

## ORDINANCE 94-7

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE IV  
OF THE BELLE MEADE CODE, BUILDING REGULATIONS

BE IT ORDAINED, by the City of Belle Meade, as follows:

Section 1. Belle Meade Code, 4-101, is hereby amended to read as follows:

"4.101 A. One and Two Family Dwelling Code adopted with exceptions. The following provisions of the CABO One and Two Family Dwelling Code, 1992 Edition, of the Council of American Building Officials, except for such as refer to plumbing, electrical, or gas/mechanical construction, inspections, or permits, are hereby adopted and incorporated into this Chapter, by reference, as fully as though copied into this Code, except as have been or may hereafter be amended herein: Parts I, II, III, IV, and VII, and Appendices A and B, except such as may refer to plumbing, electrical, or gas/mechanical construction. Plumbing, electrical, or gas/mechanical construction, inspections, and permits are covered by and subject to the provisions of the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, administered by the Metropolitan Department of Codes Administration. Owner is solely responsible for compliance with any applicable Metropolitan Government building codes, and Belle Meade inspections do not relieve owner of this responsibility.

B. Model Energy Code. Pursuant to T.C.A., 13-19-106, the 1992 Edition of the Model Energy Code, as it may from time to time be amended or revised, and to the extent it is applicable to buildings within the City of Belle Meade, is adopted by reference."

Section 2. Belle Meade Code, 4-102, is hereby amended to read as follows:

"4-102. Regulations for other structures. With respect to buildings or structures other than one and two family dwellings, applicability of Chapter 120, of Title 68, of the Tennessee Code annotated is hereby recognized, and

the Building Inspector of the City of Belle Meade is hereby designated as the municipal building official referred to in T.C.A. 68-120-106."

Sectin 3. Belle Meade Code, 4-103, in hereby amended to read as follows:

"4-103. Modification to dwelling code. For the purposes of this chapter, the following sections of the CABO building code adopted hereby by reference are deleted, modified or amended to read as indicated:

R-110.1 Permit required. A permit shall be obtained before beginning construction, alteration, or repairs, other than ordinary repairs, using application forms furnished by the Building Official. Ordinary repairs are nonstructural repairs and do not include addition to, alteration of, or replacement or relocation of, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work, for which other permit may be required.

a. No permit shall be issued for a building where the site chosen is unsuitable for such use by reason of peculiarities of terrain, flooding or improper drainage, objectional earth and rock formation, or of any other feature harmful to the health and safety of possible residents of the area and the community as a whole. In its determination of unsuitability for any of the reasons stated herein, or otherwise, the Building Official may rely on standards of the stormwater management ordinance of the Metropolitan Government of Davidson County or of other standards set forth in applicable statutes or regulations of the State of Tennessee, the federal government, or the Metropolitan government, and may require the applicant to provide hydrology reports to assist in this determination.

(1) Fill shall not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

(2) Without in any way limiting the applicability of any other provisions of this ordinance,

(a) The minimum floor elevation of that portion of any structure intended for human occupancy shall be at least three (3) feet above the flood protection elevation. Those portions of such structure not intended for human occupancy, including but not limited to walls,, foundations, or building supports of any kind, shall be at least as high as the flood protection level.

(b) Flood protection elevation is defined as one foot above the 100-year flood high water profile for the stream in the drainage area of which the structure is proposed to be located."

Section 4. Chapter 1 of Title IV of the Belle Meade Code is amended by adding thereto section 4-104, to read as follows:

"4-104. Board of building code appeals.

(A) There is hereby created an administrative board of five (5) members, to be known as the board of building code appeals, which shall have full power and authority to hear appeals and to apply and construe the provisions of this chapter in all matters properly brought before it. The Chairman, Vice Chairman, and two additional members of this board, who shall be qualified by experience and training to pass upon matters pertaining to building construction, shall be appointed, by the Mayor, who shall make the appointments in writing and file such written appointments with the City Recorder. The remaining member shall be a member of, and elected by, the Board of Commissioners. Of the four members

initially appointed, two shall serve for a term of two years, and two for a term of three years. At the expiration of the terms of initial appointment all re-appointments or new appointment shall be for a term of tree years. The term of the elected member shall be concurrent with the term of such member on the Board of Commissioners. Any vacancy for an unexpired term of an appointed member shall be filled by the Mayor, who shall also have the authority at his/her pleasure to remove any appointed member, or to accept the resignation of any such appointed member.

(B) Appeals to the board of building code appeals may be taken by persons adversely affected by any determination made by the building inspector in the enforcement of this chapter, and the board shall at its next regular meeting consider all appeals filed no later than the tenth calendar day prior thereto.

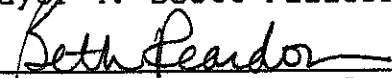
(C) The presence of three (3) members of the board shall constitute a quorum, and the concurring vote of a majority of the board present at any meeting shall be necessary to reverse or modify any order, requirement, or decision of the city building inspector, or to decide in favor of the appellant any matter upon which the board is required or authorized to pass."

Section 5. This ordinance shall become effective upon passage.

Passed on first reading  
7/28/94

  
\_\_\_\_\_  
Mayor T. Scott Fillebrown

Passed of second reading  
8/24/94

  
\_\_\_\_\_  
City Recorder Beth Reardon

Passed on third reading  
9/21/94