

June 13, 2017

Mayor Virgil F. Holder	P
Commissioner Paul Don King	P
Commissioner Ronnie Lancaster	P
Commissioner Samantha Rector	P
Commissioner Jimmy P. Haley Jr.	P

The Board of Mayor and City Commissioners met in a regular city meeting on Tuesday, June 13, 2017.

A **Motion** was made by Commissioner Haley, seconded by Commissioner Rector, to approve the minutes of the regular meeting on May 9, 2017. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

A **Motion** was made by Commissioner Rector, seconded by Commissioner Haley, to change the Princess Theater rental to \$125. There will be no charge for non-profit organizations, etc. There will be a cleaning fee where applicable. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes. Mayor Holder, yes. Five voted aye.

A **Motion** was made by Mayor Holder, seconded Commissioner Lancaster, to hire **Antuan Brown**, as a **Police Officer**. Brown is a certified officer. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

A **Motion** was made by Commissioner Lancaster, seconded by Mayor Holder, to **terminate Emily Huston**, as a **Police Officer**. Roll call vote: Commissioner Haley, no; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Four voted aye.

A **Motion** was made by Mayor Holder, seconded by Commissioner Lancaster, to **suspend Jeff Batten, Police Officer**, leave without pay. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

Upon recommendation from City Administrator, Gene Vess, a **Motion** was made by Mayor Holder, seconded by Commissioner King, to **rescind** Motion made at the last City Meeting, to give **Carolyn Case** her job back. The City needs to make sure all proper procedures of the City's Personnel Policy will be followed correctly.

A **Motion** was made by Commissioner Haley, seconded by Commissioner Lancaster, to move the City's \$100,000 **Certificate of Deposit** to the South Pittsburg Tower Bank. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

A **Motion** was made by Commissioner King, seconded by Commissioner Haley, to pass on first (1st) reading **Ordinance #775** (An Ordinance to Temporarily Continue the Fiscal Year 2017 Annual Operating Budget of the City of South Pittsburg, TN, for Fiscal Year 2017-2018). Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

A **Motion** was made by Commissioner Lancaster, seconded by Commissioner Haley, to pass on first (1st) reading **Ordinance #776** (An Ordinance of the City of South Pittsburg, TN, Adopting and Enacting (1) the 2012 Edition of the *International Building Code*, (2) the 2012 Edition of the *International Plumbing Code*, (3) the 2012 Edition of the *International Fuel Gas Code*, (4) the 2012 Edition of the *International Residential Code*, with the Specific Exception and Exclusion of Section R313.2 "Automatic Sprinkler Systems in 1 & 2 Family Dwellings", (5) the 2012 Edition of the *International Mechanical Code*, (6) the *ICC Electrical Code-Administrative Provisions*, (7) the 2012 Edition of the *International Environmental Conservation Code* and (8) the 2012 Edition of the *International Fire Code*). Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

The floor was open for citizens' comments.

A **Motion** to adjourn was made by Commissioner King, seconded by Commissioner Lancaster. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner Lancaster, yes; Commissioner King, yes; Mayor Holder, yes. Five voted aye.

Respectfully submitted,

Mayor Virgil F. Holder
Diane Beavers, City Recorder

ORDINANCE NO. 775
AN ORDINANCE TO TEMPORARILY CONTINUE THE
FISCAL YEAR 2017 ANNUAL OPERATING BUDGET OF THE CITY OF SOUTH PITTSBURG, TENNESSEE
FOR FISCAL YEAR 2017-2018.

WHEREAS, the Municipal Budget Law of 1982 as codified in *Tennessee Code Annotated* Section 6-56-210 permits the appropriations for the last fiscal year to become the appropriations for the next budget year, until the adoption of the new budget ordinance; and

WHEREAS, the financial plan, appropriations budget and publication requirement for the City of South Pittsburg for the fiscal year beginning July 1, 2017 will not be completed and adopted by June 30, 2017.

NOW, THEREFORE, BE IT ORDAINED by the City of South Pittsburg, Tennessee, as follows:

Section 1. The City of South Pittsburg hereby extends, formally adopts, and otherwise ratifies a temporary continuation budget to provide authority for appropriations until the annual budget and capital program ordinance can be adopted.

Section 2. This continuation budget shall be based on the final operating appropriations of the fiscal year 2017 annual operating budget and that it will serve as the legal authority for expenditures for fiscal year 2018 until the adoption of the actual fiscal year 2018 budget.

Section 3. Expenditures made under this budget for operating expenses will not exceed those authorized by the municipal governing body for the same period in fiscal year 2017 and shall not exceed revenues received during the period the continuation budget is in force plus cash available at June 30, 2017. Capital expenditures may not be made through the authority of this continuation budget.

Section 4. Debt service obligations coming due under the continuation budget period are authorized for payment under the continuation budget and such obligations shall be met before any other expenditure, but total operating expenditures plus debt service payments shall not exceed revenues received during the period the continuation budget is in force plus cash available at June 30, 2017.

PASSED ON FIRST READING: 6.13.17

PASSED ON SECOND READING: _____

Mayor, Virgil F. Holder

City Recorder, Diane Beavers

ORDINANCE NO: 776

AN ORDINANCE OF THE CITY OF SOUTH PITTSBURG, TENNESSEE ADOPTING AND ENACTING (1) THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*, (2) THE 2012 EDITION OF THE *INTERNATIONAL PLUMBING CODE*, (3) THE 2012 EDITION OF THE *INTERNATIONAL FUEL GAS CODE*, (4) THE 2012 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*, WITH THE SPECIFIC EXCEPTION AND EXCLUSION OF SECTION R313.2 "AUTOMATIC SPRINKLER SYSTEMS IN 1&2 FAMILY DWELLINGS", (5) THE 2012 EDITION OF THE *INTERNATIONAL MECHANICAL CODE*, (6) THE *ICC ELECTRICAL CODE- ADMINISTRATIVE PROVISIONS*, (7) THE 2012 EDITION OF THE *INTERNATIONAL ENVIRONMENTAL CONSERVATION CODE* AND (8) THE 2012 EDITION OF THE *INTERNATIONAL FIRE CODE*.

WHEREAS, the City of South Pittsburg's currently adopted building codes and fire code are outdated; and

WHEREAS, the 2012 edition of the *International Building Code* provides for regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Plumbing Code* provides for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Fuel Gas Code* provides for regulating and governing fuel gas systems and gas-fired appliances; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Residential Code* provides for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Mechanical Code* provides for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems; and provides for the issuance of permits and collection of fees therefore;

WHEREAS, the 2012 edition of the *ICC Electrical Code-Administrative Provisions* provides for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use or maintenance of electrical systems; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Energy Conservation Code* provides for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems, and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, the 2012 edition of the *International Fire Code* provides for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and provides for the issuance of permits and collection of fees therefore; and

WHEREAS, upon consideration, the Board of Mayor and Commissioners of the City of South Pittsburg, Tennessee desires to amend and modify the building codes contained within Title 12 and fire code contained within Title 7 of the Municipal Code of the City of South Pittsburg and all other ordinances and parts of the ordinances in conflict therewith.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND COMMISSIONERS OF THE CITY OF SOUTH PITTSBURG, TENNESSEE THAT:

Section 1. International Building Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Building Code, 2012 edition*, including Appendix Chapter B and excluding Chapter 16 Sections 1613 through 1623 (see *International Building Code* Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of South Pittsburg, Tennessee for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with additions, insertions, deletions, and changes, if any, presented in Section 1.1 of this ordinance.

Section 1.1. The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg

Section 1612.3. Insert: City of South Pittsburg

Section 1612.3. Insert: (Date of Issuance)

Section 3410.2. Insert: 15 days of final passage, 5 days after publication

Section 2. International Plumbing Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Plumbing Code, 2012 edition*, including Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of South Pittsburg, Tennessee for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or

maintenance of plumbing systems as herein provided: providing for the issuance of permits and collection of fees therefore: and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance with additions, insertions, deletions and changes, if any, presented in Section 2.1 of this ordinance.

Section 2.1. The following sections are hereby revised:

Section 101.1. Insert: City South Pittsburg
Section 106.6.2. Insert: "South Pittsburg Building Permit Schedule", Appendix A3
Section 106.6.3. Insert: 50%, 50%
Section 108.4. Insert: Offense, dollar amount, number of days
Section 108.5. Insert: \$50, as prescribed by law
Section 305.6.1. Insert: 12 inches, 12 inches
Section 904.1. Insert: 6 inches

Section 3. International Fuel Gas Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Fuel Gas Code, 2012 edition*, including Appendix Chapter 13 and excluding _____, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of South Pittsburg, Tennessee for regulating and governing fuel gas systems and gas-fired appliances as herein provided: providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any, presented in Section 3.1 of this ordinance.

Section 3.1. The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg
Section 106.5.2. Insert: Appropriate Schedule
Section 106.5.3. Insert: 50%, 50%
Section 108.4. Insert: Specific offense, dollar amount, number of days
Section 108.5. Insert: \$50, as prescribed by law

Section 4. International Residential Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Residential Code, 2012 edition*, as published by the International Code Council, with the specific deletion, exception, and exclusion of Section R313.2 "Automatic Sprinkler Systems in 1&2 Family Dwellings", be and is hereby adopted as the Residential Code of the City of South Pittsburg, Tennessee for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any, presented in Section 4.1 of this ordinance.

Section 4.1. The following sections are hereby revised:

- Section R101.1. Insert: City of South Pittsburg
- Section R301.2 (1). Insert: Climatic and Geographic Design Criteria, as specified
- Section R313.2 Deleted
- Section P2603.6.1 Insert: *All open vent pipes which extend through a roof shall be terminated at least 6 inches above the roof or 3 inches above the anticipated snow accumulation. Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.*
- Section P3103.1. Insert: *All open vent pipes which extend through a roof shall be terminated at least 6 inches above the roof or 3 inches above the anticipated snow accumulation...*
- Section 3410.2. Insert: 15 days of final passage, 5 days after publication

Section 5. International Mechanical Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Mechanical Code, 2012 edition*, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of South Pittsburg, Tennessee for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any, presented in Section 5.1 of this ordinance.

Section 5.1. The following sections are hereby revised:

- Section 101.1. Insert: City of South Pittsburg
- Section 106.5.2. Insert: *"South Pittsburg Building Permit Schedule", Appendix A*
- Section 106.5.3. Insert: *50" x 50"*
- Section 108.4. Insert: *Offense, dollar amount, number of days*
- Section 108.5. Insert: *\$50, as prescribed law*

Section 6. ICC Electrical Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *ICC Electrical Code - Administrative Provisions, 2012 edition*, as published by the International Code Council, be and is hereby adopted as the Electrical Code of the City of South Pittsburg, Tennessee for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any presented in Section 6.1 of this ordinance

Section 6.1. The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg

Section 404.2. Insert: *Appropriate Schedule*

Section 7. International Energy Conservation Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Energy Conservation Code, 2012 edition*, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of South Pittsburg, Tennessee for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any, presented in Section 7.1 of this ordinance.

Section 7.1. The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg

Section 8. International Fire Code. That a certain document, one (1) copy of which is on file in the Office of the South Pittsburg City Recorder being marked and designated as the *International Fire Code, 2012 edition*, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of South Pittsburg, Tennessee for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the Office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with additions, insertions, deletions and changes, if any, presented in Section 8.1 of this ordinance.

Section 8.1. The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg

Section 109.3. Insert: *Offense, dollar amount, number of days*

Section 111.4. Insert: *\$50, as prescribed by law*

Section 9. That Title 12, Chapters 1-5 and 7, and Title 7, Chapter 2 of the Municipal Code of the City of South Pittsburg and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of South Pittsburg hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 11. That nothing in this ordinance or in the building codes and fire code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance

hereby repealed as cited in Section 9 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 12. That the South Pittsburg City Recorder is hereby ordered and directed to cause this ordinance to be published within ten (10) days after passage in a paper of general circulation in the City of South Pittsburg, Tennessee.

Section 13. That this ordinance and rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect fifteen (15) days from and after the date of its final passage and adoption.

NOW, LET IT BE FURTHER ORDAINED that this ordinance shall become effective upon final reading and passage by the Board of Mayor and Commissioners of South Pittsburg, Tennessee, the public welfare requiring it.

PASSED AND APPROVED by the Board of Mayor and Commissioners on the 2nd and final reading on the ____ day of _____, 2017.

CITY OF SOUTH PITTSBURG, TENNESSEE

By: _____
Virgil F. Holder, Mayor

ATTEST:

Diane Beavers, City Recorder

Passed First Reading: 6.13.17

Passed Second Reading: _____