motorists or place sign holders too close to moving cars, any individual carrying a handheld sign is required to stand on the sidewalk or, if none, at least six feet from the edge of the pavement of the road.
- (f) Within residential districts, one (1) flagpole and two (2) non-commercial flags per pole per lot. No flag shall exceed five (5) feet by eight (8) feet. Flagpoles must be a maximum of twenty-five (25') in height or no higher than the highest point of the principal building's roof, whichever is lower, measured from finished grade. Flagpoles must meet the minimum setback requirements for the respective district.
- (g) Within commercial and industrial districts, one flag pole and two flags per pole per one hundred feet (100') of frontage on a right-of-way, up to a maximum of six flag poles and twelve flags. The flags may contain a logo and shall be subject to a maximum height of eighty feet (80'), measured from finished grade. Flagpoles must meet the minimum setback requirements for the respective district.

Section 3. That Title 14, Chapter 4, Section 14-410, "**Moving signs prohibited**," is hereby modified to delete the second sentence. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013).

Section 4. That Title 14, Chapter 4, Section 14-426, "**Political signs restricted**," is hereby deleted.

Section 5. That Title 14, Section 4, Section, 14-446, "**Private sale sign permitted**," is hereby deleted.

Section 6. That Title 14, Section 4, Section, 14-452, "**Signs permitted in other districts**," is hereby deleted.

Section 7. That Title 14, Section 4, Section, 14-471, “**Establishment of a special sign corridor**” is hereby modified to be titled “Establishment of special sign corridors” and is hereby modified to read as follows: “Special sign corridors are hereby established for those tracts of land of five (5) acres or more, or a single cohesive development that is five (5) acres or more in the City of Bartlett located east of Fletcher Creek with road frontage on U.S. Highway 64 and along Germantown Parkway from Highway 64 north to a point 2,000’ north of Highway 64, and having C-H Highway Commercial Zoning and for those tracts of land of five (5) acres or more, or a single cohesive development that is five (5) acres or more in the City of Bartlett with road frontage of at least one thousand feet (1,000’) on U.S. Highway 70, north of Highway 64 to a point 2,000’ feet north of Highway 64, and having O-R-I Zoning. Each tract of land meeting these criteria shall be allowed a ground sign with a maximum area of two-hundred (200) square feet and a maximum height of twenty feet (20’), and a maximum width of ten feet (10’). Setback, lighting, landscaping, and base material requirements are set forth in §14-464 and §14-465 of this chapter. Wall or building signs shall be controlled by § 14-447 and §14-448 of this chapter.”

Section 8. Severability.

Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

Section 9. Effective Date. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading:	August 9, 2022
Second Reading:	August 23, 2022
Third Reading:	September 13, 2022

W. C. Pleasant Register to the Board
of Mayor and Aldermen

A. Keith McDonald
Mayor

ATTEST: _____
Penny Medlock
City Clerk

CHAPTER 4**SIGN ORDINANCE****SECTION**

- 14-401. Definitions.
- 14-402. General requirements.
- 14-403. Annual sign inspection required.
- 14-404. Nationally or state registered logos and trade emblems permitted/approved.
- 14-405. Obscene copy prohibited.
- 14-406. Traffic control copy prohibited.
- 14-407. Confusing or obstructive signs prohibited.
- 14-408. Changeable copy signs.
- 14-409. Misleading signs prohibited.
- 14-410. Moving signs prohibited.
- 14-411. Changing signs.
- 14-412. Banners, pennants, streamers, light strings, spinners prohibited; exceptions.
- 14-413. Special signage for approved sidewalk sales.
- 14-414. Awnings exceptions.
- 14-415. Reflective materials prohibited.
- 14-416. Structurally unsound signs prohibited.
- 14-417. Vehicle signs prohibited.
- 14-418. Sign lighting restricted.
- 14-419. Lighted open signs.
- 14-420. Beacon lights prohibited.
- 14-421. Illumination not to interfere with traffic signals.
- 14-422. Exposed bulbs prohibited.
- 14-423. Abandoned signs prohibited.
- 14-424. Pole and other signs prohibited.
- 14-425. Multi-face sign restricted.
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- 14-428. Sign as a non-conforming primary use--exception.
- 14-429. Off premises signs prohibited.
- 14-430. Window signs prohibited.
- 14-431. Permitted window signs.
- 14-432. Billboards prohibited--exception.
- 14-433. Street number signs permitted.
- 14-434. Grand opening signs and closing signs permitted.
- 14-435. Special provisions for service stations.
- 14-436. Historical markers permitted.
- 14-437. Street signs and public service signs permitted.

- 14-438. Directional signs in complexes permitted.
- 14-439. Club and organization identification signs prohibited.
- 14-440. Construction and real estate signs.
- 14-441. Subdivision identification signs permitted.
- 14-442. Temporary subdivision signs permitted.
- 14-443. Identification signs in multi-family districts permitted.
- 14-444. Residential shielding required.
- 14-445. Signs of non-profit organizations restricted.
- 14-446. Private sale sign permitted.
- 14-447. Wall sign requirements generally.
- 14-448. Signs permitted in a commercial and office district.
- 14-449. Entrance sign for commercial, industrial or office complexes.
- 14-450. Theater marquee signs.
- 14-451. Directory and project identification signs.
- 14-452. Signs permitted in other districts.
- 14-453. Applications.
- 14-454. Scope of authority.
- 14-455. Permit fees required.
- 14-456. Sign permit restrictive.
- 14-457. Enforcement--building official designated.
- 14-458. Appeal from decision of the building official.
- 14-459. Appeal from decision of the design review commission.
- 14-460. Notice to remove illegal sign.
- 14-461. Removal of unsafe structures.
- 14-462. Repair and/or replacement of signs.
- 14-463. Provisions of federal and state law excepted.
- 14-464. Conditions for ground sign exception.
- 14-465. Ground sign restrictions.
- 14-466. Informational signs.
- 14-467. Signs erected on buildings not enclosed and heated.
- 14-468. Vending machine signs regulated.
- 14-469. Signs on ornamental or decorative structures.
- 14-470. Signs for industrial park zoning.
- 14-471. Establishment of a special sign corridor.
- 14-472. Signs for motor vehicle sales.
- 14-473. Penalties.

14-401. Definitions. The following definitions shall apply to the use of terms within this chapter:

(1) "Abandoned signs." A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, project or activity conducted or a product available on the premises where such sign is displayed.

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(2) "Animated sign." Any sign which includes any moving parts. For purposes of this ordinance, this term does not refer to flashing or changing, all of which are separately defined.

(3) "Area measurement of sign." The area of a sign shall be measured by one (1) or two (2) of the smallest, contiguous geometric shapes: square; rectangle; circle; half circle and triangle.

Measurement Examples



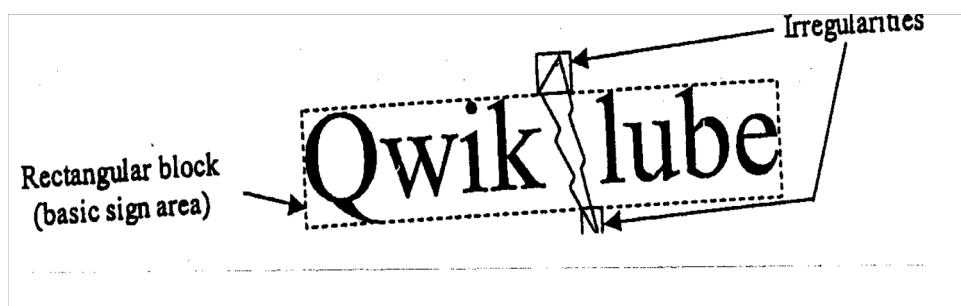
Curves



Any pictorial element is part of a sign and extends outside of the geometric shapes shall be treated as an irregularity rather than an extension of the lettering.

(a) An additional five percent (5%) of the permitted total square footage will be allowed for irregularities in sign copy which are in excess of the geometric shapes formed by the outermost points.

(b) For irregularities that exceed five percent (5%) of the total area, the irregularities shall be individually blocked and considered as part of the total area of the sign. Logos shall be blocked separately and considered as part of the total sign area.



(4) "Banners." Any streamer, flag-like pennant or other object, whether constructed of fabric or of other materials which, with or without insignia, attracts the attention of citizenry to a location or business.

(5) "Beacon." A sign or a sign lighting mechanism which focuses a beam of light by whatever mechanism created and regardless of intensity.

(6) "Building face or wall." All window and wall areas of a building in one plane or elevation.

(7) "Building identification sign." A sign that may be located on a building to identify the name of the building, such as a historic building.

(8) "Building official." That person designated by the board of mayor and aldermen to act as the administrator and enforcing officer of this ordinance, or his duly authorized designee.

(9) "Business identification sign." A ground or wall sign that identifies the name of the business or occupant that is located on the premises.

(10) "Changeable copy sign (manual)." A sign on which copy may be changed manually in the field, such as reader boards with changeable letters or changeable pictorial panels.

(11) "Changing sign (automatic)." A sign wherein different copy changes are shown on the same sign face by means of lighting or otherwise such as an electronically or electrically controlled public service time, temperature and date sign, message center or readerboard.

(12) "Collector street." As shown on the official City of Bartlett Major Street Plan.

(13) "Commercial complex." A group of five (5) or more businesses or enterprises sharing a common parking lot and common ingress and egress upon a single subdivided tract of record.

(14) "Commercial district." That area in the city which has been officially zoned for commercial use as retail stores, service establishments and offices, but not to include residential uses.

(15) "Construction sign." A temporary sign erected upon a construction site while physical construction is underway under a valid building permit issued by the City of Bartlett.

(16) "Copy." The wording, numbers, letters, logos and other graphics on a sign surface.

(17) "Design review commission." A commission appointed by the mayor to review and approve or disapprove all proposed signs except as otherwise specified in this ordinance.

(18) "Directional sign." A sign purveying only informational traffic control insignia such as an "in," "out," "no parking," "fire lanes," "handicap parking," etc. on private property or public property.

(19) "Directory." A sign erected to display the identity of five (5) or more occupants in a single building, business or office complex.

(20) "District." As defined under the zoning ordinance¹ and zoning district map.

(21) "Erected." This term shall mean attached, altered, built, constructed, reconstructed, enlarged or moved.

¹The zoning ordinance is included in this municipal code as Appendix B.

(22) "Face of sign." The entire area of sign on which copy could be placed, and in the instance where a double face sign is utilized the area of only one face shall be included to determine face square footage.

(23) "Flashing sign." Any sign which contains an intermittent or flashing light source, or which included the illusion of intermittent or flashing light by means of animations, or an externally mounted intermittent light source.

(24) "Front footage." The linear width measured parallel to the street frontage of the heated and enclosed structure, upon a premises not including out buildings or appurtenant structures, unless said structure has no street frontage in which instance the front footage shall be the structure's side width of principle entrance.

(25) "Ground level." Immediate surrounding grade.

(26) "Ground sign." A sign mounted at ground level.

(27) "Height of sign." The vertical distance measured from the surrounding grade to the highest point of sign or supporting structure.

(28) "Illegal signs." A sign which contravenes this ordinance, and which does not qualify as a variance sign or a nonconforming sign under this ordinance.

(29) "Interior property line." Property lines other than those forming a dedicated public right-of-way.

(30) "Lighting." That method or manner by which a sign is illuminated during the period from thirty (30) minutes prior to sundown and thirty (30) minutes after sunrise.

(31) "Lot of record." A lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Shelby County.

(32) "Major street." As shown on the official City of Bartlett Major Street Plan.

(33) "Nonconforming sign." A sign which contravenes this sign ordinance but which was in compliance with prior regulations at the time of its erection and for which a permit as required under the prior ordinance was obtained; a sign erected under a prior variance and not in strict compliance with prior regulations is not a nonconforming sign.

(34) "Occupant." Any person, firm, corporations, partnership, or other entity in possession of a premises or a part thereof whether under lease, hold over tenancy or other interest.

(35) "Office." That building or district as defined by the zoning ordinance wherein professional treatment or professional services generally are provided as opposed to the sale, distribution or repair of goods.

(36) "Opening sign." A temporary sign erected only for that limited period during which an enterprise not theretofore in operation begins its operation initially or at a new location.

(37) "Owner." A person, firm, corporation, partnership, or other entity recorded as such on official records and including duly authorized agent, a

purchaser, devisee, and/or any person having a vested or contingent interest in the property in question.

(38) "Pole sign." A sign mounted upon the ground but which by reason of height, width or other characteristics does not qualify as a "ground sign."

(39) "Political signs." A sign erected to publish the name of a candidate or of any ballot proposition or measure to enlist votes in any official public election.

(40) "Premises." An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

(41) "Private sale sign." A sign which is erected for a limited period to advertise the sale of individual property not in the ordinary course of business.

(42) "Primary use." A substantive use to which property or structures thereon are committed and specifically shall include uses auxiliary to the principal business or use there conducted and/or appurtenant thereto and/or directional to said principal business or uses.

(43) "Residential limited occupancy." That area or zoning district in the city specified by the zoning ordinance to include only low density single family and/or duplex construction.

(44) "Residential multi-occupancy." That area or zoning district in the city specified by the zoning ordinance for construction or erection of occupancy greater than duplex construction.

(45) "Real estate sign." A temporary sign employed to announce or display the sale of real property, said sign being erected on the property for sale.

(46) "Roof line." The edge of the main roof on the plain or elevation of the structure or building on which the sign is to be mounted. For the purpose of this ordinance, a mansard with an angle of up to forty-five (45) degrees from vertical, with or without roofing materials, is not considered a roof. Signs may be mounted on mansards, but shall not extend above the top of the mansard.

(47) "Set back." The minimum horizontal distance between either the face of curb, the edge of pavement, or the right-of-way line and the sign structure as specified in a particular section of this ordinance.

(48) "Sign." (a) Any identification, description, illustration or device which is visible from any public place, whether located on private property or public property which directs attention to a product, location, service, place, activity, person, institution or business, generally including columns, statues, roof color or design; any exterior situated merchandise or any emblem, painting, banner, pennant, or placard, designed to direct customers to, or advertise, identify or convey information; said items still constituting a sign with or without copy, except permitted on-copy internal window display, religious symbols and national flags. For the purpose of this ordinance, signs shall also include all sign structures.

(b) Unless specifically exempted, all signs, as herein described, are subject to the review and approval of the design review commission, director of planning or duly authorized representative. Meeting the minimum requirements of this ordinance shall not constitute approval of a sign. The design review commission, director of planning or duly authorized representative shall review the aesthetic appropriateness of each sign submitted for review and reserves the right to deny approval of any sign application which, in the judgment of a majority of the members, detracts from the aesthetic appeal of the property upon which such sign is proposed.

(49) "Sign structure." Any structure which supports, has supported or is capable of supporting a sign including decorative cover.

(50) "Street." A public thoroughfare which affords the principal means of access to abutting property.

(51) "Temporary signs." A sign which is not permanent and is allowed for a specific time period. Temporary signs, with the exception of real estate signs in a limited residential district and private sale signs, are subject to approval by the design review commission, director of planning or duly authorized representative. A valid temporary sign permit must be issued before erection of a temporary sign (other than the exceptions listed above) and such signs may not remain in place once the temporary sign permit has expired.

(52) "Traffic directional sign." Any sign which aids the flow of traffic.

(53) "Use." The purpose for which a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained.

(54) "Visibility triangle." To prevent traffic hazards at intersections, sight, blocking structures shall not be placed inside a triangle formed by fifty (50) foot lines along the street edges of both streets starting at the intersection of both street edges.

(55) "Wall sign." A sign providing the name or other approved information or graphics of the business, institution, or organization which is attached to or erected against the wall of a building with the face parallel to the plane of the building wall or attached to the structure as approved by the design review commission, director of planning or duly authorized representative. The sign shall extend no more than eighteen inches (18") from the building or structure. This sign may also be referred to as a "building sign."

(56) "Window sign." Any sign, temporary or permanent, advertising sales or specials attached to or within five (5) feet of glass surface of any fixed window (glazing) visible from a public right-of-way; provided however, the display of non-copy merchandise shall be permitted provided the packaging and/or labels are not so extreme as to render it substantially advertising copy. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, Ord. #87-18, Feb. 1988, Ord. #91-3, June 1991, Ord. #95-13, Sept. 1995, Ord. #00-03, March 2003, and Ord. #13-01, March 2013).

14-402. General requirements. The general sign requirements of this ordinance shall apply to all signs in the City of Bartlett in any district for any purpose subject only to the time compliance requirements hereinafter specified. All signs which are not expressly permitted by this ordinance are hereby declared to be illegal signs or nonconforming signs. This section does not apply to city owned or leased facilities or city approved events. (Ord. #79-10, May 1979, as amended by Ord. #91-3, June 1991, modified)

14-403. Annual sign inspection required. (1) The City of Bartlett will establish an annual sign inspection for all permitted signs located on businesses in the city unless specifically exempted by this ordinance.

(2) The annual sign inspection fee for businesses in the City of Bartlett shall be established and may be changed from time to time by resolution. (Ord. #88-3, March 1988, as amended by Ord. #13-01, March 2013)

14-404. Nationally or state registered logos and trade emblems permitted/approved. Nationally or state registered, logos, trade emblems or graphic pictorials shall be permitted if included within the allotted sign square footage upon specific review and approval of the design review commission, director of planning or duly authorized representative. (Ord. #91-3, June 1991, as amended by Ord. #13-01, March 2013)

14-405. Obscene copy prohibited. Signs which contain words or pictures of an obscene, indecent or immoral character which would offend public morals or decency are absolutely prohibited. (Ord. #79-10, May 1979)

14-406. Traffic control copy prohibited. Signs which contain or are an imitation of an official traffic sign or signal, such as, "stop," "go slow," "caution," "danger," "warning," or similar words are absolutely prohibited. (Ord. #79-10, May 1979)

14-407. Confusing or obstructive signs prohibited. Signs which are of a size, location, movement, content, coloring or manner or illumination which may be confused with or construed as a traffic control device or which hides from view any traffic or street sign or signal are absolutely prohibited. (Ord. #79-10, May 1979)

14-408. Changeable copy signs. (1) Changeable copy signs with interchangeable letters are permitted subject to the inclusion of same within allotted sign square footage and enclosed under locked and vandal proof case, said case and structure subject to design review commission review, director of planning or duly authorized representative and approval, and only for public facilities, such as city hall, performing arts centers, churches, schools, theater

marquees and gasoline price signs for service stations. No other changeable copy signs shall be allowed under this ordinance.

(2) Public facilities, such as city hall, performing arts centers, churches, and high or secondary schools may, in lieu of the changeable copy ground sign, utilize an electronic changeable ground sign (LED). This type of sign shall not advertise or promote any product and will have text only messages, amber in color and message duration of three (3) minutes. Messages shall not scroll, flash or imitate motion. These signs shall be consistent with the size requirements for ground signs.

Electronic changeable gas price signs shall be allowed at locations selling gasoline and diesel automobile fuel. The size, color and location of these signs are subject to the approval of the design review commission.

All electronic changeable signs shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions. The brightness of the electronic changeable signs shall not exceed 0.3 foot candles above ambient light conditions.

The following electronic signs are prohibited in all districts:

(a) Electronic graphic displays. Electronic signs displaying both text and pictorial images. These signs have the technical capacity to display high-quality, photo-like images in addition to text information.

(b) Electronic video displays. Electronic sign whose display is characterized by motion and pictorial imagery. These signs may possess the ability to display television-like images and programs.

(3) City-owned or leased buildings or city-sponsored events are exempt from the sign ordinance. (Ord. #91-3, June 1991, modified, as amended by Ord. #13-01, March 2013)

14-409. Misleading signs prohibited. Signs which advertise an activity, business, product, or service not conducted on the premises upon which a sign is located are prohibited. (Ord. #79-10, May 1979)

14-410. Moving signs prohibited. Signs which have any moving parts or which by design or illumination have the appearance of moving parts are absolutely prohibited. Hand-held signs advertising businesses, products or services are specifically prohibited. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013)

14-411. Changing signs. Changing signs are controlled as provided in § 14-408 above. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013)

14-412. Banners, pennants, streamers, light strings, spinners prohibited; exceptions. Notwithstanding other provisions of this chapter, a commercial business may display a sale or special event sign or banner on the

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storefront elevation of the business not to exceed a face area of thirty-two (32) square feet on two (2) separate occasions in a twelve (12) month period. These signs or banners shall be further subject to the general requirements of this chapter. These sale or special event signs and banners will be approved by the building official and will not be reviewed by the design review commission. The sign or banner may be displayed for a maximum period of fourteen (14) days and there shall be a period of at least sixty (60) days between the display of such signs or banners.

All other signs which contain or consist of banners, pennants, posters, ribbons, awnings, streamers, strings of lights, spinners, dimensional characters, statues, trade emblems or other similar objects, with or without copy, are absolutely prohibited, except as provided in §§ 14-413, 14-434 and 14-440. (Ord. #79-10, May 1979, modified, as amended by Ord. #07-12, Sept. 2007, and Ord. #13-01, March 2013)

14-413. Special signage for approved sidewalk sales. (1) In addition to the aforementioned signage allowed in commercial districts, there is hereinafter allowed in conjunction with an approved outdoor sale by multiple businesses in a shopping center one temporary banner, in conformance with § 14-434, on each street face on which the shopping center fronts. Each banner shall be located a minimum of fifteen (15) feet from the face of the curb, be mounted not over five (5) feet in height, and outside of any traffic visibility triangle.

(2) Temporary signage authorized by this section may be in place only for the duration of the outdoor sales event plus one day in advance.

(3) In addition to the window signage permitted by § 14-431 a two (2) foot by three (3) foot professionally made sign bearing the official "sidewalk sale" logo and other indication of participation in the discounts or other aspects of the event is allowed in the window of each participating business for the same length of time as the banners described herein.

(4) No sign allowed under this section will require a sign permit, nor require approval of the design review commission, but will be subject to inspection by the building official and all other provisions of the City of Bartlett Sign Ordinance. (Ord. #79-10, May 1979, as amended by Ord. #94-7, June 1994, and Ord. #02-03, March 2002)

14-414. Awnings exceptions. (1) Awnings recognized as architecturally necessary which contribute rather than detract from the legislative intent of this ordinance, with or without lettering or insignia, may be installed with the specific approval of the design review commission, director of planning or duly authorized representative.

(2) For the purposes of measuring sign area to be placed on an awning, the entire surface of an internally illuminated awning containing sign copy shall be counted as sign area, unless said illumination is restricted to a transparent

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area designed to illuminate solely the sign copy area, in which case only the copy area will be considered when determining signage. (Ord. #79-10, May 1979, as amended by Ord. #95-13, Sept. 1995, and Ord. #13-01, March 2013)

14-415. Reflective materials prohibited. Signs which contain mirrors, highly polished surfaces or other materials being substantially reflective in nature are prohibited. (Ord. #79-10, May 1979)

14-416. Structurally unsound signs prohibited. Signs which are structurally unsound or which are rendered structurally sound by guy wires or unapproved facing are prohibited. (Ord. #79-10, May 1979)

14-417. Vehicle signs prohibited. (1) Any vehicle which has any sign, or other copy, wrapped or painted on it or suspended from it or otherwise attached to it shall be parked at the rear of the building where said business is located as close to said business' building as parking space will permit. If there is insufficient space to allow said vehicle to be parked at the rear of said building, it shall be parked at the side of said building and as close to said building as parking space will permit.

(2) Only in the event of a situation or location where there is no rear or side parking space will such vehicle be permitted to park in the front of said business, and then only in the area closest to the front of said business' building.

(3) In no event shall any such vehicle be parked off of or away from the premise which owns it, except during the normal course of business, such as deliveries, picking up merchandise or service calls. The building official may direct that violating vehicles be removed at the owner's expense by towing. (Ord. #91-3, June 1991, as amended by Ord. #13-01, March 2013)

14-418. Sign lighting restricted. Internal and external sign illumination and/or back lighting shall be permitted, provided that all sign lighting shall be for illumination and not in and of itself by color or design constitute an attraction and that same be further so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas, said lighting subject to the approval of the design review commission, director of planning or duly authorized representative. (Ord. #79-10, May 1979 as amended by Ord. #13-01, March 2013)

14-419. Lighted open signs. (1) Any business establishment, service organization, or other commercial enterprise located in a commercial, office, or industrial district shall be entitled to utilize or display one (1) exposed neon tube or internally lighted self-contained manufactured type sign, which may exhibit the word "OPEN" and no other copy of any description and may use no more than two (2) colors.

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(2) Any sign displayed under the terms of this section shall be no greater in overall size than four (4) square feet and shall be located on the inside of the front window, in a horizontal or vertical position in an authorized location approved by the building official.

(3) Signs displayed in accordance with the provisions of this section shall be in addition to all other signs allowed under the sign ordinance. This sign will not require the approval of the design review commission and will not require a sign permit and be included in the annual inspection provided in § 14-455 of this chapter. (Ord. #00-03, March 2000 as amended by Ord. #13-01, March 2013)

14-420. Beacon lights prohibited. Beacon lights are hereby prohibited in the City of Bartlett. (Ord. #79-10, May 1979)

14-421. Illumination not to interfere with traffic signals. Neither the direct nor reflected light from primary light sources shall be permitted to create a traffic hazard to the operators of motor vehicles on public streets. (Ord. #79-10, May 1979)

14-422. Exposed bulbs prohibited. Exposed bulbs shall not be permitted on the exterior surface of any sign. (Ord. #79-10, May 1979)

14-423. Abandoned signs prohibited. All signs and sign structures that no longer correctly direct or exhort any person, advertise a bona fide business in progress, lessor, owner, project or activity conducted or product available shall be removed and the exterior of the building repaired or restored to original condition by the owner of said property within thirty (30) days from the cessation of said activity. The landlord/owner may not lease the premises until said conditions are met. (Ord. #79-10, May 1979, as amended by Ord. #95-13, Sept. 1995, and Ord. #00-03, March 2000)

14-424. Pole and other signs prohibited. Pole signs are absolutely prohibited and only those ground mounted signs specifically allowed and defined by this ordinance shall be permitted. (Ord. #79-10, May 1979)

14-425. Multi-face sign restricted. All signs that exhibit more than two (2) faces are absolutely prohibited; provided further that no double-face signs shall be permitted if the distance between the back of the faces is at any point greater than twelve (12) inches.

Exception: More than twelve (12) inches in depth may be granted on a case-by-case basis by the design review commission. (Ord. #00-03, March 2000)

14-426. Political signs restricted. (1) Political signs. Signs relating to the election of a candidate for public office or the passage of any ballot proposition or measure shall be permitted, subject to the following conditions:

(a) Signs shall not exceed eighteen (18) by twenty-four (24) inches or four hundred thirty-two (432) square inches in size.

(b) No sign shall be erected or displayed earlier than forty-five (45) days before the election day to which it relates, nor later than five (5) days following such election.

(c) Signs shall not be attached to any utility pole or upon any public right-of-way or public property, and be no closer than fifteen (15) feet to the face of the curb or five (5) feet to the back of the sidewalk and shall be permitted only upon occupied privately owned lots with the consent of the owner.

(d) Signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.

(e) Signs not erected or maintained in accordance with the provisions of this section shall be the responsibility of the owner of the property upon which the sign is located, shall be deemed a public nuisance, and may be abated, without notice, by such property owner, the candidate or person advocating the vote described on the sign, or the city building official.

(2) Political sign distributor's permit. (a) Any candidate or political committee desiring to distribute, cause to be distributed, display, place, or erect any political sign shall file an application with the building department upon forms to be furnished by said building department, and provide such pertinent information as said building department may require.

(b) Forthwith upon filing such application, said building department shall issue a political sign distributor's permit to the applicant, together with a serial number therein. No fee shall be charged in connection with the issuance of such permit.

(3) Polling place signs. No signs will be allowed at polling places earlier than one (1) day before an election or early voting period and must be removed not later than one (1) day after said election or early voting period. For signs at polling places no permit or bond will be required, but the requirements of all other subsections of this section will apply. (Ord. #00-17, Aug. 2000, as amended by Ord. #07-16, Nov. 2007)

14-427. Sign erection permits refused. No permit for the construction or erection of any sign not in strict compliance with this chapter shall be issued from the effective date of the ordinance comprising this chapter and then only after the approval of same by the design review commission,

director of planning or duly authorized representative. (Ord. #79-10, May 1979 as amended by Ord. #13-01, March 2013)

14-428. Sign as a nonconforming primary use--exception. In the circumstances where a sign itself is a primary use of the property upon which it is erected as defined under this chapter the burden shall be upon the owner of said sign to document within sixty (60) days from the effective date of the ordinance comprising this chapter:

(1) That the sign is in fact a nonconforming sign legally erected without variance under prior regulations.

(2) That the sign is in fact the primary use of the property, being neither auxiliary to, nor appurtenant to, nor directional to, nor the advertisement of adjacent businesses or uses; upon proper documentation as above provided the use may be continued and the owner shall make application within the sixty (60) days of the effective date of the ordinance comprising this chapter to the design review commission in the ordinary course, whose responsibility it shall be, upon the advice and recommendation of the police chief, fire chief and building inspector, to require such modifications in size, copy, and location with respect to streets, ingress and egress, lighting and traffic parameters, to remove hazards to safety and/or encroachments upon adjacent occupants. The failure of documentation shall render the sign an illegal sign subject to removal and the penalties hereinafter provided. (Ord. #79-10, May 1979, as amended by Ord. #91-3, June 1991)

14-429. Off-premises signs prohibited. All signs must be located upon the physical property of the occupant, goods or services exhorted, except as provided in § 14-427. (Ord. #79-10, May 1979)

14-430. Window signs prohibited. All window signs are prohibited generally, except for those provided for in § 14-431; provided, however, an occupant may elect to utilize window space for location of a permanent wall sign, in which case the square footage of the window sign shall be included in the calculation of allotted square footage; provided, further and in addition to sign footage allotments, all occupants shall be permitted to use a window or door sign in addition to other sign allotments of area not to exceed two (2) square feet to display the identity of the business, hours of operation, credit information, telephone numbers, or other general information. (Ord. #91-3, June 1991)

14-431. Permitted window signs. (1) In addition to any other sign allotment permitted by the City of Bartlett Sign Ordinance, any retail or other commercial enterprise shall be permitted to utilize: fifteen percent (15%) of its window area for window signs provided no window may be covered more than thirty percent (30%). Where windows are provided in more than one (1) side of the building, the window signs shall be separately calculated for each side of the

building and the window signs shall conform to the above regulations for each side of the building.

For the purposes of this ordinance, an individual window is defined as a piece of glass surrounded by a frame. The individual window area is calculated on the basis of the area within the frame whether or not it is separated by Muntin Bar(s). The total window area shall include the frame and glass area.

(2) All such window signs must be neat in appearance and professionally prepared or professional in appearance.

(3) All business are allowed a minimum of six (6) square feet of window signs.

(4) Signs allowed under this section will be submitted to the city staff along with the proper size calculations for review and approval. Signs allowed under this section will not require a sign permit, nor require approval of the design review commission, but will require a determination by city staff. If the city staff determines that the proposed window signs are inappropriate and inconsistent with this ordinance, the staff may refer the window signs to the DRC for review and approval. Window signs will be subject to inspection by the building department's sign inspector and all other provisions of the City of Bartlett Sign Ordinance. (Ord. #91-3, June 1991 as amended by Ord. #13-01, March 2013)

14-432. Billboards prohibited—exception. Billboards are absolutely prohibited as off-premises signs provided however, billboards which constitute the primary and nonconforming use of property as provided in § 14-428 hereof shall be permitted to remain subject to the limited review in § 14-428. (Ord. #79-10, May 1979)

14-433. Street number signs permitted. In addition to whatever sign allotment is available to an occupant said occupant shall be additionally entitled to display a street number, provided however, said street number shall not exceed one and one half (1½) square feet of face area. (Ord. #79-10, May 1979)

14-434. Grand opening signs and closing signs permitted. Notwithstanding other provisions of this chapter, a newly established or relocated commercial business, in addition to the hereinafter specified sign allotment, may, for a period of twenty (20) days, display a grand opening sign or banner on the storefront elevation of the business not to exceed a face area of thirty-two (32) square feet, and further subject to the general requirements of this chapter. Also, an established business may have a one (1) time closing sign (going out of business) for a period of thirty (30) days not to exceed thirty-two (32) square feet and mounted on the inside surface of the window. Further, temporary uses permitted by the zoning ordinance but not otherwise provided for herein may have a sign meeting these requirements. In any case, no opening or closing ground mounted signs will be permitted. Opening and

closing signs and banners and other temporary signs described herein will be approved by the building official and will not be reviewed by the design review commission. A one (1) time extension, for up to thirty (30) days for the display of a grand opening sign or banner may be approved at the discretion of the building official, if an application for permanent signage has been submitted for review by the design review commission. (Ord. #79-10, May 1979, Ord. #85-22, § 5, Oct. 1985, as amended by Ord. #91-5, June 1991, Ord. #95-13, Sept. 1995, and Ord. #01-17, Nov. 2001, modified, and replaced by Ord. #10-01, March 2010)

14-435. Special provisions for service stations. A service station which is solely engaged in the retail distribution of petroleum and petroleum products in addition to the sign allotment hereinafter provided shall be further entitled to the following additional signs:

(1) One (1) permanent price sign per street front said sign not to exceed four (4) square feet in face area, and located upon the pump island nearest to said street or upon the face of the station building or canopy.

(2) Gas branding signs shall be permitted on the gas pumps not to exceed four (4) square feet. Advertising shall also be permitted on the pumps not to exceed two (2) square feet.

(3) Signs displaying the federal and state stamps, octane ratings, pump use directions, no smoking signs and other signs as required by federal, state and local authorities provided that the accumulated total square footage of same shall not exceed two (2) square feet per pump island.

(4) Electronic changeable gas price signs shall be allowed at locations selling gasoline and diesel automobile fuel. The size, color and location of these signs are subject to the approval of the design review commission.

(5) All signs permitted under § 14-435 and other signs required by state and federal law provided same are of size no greater than the minimum requirements of said law and for design, size and lighting shall be approved by the design review commission, director of planning or duly authorized representative. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, and Ord. #13-01, March 2013)

14-436. Historical markers permitted. The City of Bartlett exclusively upon the affirmative vote of two-thirds (2/3) of the entire board shall be permitted to erect historical markers provided same are attractively designed and safely located. (Ord. #79-10, May 1979)

14-437. Street signs and public service signs permitted. Signs erected by the City of Bartlett to identify the streets or provide direction to public services and/or buildings shall be permitted. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, and Ord. #13-01, March 2013)

14-438. Directional signs in complexes permitted. Every commercial complex shall be permitted upon the approval of the design review commission to erect certain directional control signs in parking areas or at entrances and exits provided that said directional signs do not exceed two (2) square feet in face area and are set back no less than ten (10) feet from the curb or street right-of-way and do not exceed in height five (5) feet, provided however, this section shall not be interpreted to prohibit directional signs applied to the driving surface itself subject to the approval of the design review commission, director of planning or duly authorized representative. The design review commission may approve larger directional signs if they determine that the directional signage is appropriate and in keeping with the scale of the building. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, and Ord. #13-01, March 2013)

14-439. Club and organization identification signs prohibited. Non profit organizations, clubs and/or service organizations shall be bound by the same standards and regulations as hereinafter provided for commercial areas and no off premises signs shall be permitted; provided however, the City of Bartlett may erect sign supports at the major entrances to the city for the display of said non-profit organizations, clubs and service organizations subject to the approval of the design review commission, director of planning or duly authorized representative. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013)

14-440. Construction and real estate signs. (1) Construction signs.

(a) During the course of physical construction of any commercial, office institutional or industrial building, under a valid building permit issued by the City of Bartlett, a ground sign not to exceed thirty-two (32) square feet shall be permitted; provided, however, said construction signs shall be of height no greater than eight (8) feet. The sign shall be located on the physical property for which the building permit is issued, and located no less than thirty (30) feet from the curb or street right-of-way; provided, further, construction signs must obtain approval from the design review commission, director of planning or duly authorized representative and a temporary sign permit before erection of said sign.

(b) In addition to the foregoing, during the construction of any residential structure, a ground sign not to exceed six (6) square feet in sign area and of height no greater than three (3) feet shall be permitted and shall meet the other requirements of this chapter.

(2) Real estate signs. (a) One (1) ground sign or wall sign advertising the sale or lease of real estate shall be permitted upon the physical property for sale or lease, provided said signs do not exceed dimensions of:

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(i) Two (2) feet by three (3) feet (total maximum square footage of six (6) square feet, with a maximum of two (2) sides on a single plane of material) in a limited occupancy residential district; or

(ii) Twenty (20) square feet (both sides if used for copy calculated in said allotment) in all other districts.

(b) Further the maximum height of said sign shall be:

(i) Three (3) feet in residential districts and

(ii) Five (5) feet in all other districts.

(c) Said signs shall be set back no less than fifteen (15) feet from the face of curb or street right-of-way.

(d) Non-residential real estate signs shall be approved by the building official as temporary signs and a sign permit issued. Signs are to be reviewed and renewed every six (6) months.

(3) Time limits for construction and real estate signs. All construction signs and real estate signs, except off-premises subdivision directional signs under § 14-442, shall be permitted without prior approval by the design review commission and shall be permitted to stand for a period not to exceed ninety (90) days without formal approval of the design review commission, except for construction in a commercial or office district, which construction signs shall be permitted to stand no longer than the period during which construction is physically in progress under a valid building permit.

(4) Flags/banners. Well maintained flags and/or banners attached to flag poles shall be allowed at model home/sales office sites, which are to be staffed at least forty (40) hours per week and located within residential subdivisions.

The number of flags and/or banners allowed shall be limited to one (1) for each fifteen (15) feet of lot width at the curb, but in no case shall it exceed six (6) per lot.

Placement of the flags and/or banners shall be allowed across the front yard or, front yards on corner lots, and may be placed in one (1) or more rows or in a cluster.

The height of the flag/banner pole shall not exceed fourteen (14) feet from ground level and must be located a minimum twelve (12) feet and a minimum of two (2) feet from the interior edge of the sidewalk.

Pennants, balloons, streamers or other attention attracting devices are not permitted.

(5) Signage. One (1) professionally built, properly maintained thirty-two (32) square feet maximum area sign, showing the builder's name and logo, the hours of operation and contact information on one or both sides shall be allowed at model home sites. The area around the sign shall be landscaped with evergreen shrubs or seasonal plants to form a landscaped base for the sign. Sign location must be a minimum of fifteen (15) feet from the curb, generally centered on the street frontage of the addressed property; maximum height ten (10) feet.

(6) Lighting. Lighting of the sign shall be allowed at model home sites so that prospective homebuyers can obtain the information at night. For security purposes, low-intensity lighting of the house is also allowed.

(7) Permit required. Builders shall be required to submit drawings of the model home lot, the flags and or banners, the signage and the sign's landscaping plan to the building official who will have the authority to issue a permit.

(8) Builder's pre-sale or custom construction sign. In lieu of the permitted 2' x 3' realtor sign and the 2' x 3' construction sign, there may be placed a sign, maximum area of twelve (12) square feet and maximum height eight (8) feet, identifying the builder and the sale of the house or the builder and nature of the custom construction of the house. This sign must be removed at the time the property is issued a use and occupancy permit. This sign must be located a minimum of fifteen (15) feet back from the curb. (Ord. #79-10, May 1979, as amended by Ord. #87-18, Feb. 1988, Ord. #91-3, June 1991, Ord. #91-5, June 1991, Ord. #95-13, Sept. 1995, Ord. #00-03, March 2000, Ord. #06-17, Aug. 2006, Ord. #07-12, Sept. 2007, and Ord. #13-01, March 2013)

14-441. Subdivision identification signs permitted. In limited occupancy residential districts of a subdivision, as defined by a formally filed and duly recorded subdivision plat, there shall be permitted no more than two (2) subdivision identification signs at the subdivision entrance on every major connector street entering said subdivision, provided that said subdivision identification signs are permanent and approved ground signs and contain only the name of the subdivision, do not exceed twenty-five (25) square feet in sign area and are set back no less than twenty (20) feet from the face of curb or street right-of-way. The height of said subdivision identification sign shall not exceed six (6) feet. However, in the event the developer or builder has elected or shall elect to utilize a fence, pillars, post or other ornamental or decorative structure which is commonly known as a "subdivision entrance," then all subdivision identification signs must be exclusively located on such structures rather than ground signs, and such signs must comply with § 14-469 of this chapter, and shall not exceed twenty-five (25) square feet in sign area per sign.

Subdivision entrance features such as fences, signs, structures and landscaping are permitted on common open space, designated on the subdivision final plat, and for which a homeowner's association is responsible for ownership and maintenance of said sign, structure and features. Such fences, signs, structures and landscaping are subject to approval by the design review commission.

A subdivision identification sign may also be placed on a corner lot with administrative approval if the following criteria are met:

(1) The sign will be constructed of durable structural and exterior materials. These will be cast concrete, brick or stone.

(2) The sign will be located on a corner lot with a location and an access/maintenance easement approved by the city engineer.

(3) The sign may be placed, with the property owner's permission, on a lot in an older established neighborhood or may be part of a new subdivision approval where there will be no Home Owners Association (HOA) or Common Open Space (COS).

(4) The sign will have three (3) basic parts; the footing, the body and a cap. The actual nameplate will be placed within the area of the body portion of the structure.

(5) The body portion will have a maximum face area of twenty-five (25) square feet. The maximum height of the sign structure will be six (6) feet.

(6) The neighborhood identification sign plate may occupy up to fifty percent (50%) of the face area of the structure. This plate will be a cast concrete panel.

(7) The sign becomes the property of the City of Bartlett, after a one time maintenance fee is paid.

(8) Yard maintenance, including the city easement, is the responsibility of the property owner. (Ord. #91-3, June 1991, as amended by Ord. #07-13, Sept. 2007))

14-442. Temporary subdivision signs permitted. While a formally recorded subdivision, approved on a plat of record, is under physical construction there shall be permitted two (2) temporary off-premise signs of no more than sixteen (16) square feet per side, and a height of no more than six (6) feet. The sign content may include, but not be limited to the subdivision name, directions to the location, price and builder(s) name. The sign shall consist of a single plank, both sides of which could display content, and must have a professional, finished appearance. The developer must pull a temporary sign permit, which should be renewable annually at the discretion of the building official. One (1) on-premise sign is allowed at each major entrance with a maximum of two (2) on-premise signs per subdivision. The on-premise signs may be no more than thirty-two (32) square feet per side and a maximum height of nine (9) feet with the same requirements as off-premise signs. (Ord. #91-3, June 1991, as amended by Ord. #08-14, Jan. 2009)

14-443. Identification signs in multi-family districts permitted. All multi-family projects, either apartments or condominiums, may display one (1) externally lighted ground sign for identification at each of its entrances, not to exceed two (2) signs regardless of the number of entrances. Said signs shall not exceed twenty-five (25) square feet in face area, may be double faced, shall not exceed six (6) feet in height, shall be placed no less than forty (40) feet from any adjacent property line and shall be no less than fifteen (15) feet from the curb or street right-of-way and meet all landscaping requirements.

(Ord. #79-10, May 1979, as amended by Ord. #91-5, June 1991, and Ord. #95-13, Sept. 1995)

14-444. Residential shielding required. All residential districts, limited occupancy and/or multi-family, shall be protected from sign display or lighting incident thereto so as to prevent as much as possible the visible encroachment of same upon the residences in said areas, and it shall be the right and obligation of the design review commission, director of planning or duly authorized representative to accommodate same in the course of review and approval. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013)

14-445. Signs of non-profit organizations restricted. Churches, schools, clubs, and non-profit organizations generally shall be subject to the same restrictions as provided for offices and commercial businesses. However, churches and schools may use changeable copy signs in accordance with § 14-408 of this chapter. (Ord. #91-3, June 1991)

14-446. Private sale sign permitted. In residential districts, one (1) private sale sign is permitted, provided that said sign is a ground sign upon the premises where the sale is conducted, of square footage not to exceed three (3) feet, and subject to the general requirements of this chapter, and set back from the curb or street right-of-way no less than fifteen (15) feet, and shall be permitted for no longer than five (5) days. One (1) off-premises sign will be permitted for a period not to exceed two (2) days. The building official may remove and dispose of any off-premises sign remaining more than two (2) days or creating a traffic hazard. (Ord. #91-3, June 1991)

14-447. Wall sign requirements generally. (1) All wall signs permitted by this section shall be permanently affixed to the wall of the structure upon which the front footage is calculated under § 14-401(22) whose premises it exerts; provided

(2) With approval of the design review commission, director of planning or duly authorized representative, a wall sign may be affixed to a side wall or a rear wall, but the permitting of such shall not act to increase either the allowed square footage nor the number of signs allowed, nor shall the manner of calculating the allowable square footage be affected.

(3) All wall signs shall be mounted with the face parallel to the plane of the structure wall upon which it is mounted and the face of the sign shall not extend more than eighteen (18) inches from said building wall upon which it is mounted, said mounting to be approved by the design review commission, director of planning or duly authorized representative upon the review and recommendation of the building department. (Ord. #80-11, May 1980, as amended by Ord. #13-01, March 2013)

14-448. Signs permitted in a commercial and office district.

(1) Signs for commercial enterprise buildings with one hundred feet (100') or less building frontage and within one hundred feet (100') of the street right-of-way. Every business establishment, retailer, service organization or other commercial enterprise specifically located in a commercial or office district shall be entitled to no more than two (2) signs of total accumulated square footage not to exceed one (1) square foot of sign for every foot of building footage. They may have either two (2) wall signs or one (1) wall sign and a ground sign, where permitted, that do not exceed one hundred (100) square feet of total sign area.

Provided however, that commercial enterprises on a corner lot may have two (2) business identification wall signs and a ground sign. The size of the wall signs shall be based on one (1) square foot for every lineal foot of building frontage facing a street, less the area of the ground sign on that side of the building. The total square footage of signage for the building and ground signs may exceed one hundred (100) square feet, but the square footage of the wall sign and ground sign combined on each side of the building may not exceed one hundred (100) square feet.

These signs are subject to the following restrictions:

(a) Notwithstanding the building footage the minimum square footage sign allotment shall be thirty (30) square feet.

(b) Notwithstanding the building front footage the maximum square footage of total signs shall not exceed one hundred (100) square feet, except as provided above for corner lots.

(c) The allotted square footage must be displayed on wall signs or wall signs and a ground sign or permanent window sign.

(d) If a wall sign is selected it shall not be mounted higher than the roof line and must be physically located on the premises of the building whose enterprise it exhorts.

(e) Multi-tenant buildings are not restricted as to number of signs permitted. However, the allotment of one (1) square foot of sign area for each linear foot of tenant frontage applies.

(f) There shall be no roof-mounted signs.

(g) All such signs are otherwise subject to the design review commission, director of planning or duly authorized representative for approval, permit, inspection, and the general provisions of this chapter.

(2) Signs for commercial enterprise buildings with greater than one hundred (100) lineal feet of building frontage and setback more than one hundred feet (100') from the street right-of-way. Every business establishment, retailer, service organization or other commercial enterprise specifically located in a commercial or office district shall be entitled to signs as provided below:

Total sign area:

(a) All buildings with greater than one hundred (100) lineal feet (lf) in frontage shall be allowed a total of one hundred (100) square feet

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in sign area for the first one hundred lineal feet (100 lf) of building frontage. In addition they shall be allowed additional square footage based on the following sign area chart:

SIGN AREA CHART		
Distance from right-of-way	Sign area calculation	Maximum sign area
Within 100'	1 sq. ft for every 1 lf. of the first 100' of building frontage	100 sq. ft.
101' to 249'	1 sq. ft for every 1 lf. of the first 100' of building frontage plus 0.25 sq. ft. for every 1 lf. of building frontage greater than 100'	200 sq. ft.
250' to 499'	1 sq. ft for every 1 lf. of the first 100' of building frontage plus 0.5 sq. ft. for every 1 lf. of building frontage greater than 100'	300 sq. ft.
500' to 749'	1 sq. ft for every 1 lf. of the first 100' of building frontage plus 0.75 sq. ft. for every 1 lf. of building frontage greater than 100'	400 sq. ft.
Greater than 750'	1 sq. ft for every 1 lf. of the first 100' of building frontage plus 1 sq. ft. for every 1 lf. of building frontage greater than 100'	500 sq. ft.

(b) The allotted square footage may be displayed on a wall sign or a combination of wall signs and a ground sign.

(c) If a wall sign is selected it shall not be mounted higher than the roof line and must be physically located on the premises of the building whose enterprise it exhorts.

(d) There may be a maximum of one (1) wall sign for each one hundred feet (100') of building frontage.

(e) The maximum size for any one (1) wall sign shall be the greater of three hundred (300) square feet or sixty percent (60%) of the total wall signage allotment permitted, whichever is greater.

(f) Multi-tenant buildings are not restricted as to number of signs permitted. However, the allotment of one (1) square foot of sign

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area for each linear foot of tenant frontage applies, subject to the above chart.

(g) There shall be no roof-mounted signs.

(h) All such signs are otherwise subject to the design review commission approval, permit, inspection, and the general provisions of this chapter. (Ord. #79-10, May 1979, as amended by Ord. #87-18, Feb. 1988, and Ord. #13-01, March 2013)

14-449. Entrance sign for commercial, industrial or office complexes. In addition to any other signs allowed under the terms of this chapter, any commercial, industrial or office complex which qualifies to have a directory or project identification sign but does not desire to utilize a directory or project identification sign as permitted by § 14-451 of this chapter, may display, subject to approval by the design review commission, director of planning or duly authorized representative, complex identification signs at its main entrance, or main entrances, if said complex has frontage and entrances on two (2) major streets, in accordance with the following restrictions:

(1) If single face ground signs, then no larger than twenty-five (25) square feet.

(2) Any ground signs approved must comply with § 14-465 (ground sign restrictions), except that it shall have only a single face.

(3) In lieu of single face ground signs, a sign which does not exceed twenty-five (25) square feet and meets the requirements of § 14-465 of this chapter may be approved.

(4) Any sign approved under the provisions of this section shall exclusively contain the name of the complex it identifies, together with the street number or numbers if desired, and shall not contain tenant information or advertising copy.

(5) No more than two (2) signs for each main entrance may be approved. One (1) sign must be placed on either side of said entrance, and two (2) entrances on the same street will not qualify the complex for additional signs. (Ord. #91-3, June 1991, as amended by Ord. #13-01, March 2013)

14-450. Theater marquee signs. (1) Any theater which is engaged in the business of showing motion pictures shall, if it has more than four (4) screens, be entitled to, in addition to any other signs it may be allowed, a sign which complies with § 14-465 (project sign) as to size, height and setback, except that the name of the project and the titles of movies shall be submitted for the names of the businesses or occupants and shall be changeable copy type signs and must comply with § 14-408 of this chapter.

(2) Any theater which has four (4) or fewer screens shall be allowed an additional ground sign which must comply with § 14-465 of this chapter and which may also have the changeable copy feature.

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(3) All signs allowed under or in accordance with this section shall be used exclusively to display the name of theaters and movie titles. (Ord. #91-3, June 1991)

14-451. Directory and project identification signs. In a project or development wherein five (5) or more businesses, tenants or occupants are contained, with individual street frontage, a common parking lot a total square footage of at least ten thousand (10,000) square feet in said project, there shall be permitted, in addition to the allotted square footage heretofore recited, a ground sign on each major road frontage, subject to the following restrictions:

(1) The directory or project sign shall be set back no less than twenty (20) feet from the curb or street right-of-way, however, with the approval of the design review commission, set-back may be reduced to ten (10) feet if the required twenty (20) foot setback creates a hardship as to parking or visibility of sign.

(2) The height of said directory or project sign shall be determined as shown below, but in no instance shall it exceed twenty (20) feet, regardless of the number of occupants.

SQUARE FEET IN CENTER	MAXIMUM PROJECT SIGN HEIGHT
10,000 - 24,999	6 feet
25,000 - 99,999	10 feet
100,000 and over	20 feet

(3) The maximum width of said project sign shall be no more than ten (10) feet, and maximum height no more than twenty (20) feet. The design review commission reserves the right to approve the architectural details of the sign structure, as well as the copy area of the sign itself.

(4) Said signs may be internally lighted, but only with the white lighting of intensity and focus not to infringe upon neighboring properties or street traffic.

(5) The area between the bottom of the face of the project sign shall be of solid construction and shall not be landscaping or shrubbery and shall have a brick or decorative stone base.

(6) The name of the center itself must exclusively be located upon the top of the project or directory sign, said name designation to be the same width as the overall sign and of vertical height no more than five (5) feet.

(7) The collective square footage of tenant signage shall not exceed one hundred twenty (120) square feet. No single tenant shall be allowed more than twenty-five (25) square feet of sign area. The allotment of tenant signage and sign size up to the maximum area herein described, is the responsibility of the property owner or his designated agent.

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(8) After initial approval of the directory sign, changes of names or copy on the tenant signs may be made upon approval by the building official without appearing before the design review commission.

(9) All project and directory signs shall be ground signs, and the face of said sign shall be located not more than three (3) feet and not less than two (2) feet from the surrounding grade, and the face shall be rectangular in shape; it is specifically prohibited to have spaces or gaps between occupant signs and the center designation signs.

(10) The design review commission shall be required to approve all project and/or directory signs prior to installation, and the same are further subject to the general requirements of this section. (Ord. #79-10, May 1979, as amended by Ord. #80-6, May 1980, Ord. #85-22, Oct. 1985, and Ord. #95-13, Sept. 1995)

14-452. Signs permitted in other districts. In districts other than those hereinbefore defined as residential limited occupancy, residential multi-occupancy, office and commercial districts, signs shall be permitted no more comprehensive than those permitted in the district which in the discretion of the design review commission most closely approximates the additional classification; provided, however, the design review commission upon thorough review of the proposed sign in said district shall refer same along with its accompanying recommendation of the board of mayor and aldermen for final approval and with a proposal for terms of amendment to the sign ordinance to accommodate the unaddressed use classification. (Ord. #79-10, May 1979)

14-453. Applications. (1) The application for sign approval and check list shall include the submission requirements and all appropriate fees. These requirements may be changed from time to time and the sign permit applications and check list shall be revised accordingly.

(2) No application shall be brought before the design review commission without a completed checklist attached to the application and the required sign application fee.

(3) (a) All new multi-tenant commercial or office complexes shall submit to the design review commission a sign policy for future wall tenant signage. This may be submitted with or without a site plan application but must be submitted prior to the application for tenant signage. All sign policy proposals shall follow the sign policy guidelines. Upon the approval of the sign policy, the planning director or designee will have the authority to approve tenant signage or forward the sign application to the design review commission. All tenant signage must have the landlord's or leasing agent's approval with the sign application.

(b) Sign policy guidelines. (i) Elevation sketch or elevation plan shall indicate where signs are to be located on the building, windows, or doors etc.;

- (ii) Maximum sign cabinet height or letter height;
- (iii) Maximum sign area;
- (iv) Typography;
- (v) A statement of permitted use of national or regional chain store typography or logo;
- (vi) Materials (aluminum thickness);
- (vii) Lighting (neon type, color and size, LED, fluorescent tube with UL standards, etc.);
- (viii) Colors (PMS numbers); and
- (ix) Installation and mounting materials.

(4) A tenant/owner representative shall be encouraged to attend the design review commission meeting with the sign company representative. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, Ord. #95-13, Sept. 1995, Ord. #00-03, March 2000, Ord. #09-06, March 2009, and Ord. #13-01, March 2013)

14-454. Scope of authority. The design review commission,¹ director of planning or duly authorized representative shall not have the authority to alter or amend the sign ordinance nor to approve a sign not in conformity herewith and is directed to cooperate with the building official in the enforcement of same, including but not limited to the following functions:

(1) The design review commission, director of planning or duly authorized representative, upon approving a sign, shall forward the application to the building official with approval noted thereon.

(2) The design review commission, director of planning or duly authorized representative may take other action within its authority to insure safety, eliminate hazards, eliminate encroachment upon public streets and property and encroachment upon adjoining land or uses.

(3) The design review commission, director of planning or duly authorized representative, while it may not approve signs in violation of this chapter, said design review commission, director of planning or duly authorized representative has the specific and general authority to refuse approval of signs, otherwise in compliance with this chapter, which because of unsafe location, unsafe construction, distracting design, insufficient structure and/or encroachment upon surrounding property, violate the spirit of this chapter, which is dedicated to the safety and public welfare of all citizens and businesses in the City of Bartlett.

(4) The Building Official of the City of Bartlett shall have the authority to approve the moving of a sign from one address or location to another address or location within the same shopping center, provided the sign is not altered or

¹Municipal code reference

Design review commission: title 2, chapter 1.

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changed as to its design or size when it is moved, and continues to advertise or identify the same business.

(5) The building official shall also have the authority to approve a change in or to the copy only of a sign, if the sign is to remain at the same location and continues to advertise or identify the same business as long as the design or size is not changed. (Ord. #79-10, May 1979, as amended by Ord. #91-5, June 1991, Ord. #95-13, Sept. 1995, and Ord. #13-01, March 2013)

14-455. Permit fees required. Every owner, erector or other applicant for a sign permit shall, with this application, submit a sign application fee. Once approved a sign permit fee will be required. Signs will be inspected annually and an annual sign inspection fee will be collected. These fees shall be established and may be changed as needed by resolution. (Ord. #79-10, May 1979, as amended by Ord. #85-22, Oct. 1985, Ord. #95-13, Sept. 1995, and Ord. #13-01, March 2013)

14-456. Sign permit restrictive. A sign permit shall exclusively warrant and permit the erection of the sign of type, construction, color, lighting, layout and design as specifically approved by the design review commission, director of planning or duly authorized representative and if the final erection varies in any respect from the approved design or location, the same shall be considered an illegal sign. Further, should the sign specified under an application not be erected within a period of six (6) months then the permit is rendered null and void requiring renewed application and review by the design review commission, director of planning or duly authorized representative to consider the permit in view of changed circumstances. (Ord. #79-10, May 1979, as amended by Ord. #13-01, March 2013)

14-457. Enforcement--building official designated. The building official is hereby authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials the building official or his duly authorized representative shall be permitted by the owner or occupant to enter at reasonable times any building, structure or premises in the City of Bartlett to perform any duty imposed upon him by this chapter. (Ord. #79-10, May 1979)

14-458. Appeal from decision of the building official. Any persons aggrieved by any decision or order of the building official, director of planning or duly authorized representative with regard to this sign ordinance may appeal, within a period not to exceed ten (10) days from said action, to the design review commission by serving written notice to the building official, director of planning or duly authorized representative who, in turn, shall immediately transmit the notice to the design review commission which shall meet to hear said appeal within forty-five (45) days thereafter. (Ord. #79-10, May 1979, as amended by Ord. #95-13, Sept. 1995, and Ord. #13-01, March 2013)

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14-459. Appeal from decision of the design review commission.¹

The decision of the design review commission may be appealed directly to the board of mayor and aldermen upon written notice of appeal to the board within five (5) days of said action. This appeal shall be heard at a regularly scheduled meeting of the board of mayor and aldermen. The board of mayor and aldermen may accept, reject or modify the action of the design review commission. Any action on an appeal from the design review commission shall require a minimum of four (4) affirmative votes of the board of mayor and aldermen and in the absence thereof the action of the design review commission shall become final and binding. (Ord. #79-10, May 1979)

14-460. Notice to remove illegal sign. In addition to the other rights and privileges created hereby, the building official, upon determining that a sign, sign structure or appurtenance thereto, is in violation of the sign ordinance, may, in addition to other penalties, deliver notice to the owner and/or occupant to remove same within ten (10) days, and upon noncompliance, the building official may cause to be issued summons by the clerk of the city court, citing the violator to appear and answer the charge of violation before the Bartlett City Court, which finding may be appealed as any other conviction of the sign ordinance violations to the circuit court. (Ord. #79-10, May 1979, as amended by Ord. #91-3, June 1991)

14-461. Removal of unsafe structures. Upon notice by the chief building official to the owner or occupant of property upon which an illegal sign, or unsafe sign, unsafe sign structure or unsafe appurtenance thereto, is located, the said owner or occupant, within twenty-four (24) hours, shall remove same, or in the alternative with the leave of the mayor, the building official may remove same or provide for its removal immediately and the cost of said removal is to be borne by the owner and/or occupant. (Ord. #85-22, Oct. 1985)

14-462. Repair and/or replacement of signs. It shall be the obligation of the building official to maintain routine inspections upon all signs in the City of Bartlett, independently and/or upon the referral of the design review commission, to insure all signs are reasonably maintained, promptly repaired, remains in compliance with this chapter and still exhorts the business of the occupant. In the event that the building official determines that a sign is deficient as above recited he shall cause to be delivered a formal written notice to the owner and/or occupant directing the correction of the deficiency within ten (10) days.

¹Municipal code reference

Design review commission: title 2, chapter 1.

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Upon failure to properly correct the deficiency of said notice, within the time allotted, the sign shall be rendered an illegal sign subject to the enforcement provision as hereinabove provided. (Ord. #79-10, May 1979)

14-463. Provisions of federal and state law excepted. No provision of this chapter shall contravene by term or application any existing or later enacted statute or regulation of the federal or state governments and in the event of said conflict the provisions of state and/or federal regulations shall control and signs permitted by said statute may be erected in size, dimensions, set back and design at the minimum requirements of the state and/or federal law or regulation, and subject to the review and approval of the design review commission and upon reference to the city attorney upon his certification of the law to the commission. (Ord. #79-10, May 1979)

14-464. Conditions for ground sign exception. The design review commission, director of planning or duly authorized representative may at its discretion approve a ground sign as one of the two (2) signs (one (1) of three (3) signs for corner lots) allowed by this section, provided it shall not increase the number of signs allowed nor the amount of square footage and further subject to the following conditions:

(1) The enterprise of the owner or occupant is not located within a commercial complex and is thus not legally entitled to signage upon a project or directory sign; and

(2) The building or enterprise does contain but a single occupant; provided, however, subject to review of the design review commission, director of planning or duly authorized representative, the commission has the authority to approve ground signs for multiple occupancy buildings, where a strict application of this section would constitute an inequity, and provided no more than one (1) ground sign is permitted per building, and is not approved when a project or directory sign is used.

(3) The erection of a ground sign will not in any way create a safety hazard, encroach on adjoining properties or impede visibility nor constitute on the frontage such congestion with other signs so as to adversely affect traffic or belabor the identification of other services; and

(4) The owner or occupant has physical frontage upon the street whereon the ground sign is to be located.

(5) The ground sign and its specific location must receive the approval of the design review commission with regard to traffic visibility, ingress, egress, pedestrian visibility, and the propensity for safety hazards upon consideration of the existing businesses and the possibility of future occupancy at or near the location, the proximity to critical traffic point, school children traffic, traffic signals, or school crossings. (Ord. #80-9, May 1980, as amended by Ord. #85-22, Oct. 1985, and Ord. #13-01, March 2013)

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14-465. Ground sign restrictions.¹ Upon the review, approval and certification of the conditions for ground sign exception by the design review commission, director of planning or duly authorized representative, the owner or occupant may erect in place of a wall sign, provided it shall not increase the number of signs allowed, a ground sign subject to the following requirements:

(1) A ground sign and supporting structure shall not be over six (6) feet in overall height.

(2) A ground sign shall contain no more than twenty-five (25) square feet of sign surface on either of its faces and shall have no more than two (2) faces. The supporting structure is not included in the sign square footage calculation. Ground signs listing between two (2) and four (4) building occupants as provided under § 14-464(2) shall contain no more than thirty-two (32) square feet of sign surface on either of its faces and shall have no more than two (2) faces. In cases with multiple occupants, the sign faces shall be consistent in design and color.

(3) A ground sign shall be no less than ten feet (10') from the curb line, effective with the adoption of this section.²

(4) A ground sign shall be no less than fifteen feet (15') from any adjoining property, in use or vacant, or curb cut or ingress and egress to any other enterprise.

(5) A ground sign may be externally or internally lighted. Subject to the specific approval of same by the design review commission, director of planning or duly authorized representative. External lights shall not shine onto adjacent property or public streets so as to create a traffic hazard or public nuisance.

(6) The area between the bottom of the face of the ground sign shall be of solid construction and shall not be landscaping or shrubbery.

(7) The ground sign shall have a decorative or stone base.

(8) The accepted ground sign shall be landscaped for a distance of three feet (3') in all directions so as to protect the sign from vehicular traffic and inhibit pedestrian traffic in and about the sign, and if located in a parking area exposed to vehicular traffic shall have a six inch (6") solid curb on all sides exposed to such traffic.

(9) The location, size, and direction of said accepted ground sign shall be subject to review and approval of the design review commission, director of planning or duly authorized representative. (Ord. #87-18, Feb. 1988, as amended by Ord. #91-3, June 1991, Ord. #05-08, Oct. 2005, and Ord. #13-01, March 2013)

¹See Attachment C, Planting Screen for Ground Signs, located at the end of this chapter.

²The original ordinance is Ord. #87-18, Feb. 1988.

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14-466. Informational signs. (1) Any business, club, or other organization may, with approval of the design review commission, director of planning or duly authorized representative, in addition to any other signs allowed under this ordinance, erect informational signs upon demonstrating a valid need for such sign.

(2) An informational sign shall be defined as any sign designed exclusively to convey information to the general public in any commercial or business district or complex or residential district where signs are authorized.

(3) The design review commission shall specify the size and location of such signs and shall not approve as informational signs any sign where the request appears to be an attempt by a business or organization to obtain additional sign allowance as a means of calling attention to said business or organization. (Ord. #80-5, May 1980, as amended by Ord. #13-01, March 2013)

14-467. Signs erected on buildings not enclosed and heated. Notwithstanding the definition of front footage in § 14-401(22) a business may qualify for signage as outlined in § 14-448 under the following conditions:

(1) The building is an existing building or is approved by the planning commission and the design review commission.

(2) The business is operated under an unenclosed structure which is not enclosed and heated because of the nature of the business.

(3) The business is carried on solely in said open type building or structure; the structure being neither appurtenant to nor issued in conjunction with an enclosed structure.

(4) If more than one (1) structure is used, even though connected in some manner, sign allowance shall only be claimed or allowed on one (1) such structure, which shall be the principal structure on which the principal entrance to said business is located.

(5) Nothing in this section shall be construed to permit a business to claim sign allowance for porches, breezeways, awnings or other type overhead covers.

(6) All signs allowed under this section shall be subject to approval of the design review commission, director of planning or duly authorized representative and shall meet all other requirements of this chapter. (Ord. #80-8, May 1980, as amended by Ord. #13-01, March 2013)

14-468. Vending machine signs regulated. (1) Vending machines defined. A vending machine shall for the purpose of this section be defined as any device used to dispense goods or products by either mechanical or manual operation by coin.

(2) Unlighted vending machines. Any unlighted vending machine shall not be considered to be a sign as contemplated by this section provided, that the location of same must be submitted to the design review commission

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which may require shielding or enclosure if the number, size or location of same constitute an encroachment upon adjoining businesses or the public generally.

(3) Lighted vending machines. Any lighted vending machine shall not be considered to be a separate sign, but if visible to the public from any street located off the business premises, the lighted area of said machine shall be calculated in determining the amount of square footage allowed to said business even though the machine shall not be considered to be a separate sign. (Ord. #80-10, May 1980)

14-469. Signs on ornamental or decorative structures. (1) In addition to areas where signs may be placed as provided in this chapter, signs may also be placed in the following locations with approval of the design review commission.

- (a) Fences;
- (b) Pillars;
- (c) Posts; or

(d) Other ornamental or decorative structures either existing or which may in the future be approved by the planning commission and/or the design review commission.

(2) Any sign so approved must be mounted flat against the plane of said structure and shall extend away from said plane no more than six (6) inches, said mounting to be approved by the design review commission.

(3) Only external lighting may be utilized to light any sign approved under this section.

(4) Any sign approved under this section must meet all other requirements of this chapter, and shall not create a safety or health hazard to the general public. (Ord. #80-12, May 1980)

14-470. Signs for industrial park zoning. (1) Only three (3) signs per single tenant building shall be permitted, a ground sign and two (2) building signs. The ground sign shall not be more than one hundred (100) square feet in area, nor over ten (10) feet in height. The ground sign may be illuminated with industrial type spot lighting, back lighting, or internal lighting. Flashing or intermittent illumination is prohibited. The sign area for building (wall) signs shall be based upon the Sign Area Chart provided in § 14-448 above.

(2) On multi-tenant buildings, wall signs shall be permitted based on square footage not to exceed one (1) square foot of sign for every linear foot of building frontage occupied by the business or enterprise, subject to the following restrictions:

- (a) No business or enterprise shall have more than one (1) sign.
- (b) Notwithstanding the amount of building frontage, each business shall be allowed a minimum sign allotment of thirty (30) square feet.

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(c) The allotted sign footage must be displayed on a wall or permanent window sign.

(d) If a wall sign is selected it shall not be mounted higher than the roof line; and must be located on the premises of the enterprise it exhorts.

(e) No sign shall be a roof mounted sign, and must comply with § 14-401(44).

(3) In addition to the wall signs permitted in the preceding subsection, a multi-tenant building owner shall be entitled to a ground sign, which shall exclusively be used to identify the building and shall contain no tenant identification or advertising copy. The owner shall be entitled to a minimum of twenty-five (25) square feet of sign surface and a maximum of one hundred (100) square feet of sign surface, based on the total square feet contained in the building, one (1) square foot being allowed for every one hundred (100) square feet of floor space and subject to the minimum and maximum hereinbefore stated.

(4) Ground signs approved under the authority of this section must also comply with the requirements established for other ground signs by §§ 14-464 and 14-465 of this chapter which are not in conflict with this section, except that the six (6) foot limitation on height may be exceeded on ground signs which are allowed in excess of twenty-five (25) square feet as directed by the design review commission, but shall not exceed ten (10) feet in height. (Ord. #91-3, June 1991, as amended by Ord. #13-01, March 2013)

14-471. Establishment of a special sign corridor. A special sign corridor is hereby established for those tracts of land of five (5) acres or more in the City of Bartlett located east of Fletcher Creek with road frontage on U.S. Highway 64 and along Germantown Parkway from Highway 64 north to a point 2,000' north of Highway 64, and having C-H, Highway Commercial Zoning. Each tract of land meeting these criteria shall be allowed a ground sign with a maximum area of two-hundred (200) square feet and a maximum height of twenty feet (20'), and a maximum width of ten feet (10'). Setback, lighting, landscaping, and base material requirements are set forth in § 14-465 of this chapter. Wall or building signs shall be controlled by § 14-464 above.

14-472. Signs for motor vehicle sales. Motor vehicle sale businesses located within the special sign corridor and containing five (5) or more acres are permitted to have signage in accordance with § 14-471 above. In addition, such businesses shall be allowed to provide additional signage as follows:

Ground signs: Motor vehicle sales businesses shall be allowed to have a ground sign for each three hundred (300) lineal feet of street frontage. If this business is located on a corner lot, it shall be permitted to have an additional ground sign on the secondary street, provided that there is three hundred feet (300') of street frontage on that street. The primary

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ground sign may have a maximum area of two-hundred (200) square feet, a maximum height of twenty feet (20'), and a maximum width of ten feet (10'), each additional ground sign may have a maximum area of fifty (50) square feet, and a maximum height of fifteen feet (15'), and a maximum width of ten feet (10').

Wall Signs: Wall or building signs shall be controlled by § 14-448 above, provided however that the number of wall signs may be increased to include a sign for each major brand (Ford, Chevrolet, Dodge, Toyota, Honda etc.) of new motor vehicle sold on the premises. An addition wall sign may be provided for used cars sold on the premises. The wall sign area for all signs shall conform to the requirements of § 14-471.

All signs allowed under §§ 14-471 and 14-472 shall be subject to approval of the design review commission, director of planning or duly authorized representative and shall meet all other requirements of this chapter.

14-473. Signs for the Bartlett Station area. The provisions herein shall be applicable within the boundaries of Bartlett Station as determined by the board of mayor and aldermen.

These provisions shall supplement and, where in conflict, supersede the provisions of the sign ordinance. Except as otherwise provided, signs that are in compliance with these provisions still are subject to approval under the broader criteria of the design review commission.

(1) Elements in common. (a) To help create a common identity for the diverse parts of Bartlett Station, signage, awnings, and canopies throughout the area may be required to have elements in common. These may take the form of a logo, colors, a shape, or other features, used

- (i) As part of principal signs; or
- (ii) Elsewhere on the facades; or
- (iii) In the common signage (e.g., directory signs) located around the area.

Such elements in common may be required by the design review commission where the buildings or tenant spaces on which the signs, awnings, and canopies are placed are adjoining or are on adjoining lots, front on a common parking area, or front on the same block.

(b) Common elements shall be in accordance with adopted guidelines, if any, of the Bartlett Station Commission.

(2) Design emphasis. Emphasis under these provisions shall be on signage, awnings, and canopies as an integral part of the design of a site and building. Existing criteria for approval shall be supplemented with the following criteria that further define acceptable design parameters:

- (a) A sign, awning, or canopy shall fit into the facade so that it appears to have been designed as part of it and does not obscure or conflict with architectural elements.

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(b) Colors and details of a sign, awning, or canopy shall be compatible and consistent with colors and architectural details of the facade on which it is mounted or from which it extends.

(c) Except where exceptional design permits otherwise, lighter-color lettering on a darker background shall be used, as it is easier to read and emphasizes the message; and the darker background is less distracting when illuminated.

(d) Except where the need for elements in common is determined to be more important, unique sign designs are preferred that better identify and convey information about a particular business, typically through incorporating into the sign, in addition to the name of the business, such features as:

- (i) Illustrations;
- (ii) Three-dimensional elements (objects, shapes, lettering);
- (iii) Logos;
- (iv) Unusual lettering; or
- (v) Shapes other than or in addition to a simple rectangle.

(3) Wall sign area. On small building frontages where the provisions in § 14-448 for a minimum thirty (30) square feet of wall sign area is applicable, another ten (10) square feet of sign area shall be permitted, for a total of at least forty (40) square feet per business.

The excess over thirty (30) square feet is solely for the purpose of accommodating a second permitted wall sign on the side or rear of the building. Neither sign may have an area of more than thirty (30) square feet, and total area of both signs shall not exceed forty (40) square feet.

(4) "Can" wall signs. A "can" type wall sign consists of a metal or other box mounted on a wall, containing a light source and having a translucent panel mounted on one (1) side of the box on which the business is identified. "Can"-type wall signs with internally illuminated backgrounds but opaque or nearly opaque lettering shall not be allowed. If wall signs are internally illuminated:

(a) The sign lettering and related elements shall be internally illuminated as well, not only the background; or

(b) Individual or raceway-mounted letters shall be used instead.

(5) Shingle signs. (a) General. One (1) shingle sign that extends horizontally from the wall of a building over walkways, including public sidewalks, may be permitted for each facade of a business that has a customer entrance, especially where buildings are close to a street or pedestrian path. The permitted area of a shingle sign shall be in addition to the wall sign area permitted in subsection (4).

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(b) Mounting. Because of the potential hazard of a shingle sign falling on a walkway, mounting of the sign shall be subject to requirements of the building official.

(c) Height and ground clearance. Height, not including support structure, shall not exceed twelve feet (12'). Ground clearance for any part of a shingle sign, including support structure, shall be at least eight feet (8').

(d) Illumination. Shingle signs may not be internally illuminated.

(e) Dimensions. A shingle sign shall be in the shape of an ellipse, with uniform dimensions for all such signs in the Bartlett Station area, such dimensions to be determined by the Bartlett Station Commission.

(f) Projection. A shingle sign shall not extend more than four and one-half feet (4 1/2") from the wall of the building.

(6) Directory signs. (a) Number of businesses. A directory sign shall be permitted for a group of two (2) or more businesses. Such a sign may be permitted for businesses that are not on the same lot but are on adjoining lots, provided the sign is on the lot of one of the businesses named on the sign.

(b) Setbacks. A directory sign shall be at least six feet (6') behind the curb line of a street and not on public right-of-way.

Such a sign shall be at least ten feet (10') from any side lot line, except where the name of the business across the lot line also is displayed on the sign.

(c) Sign area and height. (i) A directory sign that is at least fifty feet (50') from any side property line may have an area of up to twenty-five (25) square feet, not including supporting structure. Such a sign may have a height of up to six feet (6'), including supporting structure.

(ii) Where a directory sign is less than fifty feet (50') from a side lot line, the height and area of the sign shall be reduced in proportion to the reduction in setback; provided that no directory sign need be reduced below a height of three feet (3') or an area of six (6) square feet, provided it is placed the maximum distance from any side lot line.

(iii) Where businesses on adjoining lots are named on a directory sign, the combined lots shall be treated as one (1) lot for purposes of determining side setbacks under this provision.

(d) Shelby Street. Because properties along Shelby Street that are part of Bartlett Station have no visibility from Stage Road, one (1) off-premises directory sign shall be allowed on each side of Stage Road at the intersection with Shelby Street; provided that no such sign may be placed on public right-of-way.

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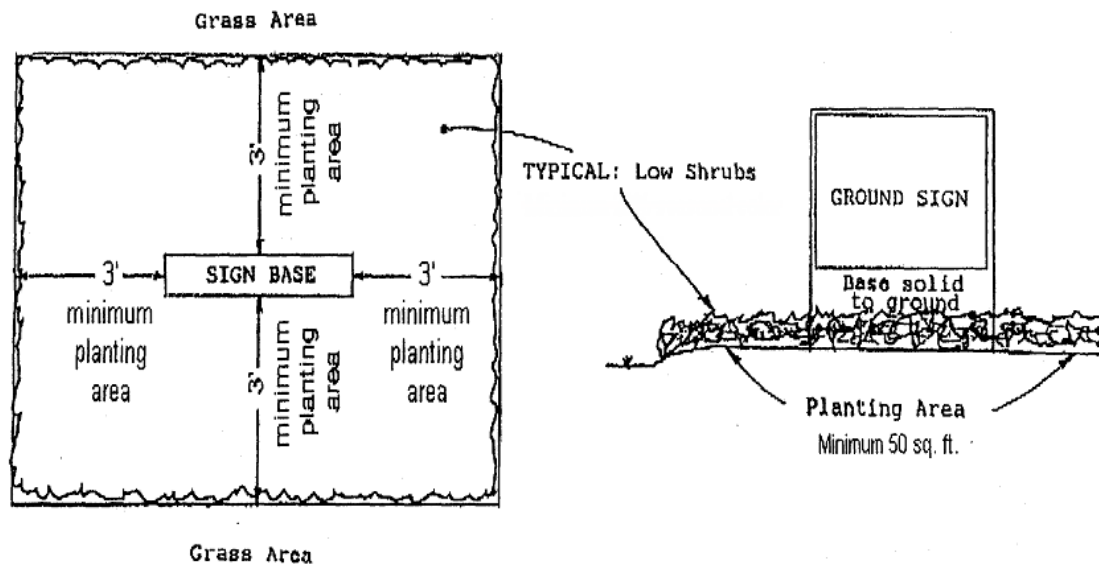
(7) Awnings, canopies. (a) Awnings and canopies on buildings and umbrellas on outdoor tables and vendor carts that are both decorative (adding color and architectural detail) and functional (providing shelter from weather for pedestrians and business patrons) shall be permitted.

(b) The director of code enforcement may require replacement of awnings that are torn, faded, or otherwise damaged.

14-474. Penalties. Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than fifty dollars (\$50.00), each day's continuance of a violation constituting a separate offense. The owner of any sign, building or premises, or part thereof, where a sign in violation of this chapter shall be placed, or shall exist, and any person who may have assisted in the commission of any such violation shall be guilty as an accessory of the offense.

Attachment C Planting Screen for Ground Signs

[Sign Ordinance and Regulations, § 14-465, 'Ground Sign Restrictions,' Part 8: "The accepted ground sign shall be landscaped so as to protect the sign from vehicular traffic and inhibit pedestrian traffic in and about the sign, and if located in a parking area exposed to vehicular traffic shall have a six-inch (6") solid curb on all sides exposed to such traffic. Landscaping shall consist of a minimum planting area of fifty (50) square feet extending a minimum of three feet (3') from any edge of the sign. The use of plants that provide seasonal color is encouraged, but not required.]



Planting Screen for Ground Signs

CHAPTER 5
TREE ORDINANCE¹

¹Municipal code reference

The Bartlett Tree Ordinance, as enacted by Ord. #89-21, was replaced by Ord. #05-08, and is now in Article VI, § 23 of the Zoning Ordinance, Appendix A of this municipal code.

CHAPTER 6

TREE PROTECTION AND GRADING

SECTION

- 14-601. General requirements.
- 14-602. Submittal of written proposal.
- 14-603. Approval.
- 14-604. Right to appeal.
- 14-605. Violations.

14-601. General requirements. A permit shall be required for all grading, earthmoving, changing of elevation of property, or removal of fifteen (15) percent or more of live trees six (6) inches or greater in diameter at a point five (5) feet above the ground level with the following exception: construction on a parcel of land for an individual single-family homesite, accessory buildings or private drives. (Ord. #88-1, Feb. 1988)

14-602. Submittal of written proposal. (1) Permits for work covered by a development contract between the developer and the city may be obtained by complying with applicable regulations governing all development other than construction on a parcel of land for an individual single-family homesite, accessory buildings or private drives. Permits for all other work may be obtained after the submission to the planning commission of a written statement of the purpose of the work and a site plan which shall include:

(a) General location of all trees to be removed. On site plan applications for all construction other than single family, individual trees larger than six (6) inches in diameter shall be located and indicated by type. On subdivision plans, planned developments, and other plans involving large tracts of land, general area of tree coverage shall be located and the general type and size of trees indicated.

(b) The nature and extent of the proposed grading, earthmoving or change in elevation; and

(c) The applicant's plans for controlling on-site generated sedimentation, erosion and runoff.

(2) Any grading permit application shall be approved if it can be determined that:

(a) The grading plan, including tree removal, has been prepared and will be performed in accordance with good flood, erosion and sedimentation control practices and good forestry practices;

(b) The application provides for sufficient and timely replanting of trees to compensate for the removal of trees and foliage;

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(c) The applicant intends to complete development according to a time schedule or has taken steps to prevent any negative impacts resulting from the work proposed. (Ord. #88-1, Feb. 1988)

14-603. Approval. The planning commission shall review and approve or deny the application within thirty (30) days after the day same is submitted. In the event of denial of the application, the specific reasons for denial of same shall be set forth in writing and a copy of same shall be furnished to the applicant. (Ord. #88-1, Feb. 1988)

14-604. Right to appeal. Any dissatisfied applicant under this chapter shall appeal a denial of his application to the board of mayor and aldermen within ten (10) days after the date of the notice of denial and shall make written application to the board of mayor and aldermen to consider his application. (Ord. #88-1, Feb. 1988)

14-605. Violations. Any person violating any of the provisions of this chapter shall be guilty of an offense, an offense being defined as the clearing, grubbing and/or grading of land or the cutting of one (1) excess tree and a separate offense shall be deemed committed for each day of violation of this chapter. The foregoing provision relative to an offense shall not in any way prevent the City of Bartlett from seeking injunctive relief against a violator of this chapter, and the violation of this chapter shall be deemed a nuisance for injunctive relieve purposes. (Ord. #88-1, Feb. 1988)

TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING

CHAPTER

1. MISCELLANEOUS.
2. SPEED LIMITS.
3. TURNING MOVEMENTS.
4. STOPPING AND YIELDING.
5. PARKING.
6. ENFORCEMENT.

CHAPTER 1

MISCELLANEOUS

SECTION

- 15-101. Definitions.
- 15-102. Motor vehicle requirements.
- 15-103. Driving on streets closed for repairs, etc.
- 15-104. One-way streets.
- 15-105. Unlaned streets.
- 15-106. Laned streets.
- 15-107. Yellow lines.
- 15-108. Miscellaneous traffic control signs, etc.
- 15-109. General requirements for traffic control signs, etc.
- 15-110. Unauthorized traffic control signs, etc.
- 15-111. Presumption with respect to traffic control signs, etc.
- 15-112. School safety patrols.
- 15-113. Driving through funerals or other processions.
- 15-114. Clinging to vehicles in motion.
- 15-115. Riding on outside of vehicles.
- 15-116. Backing vehicles.
- 15-117. Projections from the rear of vehicles.
- 15-118. Causing unnecessary noise.
- 15-119. Vehicles and operators to be licensed.
- 15-120. Duty to devote full time and attention.
- 15-121. Slower traffic to keep right.
- 15-122. Passing.
- 15-123. Entering intersection.
- 15-124. Following too closely--prohibited.
- 15-125. Driving too slowly--prohibited.
- 15-126. Driver to exhibit safe speed, safe lookout and due care.
- 15-127. Driving or riding in lap prohibited.

- 15-128. Motorcycles, motor driven cycles, motorized bicycles, bicycles, etc.
- 15-129. Delivery of vehicle to unlicensed driver, etc.
- 15-130. Compliance with financial responsibility law required.
- 15-131. Striking parked vehicle or fixed object prohibited.
- 15-132. Right-of-way for trains.
- 15-133. Wearing headset while operating vehicle prohibited.
- 15-134. Use of safety belts in passenger vehicles required.
- 15-135. Jaywalking prohibited.
- 15-136. Operation of authorized emergency vehicles.
- 15-137. Running over fire hoses, etc.
- 15-138. City fee.
- 15-139. Shelby County Clerk to collect fees.
- 15-140. Adoption of state statutes and regulations.

15-101. Definitions. (1) "Authorized emergency vehicle." Authorized emergency vehicles shall be fire department vehicles, police vehicles and such ambulances and other emergency vehicles as are designated by the chief of police or fire chief, or as otherwise provided by Tennessee Code Annotated, § 55-8-101.

(2) "Bus." Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons.

(3) "Recreational vehicle." Any vehicle designed primarily for the transportation of passengers and providing temporary living quarters within said vehicle.

(4) "Trailer." Every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(5) "Truck." Every motor vehicle designed, used or maintained primarily for the transportation of property.

(6) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices moved by human power or used exclusively upon stationary rails or tracks. (as added by Ord. #08-01, Feb. 2008)

15-102. Motor vehicle requirements. It shall be unlawful for any person to operate any motor vehicle within the corporate limits unless such vehicle is equipped with properly operating muffler, lights, brakes, horn and such other equipment as is prescribed and required by Tennessee Code Annotated, § 55-9-201, et seq. (as added by Ord. #08-01, Feb. 2008)

15-103. Driving on streets closed for repairs, etc. Except for necessary access to property abutting thereon, no motor vehicle shall be driven upon any street that is barricaded or closed for repairs or other lawful purpose. (as added by Ord. #08-01, Feb. 2008)

15-104. One-way streets. On any street for one-way traffic with posted signs indicating the authorized direction of travel at all intersections offering access thereto, no person shall operate any vehicle except in the indicated direction. (as added by Ord. #08-01, Feb. 2008)

15-105. Unlaned streets. (1) Upon all unlaned streets of sufficient width, a vehicle shall be driven upon the right half of the street except:

(a) When lawfully overtaking and passing another vehicle proceeding in the same direction.

(b) When the right half of a roadway is closed to traffic while under construction or repair.

(c) Upon a roadway designated and signposted by the city for one-way traffic.

(2) All vehicles proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn. (as added by Ord. #08-01, Feb. 2008)

15-106. Laned streets. Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(2) Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

(3) Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of every such sign; and

(4) (a) Where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which five (5) or more vehicles are formed in line, shall turn or pull off the roadway wherever sufficient area exists to do so safely, in order to permit vehicles following it to proceed. As used in this subsection (4), a slow-moving vehicle is one which is proceeding at a rate of speed which is ten (10) miles per hour or more below the lawful maximum speed for that particular roadway at that time.

(b) Any person failing to conform with the provisions of subsection (4)(a) shall receive a warning citation on first offense and be liable for a fine of twenty dollars (\$20.00) on second offense, and fifty dollars (\$50.00) on third and subsequent offenses.

(c) Subsection (4)(a) shall not apply to funeral processions nor to school buses. (as added by Ord. #08-01, Feb. 2008)

15-107. Yellow lines. On streets with a yellow line placed to the right of any lane line or center line, such yellow line shall designate a no-passing zone, and no operator shall drive his or her vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such street. (as added by Ord. #08-01, Feb. 2008)

15-108. Miscellaneous traffic control signs, etc. It shall be unlawful for any pedestrian or the operator of any vehicle to violate or fail to comply with any traffic control sign, signal, marking, or device placed or erected by the state or the city unless otherwise directed by a police officer.

No person shall willfully fail or refuse to comply with any lawful order of any police officer invested by law with the authority to direct, control or regulate traffic. (as added by Ord. #08-01, Feb. 2008)

15-109. General requirements for traffic control signs, etc. All traffic control signs, signals, markings and devices shall conform to the latest revision of the Manual of Uniform Traffic-Control Devices for Streets and Highways, published by the U.S. Department of Transportation, Federal Highway Administration and shall, so far as practicable, be uniform as to type and location throughout the city. This section shall not be construed as being mandatory, but is merely directive. (as added by Ord. #08-01, Feb. 2008)

15-110. Unauthorized traffic control signs, etc. No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control sign, signal, marking, or device or railroad sign or signal, which attempts to control the movement of traffic or parking of vehicles, or which hides from view or interferes with the effectiveness of any official traffic control sign, signal, marking, or device or any railroad sign or signal. (as added by Ord. #08-01, Feb. 2008)

15-111. Presumption with respect to traffic control signs, etc. When a traffic control sign, signal, marking, or device has been placed, the presumption shall be that it is official and that it has been lawfully placed by the proper city authority. (as added by Ord. #08-01, Feb. 2008)

15-112. School safety patrols. All motorists and pedestrians shall obey the directions or signals of school safety patrols when such patrols are assigned under the authority of the chief of police and are acting in accordance with instructions; provided, that such persons giving any order, signal, or direction shall at the time be wearing some insignia and/or using authorized flags for giving signals. (as added by Ord. #08-01, Feb. 2008)

15-113. Driving through funerals or other processions. Except when otherwise directed by a police officer, no driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. (as added by Ord. #08-01, Feb. 2008)

15-114. Clinging to vehicles in motion. It shall be unlawful for any person traveling upon any bicycle, motorcycle, coaster, sled, rollerskates, or any other vehicle to cling to, or attach himself or herself or his or her vehicle to any other moving vehicle upon any street, alley, or other public way or place. (as added by Ord. #08-01, Feb. 2008)

15-115. Riding on outside of vehicles. It shall be unlawful for any person to ride, or for the owner or operator of any motor vehicle being operated on a street, alley, or other public way or place, to permit any person to ride on any portion of such vehicle not designated or intended for the use of passengers. This section shall not apply to persons engaged in the necessary discharge of lawful duties nor to adults riding in the load-carrying space of trucks. (as added by Ord. #08-01, Feb. 2008)

15-116. Backing vehicles. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (as added by Ord. #74-11, July 1974)

15-117. Projections from the rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, the operator shall display at the end of such load or projection, in such position as to be clearly visible from the rear of such vehicle, a red flag being not less than twelve (12) inches square. Between one-half (½) hour after sunset and one-half (½) hour before sunrise, there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle. (as added by Ord. #08-01, Feb. 2008)

15-118. Causing unnecessary noise. It shall be unlawful for any person to cause unnecessary noise by unnecessarily sounding the horn, "racing"

the motor, or causing the "screeching" or "squealing" of the tires on any motor vehicle. (as added by Ord. #08-01, Feb. 2008)

15-119. Vehicles and operators to be licensed. (1) All motor vehicles required by state law to be registered with the county clerk with an address within the city must be registered with the county clerk. Registration shall be valid for a term concurrent with the state automobile registration.

(2) No person shall operate any motor vehicle on any street without having in his or her possession an operator's license or a chauffeur's license valid under the laws of the State of Tennessee, or, if a non-resident, under the laws of the state in which he or she is a resident. (as added by Ord. #08-01, Feb. 2008)

15-120. Duty to devote full time and attention. It shall be unlawful for a driver of a vehicle to fail to devote full time to the driving of said vehicle when such failure, under the then existing circumstances, endangers life, limb or property. (as added by Ord. #08-01, Feb. 2008)

15-121. Slower traffic to keep right. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (as added by Ord. #08-01, Feb. 2008)

15-122. Passing. (1) In opposite direction. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half ($\frac{1}{2}$) of the main-traveled portion of the roadway as nearly as possible.

(2) In the same direction. Except as otherwise provided in subsection (6) of this section, the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(3) Duty of safe operation. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand

side of the roadway before coming within one hundred (100) feet of any vehicle approaching from the opposite direction.

(4) At intersection or railroad crossing. No vehicle shall be driven to the left of the center of any street for the purpose of passing another vehicle when approaching within one hundred (100) feet of any intersection or while traversing any intersection or railroad grade crossing. This subsection shall not apply to one-way streets or to streets where special signs or markings permit driving to the left of the center.

(5) Passing on left prohibited--exception. No vehicle shall be driven to the left of the center of the roadway upon any street of sufficient width for two (2) or more lines of moving vehicles in each direction, except when the right half of the roadway is obstructed, and then such movement shall be made in safety in accordance with this section.

(6) Passing on right permitted. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn.

(b) Upon a street with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction when traffic is moving in two (2) or more substantially continuous lines in direction of travel.

(c) Upon a one-way street or upon any roadway on which traffic is restricted to one (1) direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.

(7) Duty of safe operation. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of this roadway.

(8) Vehicles to give way to passing vehicle. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (as added by Ord. #08-01, Feb. 2008)

15-123. Entering intersection. No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal to proceed. (as added by Ord. #08-01, Feb. 2008)

15-124. Following too closely--prohibited. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and

prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street. (as added by Ord. #08-01, Feb. 2008)

15-125. Driving too slowly--prohibited. No person shall drive a motor vehicle upon any street at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safety operation or in compliance with the law. (as added by Ord. #08-01, Feb. 2008)

15-126. Driver to exhibit safe speed, safe lookout and due care. Notwithstanding any speed limit or zone in effect at the time, or right-of-way rules that may be applicable, every driver shall:

- (1) Operate his vehicle at a safe speed;
- (2) Maintain a safe lookout;
- (3) Use due care to keep his vehicle under control. (as added by Ord. #08-01, Feb. 2008)

15-127. Driving or riding in lap prohibited. No operator of a vehicle shall have in his lap any other person, adult or minor, nor shall the operator be seated in the lap of any person while the vehicle is in motion. (as added by Ord. #08-01, Feb. 2008)

15-128. Motorcycles, motor-driven cycles, motorized bicycles, bicycles, etc. (1) Definitions. For the purpose of the application of this section, the following words shall have the definitions indicated:

(a) "Motorcycle." Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor or motorized bicycle.

(b) "Motor-driven cycle." Every motorcycle, including every motor scooter, with a motor which produces not to exceed five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred and twenty-five cubic centimeters (125cc).

(c) "Motorized bicycle." A vehicle with two (2) or three (3) wheels, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty cubic centimeters (50cc) which produces no more than two (2) brake horsepower and is capable of propelling the vehicle at a maximum design speed of no more than thirty (30) miles per hour on level ground.

(2) Every person riding or operating a bicycle, motor cycle, motor driven cycle or motorized bicycle shall be subject to the provisions of all traffic ordinances, rules, and regulations of the city applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles, motor driven cycles, or motorized bicycles.

(3) No person operating or riding a bicycle, motorcycle, motor driven cycle or motorized bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, nor shall the operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

(4) No bicycle, motorcycle, motor driven cycle or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(5) No person operating a bicycle, motorcycle, motor driven cycle or motorized bicycle shall carry any package, bundle, or article which prevents the rider from keeping both hands upon the handlebars.

(6) No person under the age of sixteen (16) years shall operate any motorcycle, motor driven cycle or motorized bicycle while any other person is a passenger upon said motor vehicle.

(7) Each driver of a motorcycle, motor driven cycle, or motorized bicycle and any passenger thereon shall be required to wear on his head a crash helmet of a type approved by the state's commissioner of safety.

(8) Every motorcycle, motor driven cycle, or motorized bicycle operated upon any public way within the corporate limits shall be equipped with a windshield or, in the alternative, the operator and any passenger on any such motorcycle, motor driven cycle or motorized bicycle shall be required to wear safety goggles, faceshield or glasses containing impact resistant lens for the purpose of preventing any flying object from striking the operator or any passenger in the eyes.

(9) It shall be unlawful for any person to operate or ride on any vehicle in violation of this section, and it shall also be unlawful for any parent or guardian knowingly to permit any minor to operate a motorcycle, motor driven cycle or motorized bicycle in violation of this section. (as added by Ord. #08-01, Feb. 2008)

15-129. Delivery of vehicle to unlicensed driver, etc.

(1) Definitions. (a) "Juvenile" as used in this chapter shall mean a person less than eighteen (18) years of age, and no exception shall be made for a juvenile who has been emancipated by marriage or otherwise.

(b) "Adult" shall mean any person eighteen (18) years of age or older.

(c) "Custody" means the control of the actual physical care of the juvenile, and includes the right and responsibility to provide for the physical, mental, moral and emotional well being of the juvenile. "Custody" as herein defined, relates to those rights and responsibilities as exercised by the juvenile's parent or parents or a person granted custody by a court of competent jurisdiction.

(d) "Automobile" shall mean any motor driven automobile, car, truck, tractor, motorcycle, motor driven cycle, motorized bicycle, or vehicle driven by mechanical power.

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(e) "Driver's license" shall mean a motor vehicle operators license or chauffeurs license issued by the State of Tennessee.

(2) It shall be unlawful for any adult to deliver the possession of or the control of any automobile or other motor vehicle to any person, whether an adult or a juvenile, who does not have in his possession a valid motor vehicle operators or chauffeurs license issued by the Department of Safety of the State of Tennessee, or for any adult to permit any person, whether an adult or a juvenile, to drive any motor vehicle upon the streets, highways, roads, avenues, parkways, alleys or public thoroughfares in the City of Bartlett unless such person has a valid motor vehicle operators or chauffeurs license as issued by the Department of Safety of the State of Tennessee.

(3) It shall be unlawful for any parent or person having custody of a juvenile to permit any such juvenile to drive a motor vehicle upon the streets, highways, roads, parkways, avenues or public ways in the city in a reckless, careless, or unlawful manner, or in such manner as to violate the ordinances of the city. (as added by Ord. #08-01, Feb. 2008)

15-130. Compliance with financial responsibility law required.

(1) Every vehicle operated within the corporate limits must be in compliance with the financial responsibility law.

(2) At the time the driver of a motor vehicle is charged with any moving violation under Tennessee Code Annotated, title 55, chapters 8 and 10, parts 1-5, chapter 50; any provision in this title of this municipal code; or at the time of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request evidence of financial responsibility as required by this section. In case of an accident for which notice is required under Tennessee Code Annotated, § 55-10-106, the officer shall request such evidence from all drivers involved in the accident, without regard to apparent or actual fault. For the purposes of this section, "financial responsibility" means:

(a) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been issued;

(b) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977, compiled in Tennessee Code Annotated, chapter 12, title 55, has been paid or filed with the commissioner, or has qualified as a self-insurer under Tennessee Code Annotated, § 55-12-111;

(c) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the department of

safety or the interstate commerce commission, or was owned by the United States, the State of Tennessee or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

(3) It is a civil offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is punishable by a civil penalty of up to fifty dollars (\$50.00).

(4) The penalty imposed by this section shall be in addition to any other penalty imposed by the laws of this state or this municipal code.

(5) On or before the court date, the person so charged may submit evidence of compliance with this section at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed. (as added by Ord. #08-01, Feb. 2008)

15-131. Striking parked vehicle or fixed object prohibited. It shall be unlawful for the driver of any vehicle while operating such vehicle on a public street or alley to drive such vehicle into, against or upon a parked vehicle or fixed object thereon. (as added by Ord. #08-01, Feb. 2008)

15-132. Right-of-way for trains. (1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the following circumstances, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.

(b) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train.

(c) A railroad train approaching within approximately one thousand five hundred (1,500) feet of the street crossing emits a signal audible from such distance, or when such railroad train, by reason of its speed or nearness to such crossing is an immediate hazard.

(d) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(2) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (as added by Ord. #08-01, Feb. 2008)

15-133. Wearing headset while operating vehicle prohibited. It shall be unlawful for any person, while driving or operating a vehicle on a public street or highway, to wear a radio/tape or any other type headset in or over their ears which would reduce their ability to hear the audible warning signals of any approaching emergency vehicle.

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A violation of this section shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). (as added by Ord. #08-01, Feb. 2008)

15-134. Use of safety belts in passenger vehicles required.

(1) Definitions. The following terms as used in this section shall have the following meaning:

(a) "Passenger car" or "passenger motor vehicle." Any motor vehicle with a manufacturer's gross vehicle weight rating of eight thousand five hundred (8,500) pounds or less that is not used as a public or livery conveyance for passengers. The term, "passenger car" or "passenger motor vehicle," shall not apply to motor vehicles, which are not required by federal law to be equipped with safety belts.

(2) Violations, penalties applicability. (a) No person shall operate a passenger motor vehicle within the city limits of Bartlett unless such person and all passengers from four (4) years of age or older are restrained by a belt at all times the vehicle is in forward motion. Children under four (4) years of age must be properly restrained in an approved child restraint device. Children between the ages of four (4) and eight (8) years of age, weighing less than forty (40) pounds must be in an integrated child seat or belt positioning booster seat, as outlined in Tennessee Code Annotated, § 55-9-602.

(b) The provisions of this section shall apply only to the operator and all passengers occupying the front seat of a passenger motor vehicle, with the exception of persons aged four (4) through seventeen (17), who must be restrained regardless of where they are in the vehicle, and others as outlined in subsection (2)(a). If the vehicle is equipped with a rear seat, which is capable of folding, the provisions of this section shall only apply to front seat passengers and operators if the back seat is in the fold down position.

(c) Violation of any provision of this section is hereby declared to be a misdemeanor. Any operator of a motor vehicle convicted of a violation hereunder involving the driver or another adult shall be fined twenty-five dollars (\$25.00) a first violation, and fifty dollars (\$50.00) on second and subsequent violations. Any operator of a motor vehicle convicted of a violation hereunder involving a minor age sixteen (16) or seventeen (17) shall be fined twenty-five dollars (\$25.00). Any operator of a motor vehicle convicted of a violation involving a child between the ages of five (5) and sixteen (16), shall be fined fifty dollars (\$50.00). Any operator of a motor vehicle convicted of a violation hereunder involving a child age four (4) or under shall be fined fifty dollars (\$50.00).

(d) Revenues collected under this subsection shall be paid into the city's general fund.

(3) Exceptions. This section does not apply to:

(a) A passenger or operator with a physically disabling condition whose physical disability would prevent appropriate restraint in such safety seat or safety belt; provided, that such condition is certified in writing by a physician who shall state the nature of the handicap, as well as the reason such restraint is inappropriate.

(b) A passenger motor vehicle operated by a rural letter carrier of the United States Postal Service while performing the duties of a rural letter carrier.

(c) Utility workers, water, gas and electric meter readers in the course of their employment; or

(d) A newspaper delivery motor carrier service while performing the duties of a newspaper delivery motor carrier service; provided, that this exemption shall only apply from the time of the actual first delivery to the customer until the last actual delivery to the customer. (as added by Ord. #08-01, Feb. 2008, and amended by Ord. #14-05, July 2014, and Ord. #15-07, Dec. 2015)

15-135. Jaywalking prohibited. It shall be unlawful for pedestrians to jaywalk on any street within the city limits of Bartlett, Tennessee where cross lanes are provided. (as added by Ord. #08-01, Feb. 2008)

15-136. Operation of authorized emergency vehicles. (1) The driver of an authorized emergency vehicle, when responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, subject to the conditions herein stated.

(2) The driver of an authorized emergency vehicle may:

(a) Park or stand, irrespective of the provisions of this title;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the maximum speed limit so long as life or property is not thereby endangered; and

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of the applicable laws of this state, except that an authorized emergency vehicle operated as a police vehicle may be equipped with or display a red light only in combination with a blue light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the

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consequences of the driver's own reckless disregard for the safety of others. (as added by Ord. #08-01, Feb. 2008)

15-137. Running over fire hoses, etc. It shall be unlawful for any person to drive over any hose lines or other equipment of the fire department except in obedience to the direction of a firefighter or police officer. (as added by Ord. #08-01, Feb. 2008)

15-138. City fee. All motor vehicles owned by residents within the City of Bartlett, Tennessee shall be required to pay a city fee of twenty-five dollars (\$25.00) per year for each vehicle. "Motor vehicles" means any passenger car, truck, motorvan, motorcycle or any motor driven vehicle using streets within the corporate limits of the City of Bartlett and registered to an address within the corporate limits of the City of Bartlett, Tennessee. (as added by Ord. #08-01, Feb. 2008)

15-139. Shelby County Court Clerk to collect fees. The Mayor of the City of Bartlett is authorized to contract with the Shelby County Clerk to collect the applicable motor vehicle fees. (as added by Ord. #08-01, Feb. 2008)

15-140. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated, § 16-18-302(a), the City of Bartlett adopts by reference the appropriate provisions of the "Rules of the Road," as codified in Tennessee Code Annotated, §§ 55-8-101 through 55-8-131, §§ 55-8-133 through 55-8-150, and §§ 55-8-152 through 55-8-180. Additionally, the City of Bartlett adopts by reference the appropriate provisions of Tennessee Code Annotated, §§ 55-8-181 through 55-8-193, §§ 55-9-601 through 55-9-606, § 55-12-139 and § 55-21-108 not specifically adopted or adopted as modified in this title. (as added by Ord. #08-01, Feb. 2008)

CHAPTER 2

SPEED LIMITS

SECTION

- 15-201. In general.
- 15-202. At intersections.
- 15-203. In school zones.
- 15-204. Speed of railroad trains regulated within city.

15-201. In general. It shall be unlawful for any person to operate a motor vehicle upon the streets of the City of Bartlett at a speed greater than thirty (30) miles per hour, except in areas designated for a greater speed. (as added by Ord. #08-01, Feb. 2008)

15-202. At intersections. It shall be unlawful for any person to operate or drive a motor vehicle through any intersection at a rate of speed in excess of fifteen (15) miles per hour unless such person is driving on a street regulated by traffic control signals or signs which require traffic to stop or yield on the intersecting streets. (as added by Ord. #08-01, Feb. 2008)

15-203. In school zones. No vehicle shall be driven at a greater rate of speed than fifteen (15) miles per hour on that portion of any street which has been designated as a school zone by official signs, during any time when school children are on the streets or sidewalks within such school zone, either en route to or returning from school or while school safety patrols or police officers are on duty. Such school zones shall be confined to such portions of the streets adjacent to school grounds, or for a distance not to exceed one thousand (1,000) feet beyond the boundaries of such grounds. (as added by Ord. #08-01, Feb. 2008)

15-204. Speed of railroad trains regulated within city. (1) The maximum speed of any freight train, passenger train, or any type of motor-driven vehicle, using the railroad tracks through the city limits of the City of Bartlett, shall not exceed thirty (30) miles per hour.

(2) This section shall not apply, wherein an emergency shall exist, that shall require the clearing of all railroad tracks, for the safety and well being of the citizens of the City of Bartlett.

(3) The penalty for the violations of this section shall be fifty dollars (\$50.00). (as added by Ord. #08-01, Feb. 2008)

CHAPTER 3

TURNING MOVEMENTS

SECTION

- 15-301. Duty of safety turning maneuvers.
- 15-302. Right turns generally.
- 15-303. Left turns generally.
- 15-304. Left turns on one-way streets.
- 15-305. Turns by trucks, buses and larger vehicles.
- 15-306. Turns may be prohibited by sign.
- 15-307. Left turns at intersections.
- 15-308. U-turns.

15-301. Duty of safety turning maneuvers. No person shall turn a vehicle at an intersection, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. (as added by Ord. #08-01, Feb. 2008)

15-302. Right turns generally. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the street. (as added by Ord. #08-01, Feb. 2008)

15-303. Left turns generally. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection. (as added by Ord. #08-01, Feb. 2008)

15-304. Left turns on one-way streets. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, as nearly as practicable, proceed in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered. (as added by Ord. #08-01, Feb. 2008)

15-305. Turns by trucks, buses and larger vehicles. The driver of any truck, bus or any large vehicle which cannot comply with the foregoing provisions due to the size of the vehicle may use such additional portions of the street or roadway as may be necessary for a right turn; provided, however, that the driver of such vehicle, before making such turn, shall first determine that this movement may be made in safety. (as added by Ord. #08-01, Feb. 2008)

15-306. Turns may be prohibited by sign. Whenever authorized signs are erected indicating that no right or left turn is permitted, no driver of a vehicle shall disobey the direction of any such sign. (as added by Ord. #08-01, Feb. 2008)

15-307. Left turns at intersections. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having giving a signal when and as required by this chapter, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (as added by Ord. #08-01, Feb. 2008)

15-308. U-turns. No driver of any motorized vehicle shall make a u-turn (reverse direction) upon any street, unless such street is divided by a median and then, only where there is a curb cut provided for such and not at locations on these streets where a no u-turn sign is posted. (as added by Ord. #08-01, Feb. 2008)