

ORDINANCE NO. 23/24-11

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 1 ADDING SECTION 1-121 "PUBLIC COMMENT PERIOD" TO THE DANDRIDGE MUNICIPAL CODE

(General Administration – BMA – Public Comment Period)

WHEREAS, the Board of Mayor and Aldermen of The Town of Dandridge, Tennessee desires to adopt Ordinance 23/24-11; and

WHEREAS, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend Title 1, Chapter 1, adding Section 1-121 Public Comment Period; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** Section 1-121 under General Administration shall be adopted as follows:

**1-121. Public Comment Period.**

1. Prior to the start of any public meeting by a governing body any member of the public may sign up to speak on any matter.
2. Said comment period shall be limited to 3 minutes per speaker with a maximum time of 30 minutes to be set aside for public comment.
3. The chair of the meeting may add additional time to the public comment period at their discretion.
4. No threats or vulgar language will be allowed during the public comment period.
5. If more than 3 people plan to speak on the same issue, they will be required to select one person to represent each opposing viewpoint and those individuals will be given 6 minutes to speak, at the Chairmans discretion.
6. Section 1-121 applies to all public meetings held by any governing body of the Town of Dandridge.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED: George Hancock  
MAYOR

ATTEST: Cathy Dixon  
TOWN RECORDER

Passed on First Reading: August 8, 2023

Passed on Second Reading: September 12, 2023

Public Hearing Held: September 12, 2023



ORDINANCE NO. 23/24-08

AN ORDINANCE AMENDING TITLE 11 CHAPTER 3 SECTION 11-302 WEAPONS AND FIREARMS GENERALLY OF THE TOWN OF DANDRIDGE, TENNESSEE MUNICIPAL CODE

(Municipal Offenses – Firearms, Weapons & Missiles – Weapons & Firearms Generally)

WHEREAS, Tenn. Code Ann. § 11-24-103 empowers a municipality to adopt ordinances to operate and maintain parks and recreation facilities; and

WHEREAS, the Dandridge Board of Mayor and Aldermen have reviewed said amendment on *August 8, 2023* and recommended amending Title 11, Chapter 3, Section 11-302 of the Town of Dandridge Municipal Code accordingly; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of Dandridge, Tennessee that the following sections of the Municipal Code of the Town of Dandridge, Tennessee be amended as follows:

Section 1. TITLE 11, CHAPTER 3, SECTION 11-302, is hereby amended by adding the following:

**13-302. Weapons and Firearms generally.**

(3) No open carry on any firearms shall be allowed inside Town Owned Buildings or Town Owned Recreational facilities.

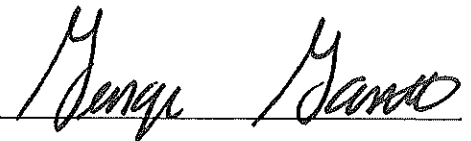
There shall not be brandishing of any type of firearm inside Town Owned Buildings or Town Owned Recreational facilities.

Concealed carry regarding this ordinance means that the firearm is not visible to the public or to Town Personnel.


Authorized Town Personnel are exempt from this provision.

Section 2. This ordinance shall be effective from and after its passage, the public welfare requiring it.

APPROVED: \_\_\_\_\_



ATTEST: \_\_\_\_\_



TOWN RECORDER

Passed First Reading:

August 8, 2023

Passed Second Reading:

September 12, 2023



**ORDINANCE NO. 23/24-07**

**AN ORDINANCE TO AMEND TITLE 5 CHAPTER 4 SECTION 5-405 AND SECTION 5-406 OF THE DANDRIDGE MUNICIPAL CODE**

(Municipal Finance & Taxation – Purchasing – Sealed Bid & Competitive Bidding Requirements)

**WHEREAS**, the Board of Mayor and Aldermen of The Town of Dandridge, Tennessee desires to adopt ordinance 23/24-07; and

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend Title 5, Chapter 4, Sections 5-405 & 5-406 titled Sealed Bid Requirements & Competitive Bidding; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** Section 5-405 and 5-406 under Purchasing shall be adopted as follows:

**5-405. Sealed bid requirements.** On all purchases or contracts estimated to be in excess of **twenty-five thousand dollars (\$25,000.00)** except as otherwise provided for in this policy, formal sealed bids shall be required. The purchasing agent will submit the bids for award by the board of mayor and aldermen at the next regularly scheduled meeting.

Notice inviting bids will be published in a newspaper of general circulation in Jefferson County, at least five (5) days prior to the last day for receiving bids. The newspaper notice shall contain a general description of the articles to be purchased, shall state where the written specifications are to be secured, and the time and place for opening bids.

In addition to publication in a newspaper, the purchasing agent may take any other actions deemed necessary to notify all prospective bidders of the invitation to bid. This may be accomplished by delivery, verbally, by mail, or posting in a public place.

**5-406. Competitive bidding \$7,500.00-\$24,999.99.** All purchases of supplies, equipment, services, and contracts estimated to be in excess of Seven Thousand Five Hundred (\$7,500.00) but less than Twenty Four thousand nine hundred ninety-nine dollars and ninety-nine cents (\$24,999.99) shall be obtained by competitive bidding and may be awarded to the lowest responsible bidder. A written record shall be required and available for inspection showing that competitive bids from three (3) separate vendors were obtained through direct mail, facsimile, or hand delivery, if applicable. All awards will be made based on the lowest responsible bidder.

The department head and purchasing agent will verify budgetary account balances for all purchases. In the purchasing agent's absence, their designee shall approve all bids.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED: *George Yantte*  
MAYOR

ATTEST: *Carly Dixon*  
TOWN RECORDER

Passed on First Reading: July 11, 2023

Passed on Second Reading: August 8, 2023

Public Hearing Held: August 8, 2023

**ORDINANCE NO. 23/24-04**

**AN ORDINANCE TO ADOPT TITLE 9 CHAPTER 4 SECTION 401 THROUGH SECTION 404 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TITLED YARD SALES  
(Business, Peddlers, Solicitors – Yard Sales)**

**WHEREAS**, the Board of Mayor and Aldermen of The Town of Dandridge, Tennessee desires to adopt ordinance 23/24-04; and

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to adopt the requirements for Ordinance No.23/24-04 to add Chapter 4 Sections 9-401 through 9-404 titled **Yard Sales**; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** Chapter 4 Sections 9-401 through 9-404 titled **Yard Sales** shall be adopted as follows:

**CHAPTER 4 YARD SALES**

**9-401. “Yard Sales” definition.** A yard sale is defined as a sale of goods, wares, merchandise, personal property of such kind as household articles, utensils, jewelry, clothing, furniture, or other articles of this kind and may be also known as a garage sale. Such a sale is usually held by a private citizen or citizens on property owned by the citizen and/or property occupied as rental property and may be held on a space rented for the sale.

**9-402. Yard Sales Registration Required.** All persons who hold or engage in a yard sale within the city limits of the Town of Dandridge shall be residing at the time of the sale within the Town of Dandridge either as a homeowner, renter of property, or both and shall obtain a permit from the building official stating the holder's name, phone number, location and date. The permit fee shall be \$25.00, which is refundable once all signage has been removed. If said signage is not removed within 14 days or if the permit holder fails to request the return of the permit fee within 14 days the permit fee shall escheat to the Town of Dandridge. The building official is charged with the responsibility of keeping a record of when and where sales are held. Any person or persons holding more than three (3) sales annually shall be subject to application for a license for the commissioner of finance and revenue under the Business Tax Act, shall be subject to sales tax, and may be required to keep an inventory of items on hand for the sale for inspection by the commissioner of finance and revenue, or his authorized agent.

**9-403. Limitations on Yard Sales.** Holders of yard sales and/or garage sales shall be limited to holding three (3) sales per year within the Town of Dandridge, each sale

not to exceed three (3) consecutive days in length. Yard Sales shall be conducted only during daylight hours. The permits shall be issued based on the address of the yard sale and not by individual names. (i.e. Only 3 permits per year, per address.)

**9-404. Yard Sale Sign Requirements.** On-premise signs are limited to a maximum of two (2) and shall be no larger than 18"x24". Signs off-premise are limited to a maximum of three (3) and shall be no larger than 18"x24". No signs are permitted to be placed on Utility Poles or any Government property. Signs may be posted off-premise no earlier than two (2) days prior to the sale. All signs must be removed within 24 hours of the sale.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED: *Genge Gantte*  
MAYOR

ATTEST: *Cathy Dixon*  
TOWN RECORDER

Passed First Reading: June 13, 2023

Passed Second Reading: July 11, 2023

Public Hearing Held: July 11, 2023



**ORDINANCE NO. 22/23-13**

**AN ORDINANCE TO AMEND TITLE 18 CHAPTER 1 SECTION 106 OF THE  
DANDRIDGE MUNICIPAL CODE**

**(Water & Sewer, Water System Administration, Connection Charges)**

**WHEREAS**, the Dandridge Board of Mayor and Aldermen has made it a policy that the Dandridge Water Management Facility offer a leak protection program through a third-party vendor for the benefit of its customers,

**WHEREAS**, the Dandridge Board of Mayor and Aldermen wishes to offer irrigation leak protection coverage through a third-party vendor for the benefit of the Dandridge Water Management Facility's customers,

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to offer this new program and revise the fee schedule for certain charges,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The following language shall be added under Other Fees in Section 18-106:

“Monthly fee for irrigation leak protection:

Irrigation leak water bill protection

\$4.40 monthly

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:

  
MAYOR

ATTEST:

  
TOWN RECORDER

Passed on First Reading: March 14, 2023  
Passed on Second Reading: April 11, 2023  
Public Hearing Date: April 11, 2023



**ORDINANCE NO. 22/23-04**

**AN ORDINANCE TO AMEND TITLE 20 CHAPTER 2 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO PROHIBIT SMOKING AND THE USE OF TOBACCO AND VAPOR PRODUCTS IN PUBLIC PARKS**

**WHEREAS**, Tenn. Code Ann. § 11-24-103 empowers a municipality to adopt ordinances to operate and maintain parks and recreation facilities; and

**WHEREAS**, on May 27, 2021, Governor Lee signed into law Public Chapter No. 574, authorizing local governments to prohibit the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by youth as long as the public park, public playground, public greenway, or public property is owned or controlled by the respective municipality or county; and

**WHEREAS**, the Board of Mayor and Aldermen of the Town of Dandridge has determined that it is in the public interest, safety and welfare of the Town of Dandridge that Title 20, Chapter 2, of the Dandridge Municipal Code be amended to add Section 20-225 a prohibition on smoking on the grounds of Town owned playgrounds to include the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by youth, as provided by Tenn. CODE Ann. § 39-17-15510.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF DANDRIDGE:** Section 20, Chapter 2, of the Dandridge Municipal Code shall be amended as follows.

**Section 1:** The following sentence shall be deleted from 20-206(4). **Preservation of buildings and other property:**

“Smoking shall be permitted in a designated smoking area only.”

**Section 2:** Add: 20-225. **Use of Tobacco Products and/or Vapor Products**

1. The use of tobacco products and vapor products is prohibited on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by youth as long as the public park, public playground, public greenway, or public property is owned or controlled by the Town of Dandridge.
2. The following definitions shall apply for the purposes of this section only:
  - a. "Greenway" means: (i) An open-space area following a natural or man-made linear feature designed to be used for recreation, transportation, and conservation, and to link services and facilities; or (ii) A paved, gravel-covered, woodchip-covered, or

wood-covered path that connects one greenway entrance with another greenway entrance; (iii) If a greenway traverses a park that is owned or operated by the Town of Dandridge, or instrumentality thereof, the greenway is considered a portion of that park unless designated otherwise by the Board of Mayor and Aldermen.

- b. "Playground" means an indoor or outdoor facility that is intended for recreation of children;
  - c. "Tobacco product" means any product that contains tobacco and is intended for human use: and
  - d. "Youth" means persons under twenty-one (21) years of age.
3. Nothing in this ordinance is intended to supersede any other prohibition on use of tobacco products in Title 39, Chapter 17 of the Tennessee Code or otherwise.

**Section 3:** This Ordinance shall take effect from and after its passage, the public welfare requiring it.

Approved:   
Mayor

Attest:   
Town Recorder

Passed 1<sup>st</sup> Reading: June 14, 2022  
Passed 2<sup>nd</sup> Reading: July 12, 2022  
Public Hearing Held: July 12, 2022

**ORDINANCE NO. 21/22-06**

**ORDINANCE TO AMEND TITLE 18 CHAPTER 1 SECTION 106 OF THE  
DANDRIDGE MUNICIPAL CODE**

**(Water & Sewers – Water System Administration – Connection Charges)**

**WHEREAS**, the Dandridge Board of Mayor and Aldermen has made it a policy that the Dandridge Water Management Facility offer a leak protection program through a third-party vendor for the benefit of its residential customers,

**WHEREAS**, the Dandridge Board of Mayor and Aldermen wishes to offer the same leak protection program through a third-party vendor for the benefit of the Dandridge Water Management Facility’s commercial customers,

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to offer this new program and revise the fee schedule for certain charges,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The following language shall be amended under Other Fees in Section 18-106:

“Monthly water/sewer protection:

Water bill protection	\$1.30 monthly
Water and sewer bill protection	\$1.80 monthly
Water line protection	\$5.00 monthly
Sewer line protection	\$6.50 monthly”

Shall be deleted and replaced with the following:

“Monthly fee for water/sewer leak bill protection:

<u>Meter Size</u>	<u>Water Leak</u>	<u>Sewer Leak</u>	<u>Water &amp; Sewer</u>
≤ 2” Residential	\$1.00	\$0.75	\$1.50
≤ 2” Commercial	\$4.65	\$5.25	\$9.65
2.5”	\$4.65	\$7.29	\$11.69
3”	\$6.57	\$10.37	\$16.69
4”	\$11.37	\$18.04	\$29.16
5”	\$17.63	\$28.05	\$45.43
6”	\$25.73	\$41.03	\$66.51
8”	\$44.27	\$70.68	\$114.70

Monthly fee for external water and sewer line protection (Under 2" meters only)

Residential water line protection	\$4.25
Residential sewer line protection	\$6.10
Commercial water line protection	\$13.75
Commercial sewer line protection	\$13.75

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED: George Mantle  
MAYOR

ATTEST: Carly Dixon  
TOWN RECORDER

Approved First Reading: February 8, 2022  
Approve Second Reading: March 8, 2022

**ORDINANCE NO. 21/22-02**

**ORDINANCE TO AMEND TITLE 18 CHAPTER 1 SECTION 106 OF THE  
DANDRIDGE MUNICIPAL CODE  
(Water & Sewers, Water System Administration, Connection Charges)**

**WHEREAS**, the Dandridge Water Management Facility is operated as an enterprise fund which is required by law to be profitable,

**WHEREAS**, it is imperative that the Dandridge Water Management Facility maintain an updated fee schedule that is reflective of current market conditions,

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to revise the fee schedule for certain connection charges,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Dandridge, Tennessee, that:


**SECTION 1:** The following language shall be amended under Other Fees in Section 18-106:

Credit/Debit Card Convenience Fee: "2.75%" shall be deleted and replaced with "Amount charged by third party"

E-one Pump: "\$2,500.00" shall be deleted and replaced with "Current market cost"

Repair Fees – Labor: "\$25.00 hourly" shall be deleted and replaced with "\$35.00 hourly"

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: July 13, 2021  
Passed Second Reading: August 10, 2021





ORDINANCE NO. 20/21-25

AN ORDINANCE TO AMEND TITLE 20 CHAPTER 2 SECTION 211 OF THE  
DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO  
PROHIBIT ANIMALS IN PARK FACILITIES

WHEREAS, the Board of Mayor and Aldermen of The Town of Dandridge, Tennessee desires to update the regulations in the Town's Municipal Code regarding domestic animals in park facilities; and

WHEREAS, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend the regulations in the Town's Municipal Code regarding domestic animals in park facilities; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

SECTION 1: Section 20-211 shall be deleted in its entirety and replaced with the following:

**20-211. Domestic animals.** No animals of any kind shall be allowed in any Town park or park area, unless required under the Americans with Disabilities Act.

SECTION 2: This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: April 13, 2021  
Passed Second Reading: May 11, 2021  
Public Hearing Held: May 11, 2021



ORDINANCE NO. 20/21-24

MUNICIPAL FLOODPLAIN ZONING ORDINANCE

AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE TOWN OF DANDRIDGE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF DANDRIDGE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM

**ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

**Section A. Statutory Authorization**

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the TOWN of DANDRIDGE, Tennessee, Mayor and the Dandridge Board of Alderman, do ordain as follows:

**Section B. Findings of Fact**

1. The Town of Dandridge, Tennessee, Mayor and Board of Alderman wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the Town of Dandridge, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

**Section C. Statement of Purpose**

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

**Section D. Objectives**

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To Maintain eligibility for participation in the NFIP.

**ARTICLE II. DEFINITIONS**

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

**"Accessory Structure"** means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.

5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

**"Addition (to an existing building)"** means any walled and roofed expansion to the perimeter or height of a building.

**"Appeal"** means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

**"Area of Shallow Flooding"** means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**"Area of Special Flood-related Erosion Hazard"** is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

**"Area of Special Flood Hazard"** see **"Special Flood Hazard Area"**.

**"Base Flood"** means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

**"Basement"** means any portion of a building having its floor subgrade (below ground level) on all sides.

**"Building"** see **"Structure"**.

**"Development"** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

**"Elevated Building"** means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**"Emergency Flood Insurance Program"** or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

**"Erosion"** means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

**"Exception"** means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

**"Existing Construction"** means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"Existing Structures"** see **"Existing Construction"**.

**"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**"Flood" or "Flooding"**

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**"Flood Elevation Determination"** means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

**"Flood Elevation Study" means** an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

**"Flood Hazard Boundary Map (FHBM)"** means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

**"Flood Insurance Rate Map (FIRM)"** means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

**"Flood Insurance Study"** is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

**"Floodplain"** or **"Floodprone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

**"Floodplain Management"** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**"Flood Protection System"** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**"Floodproofing"** means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

**"Flood-related Erosion"** means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

**"Flood-related Erosion Area"** or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

**"Flood-related Erosion Area Management"** means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

**"Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

**"Functionally Dependent Use"** means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**"Highest Adjacent Grade"** means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

**"Historic Structure"** means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the Town of Dandridge, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By the approved Tennessee program as determined by the Secretary of the Interior or
  - b. Directly by the Secretary of the Interior.

**"Levee"** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

**"Levee System"** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**"Lowest Floor"** means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

**"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

**"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**"Map"** means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.



**"Mean Sea Level"** means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

**"National Geodetic Vertical Datum (NGVD)"** means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

**"New Construction"** means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

**"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

**"North American Vertical Datum (NAVD)"** means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

**"100-year Flood"** see **"Base Flood"**.

**"Person"** includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

**"Reasonably Safe from Flooding"** means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

**"Recreational Vehicle"** means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**"Regulatory Flood Protection Elevation"** means the "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

**"Riverine"** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**"Special Flood Hazard Area"** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FFBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

**"Special Hazard Area"** means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FFBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

**"Start of Construction"** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**"State Coordinating Agency"** the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

**"Structure"** for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

**"Substantial Improvement"** means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**"Substantially Improved Existing Manufactured Home Parks or Subdivisions"** is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**"Variance"** is a grant of relief from the requirements of this Ordinance.

**"Violation"** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

**"Water Surface Elevation"** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

### **ARTICLE III.        GENERAL PROVISIONS**

#### **Section A.    Application**

This Ordinance shall apply to all areas within the incorporated area of the Town of Dandridge, Tennessee.

#### **Section B.    Basis for Establishing the Areas of Special Flood Hazard**

The Areas of Special Flood Hazard identified on the City of Dandridge, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47089C0175D and 47089C0275D, dated December 16, 2008, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

#### **Section C.    Requirement for Development Permit**

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

#### **Section D.    Compliance**

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

#### **Section E.    Abrogation and Greater Restrictions**

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

#### **Section F.    Interpretation**

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

**Section G. Warning and Disclaimer of Liability**

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the Town of Dandridge, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

**Section H. Penalties for Violation**

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Dandridge, Tennessee from taking such other lawful actions to prevent or remedy any violation.

**ARTICLE IV. ADMINISTRATION**

**Section A. Designation of Ordinance Administrator**

The Building Inspector is hereby appointed as the Administrator to implement the provisions of this Ordinance.

**Section B. Permit Procedures**

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage
  - a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
  - b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
  - c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential

floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.

- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities.
- f. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
  - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
  - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
  - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
  - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor, including the value of the owner's labor.

## 2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said

certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Finished Construction Stage

For all new construction and substantial improvements, the permit holder shall provide to the Administrator a final Finished Construction Elevation Certificate (FEMA Form 086-0-33). A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

**Section C. Duties and Responsibilities of the Administrator**

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.

7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Town of Dandridge, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

## **ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **Section A. General Standards**

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base



Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

**Section B. Specific Standards**

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the

provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
  - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
  - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
  - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
  - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
  - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent

strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).

- c. Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
  - 1) Be on the site for fewer than 180 consecutive days;
  - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
  - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

**Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial , or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.
2. A community may permit encroachments within within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources,

including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.

2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the Town of Dandridge, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

**Section F. Standards For Areas of Shallow Flooding (Zone AO)**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.

2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(1) (c) and Article V, Section B(2).
3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**Section G. Standards For Areas of Shallow Flooding (Zone AH)**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)**

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

**Section I. Standards for Unmapped Streams**

Located within the Town of Dandridge, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

## ARTICLE VI. VARIANCE PROCEDURES

### Section A. Municipal Board of Zoning Appeals

#### 1. Authority

The Town of Dandridge, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

#### 2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Board of Alderman.

#### 3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$50.00 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 14 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

#### 4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

##### a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

##### b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The Town of Dandridge, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
  - a) The danger that materials may be swept onto other property to the injury of others;
  - b) The danger to life and property due to flooding or erosion;
  - c) The susceptibility of the proposed facility and its contents to flood damage;
  - d) The importance of the services provided by the proposed facility to the community;
  - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
  - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.



- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**Section B. Conditions for Variances**

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

**ARTICLE VII. LEGAL STATUS PROVISIONS**

**Section A. Conflict with Other Ordinances**

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the Town of Dandridge, Tennessee, the most restrictive shall in all cases apply.

**Section B. Severability**

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

**Section C. Effective Date**

This Ordinance shall become effective immediately after its passage, in accordance with the Charter of the Town of Dandridge, Tennessee, and the public welfare demanding it.

Approved and adopted by the Town of Dandridge, Tennessee, Mayor and the Dandridge Board of Alderman.

  
\_\_\_\_\_  
Mayor of Dandridge, Tennessee

Attest:   
\_\_\_\_\_  
Town Recorder

4/13/21

\_\_\_\_\_  
Date of Public Hearing

1st Reading:            March 9, 2021

2nd Reading:           April 13, 2021

ORDINANCE NO. 20/21-22

**AN ORDINANCE TO AMEND TITLE 7 CHAPTER 2 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL, THE 2018 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 1) FIRE CODE, AND THE 2018 EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 101) LIFE SAFETY CODE**

**WHEREAS**, a 2018 edition of the International Fire Code has been published by the International Code Council and the Town of Dandridge desires to adopt the new addition thereof for code enforcement for new construction as well as existing structures where applicable; and

**WHEREAS**, a 2018 edition of the National Fire Protection Association (NFPA 1) Fire Code, has been published by the National Fire Protection Association and the Town of Dandridge desires to adopt the new addition thereof for code enforcement of new construction as well as existing structures where applicable; and

**WHEREAS**, a 2018 edition of the National Fire Protection Association (NFPA 101) Life Safety Code, has been published by the National Fire Protection Association and the Town of Dandridge desires to adopt the new addition thereof for code enforcement on existing structures as well as new construction where applicable; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Fire Code, the National Fire Protection Association Fire Code, and the National Fire Protection Association Life Safety Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 2 of Title 7 in its entirety and adopting a new Chapter 2 in lieu thereof to read as follows:

**7-201. Fire Code Adopted.** Pursuant to authority granted by Sections 6-54-501 et. seq. of the Tennessee Code Annotated and for the purpose of regulating fire prevention within the Town of Dandridge, the International Fire Code, 2018 edition, as prepared and adopted by the International Code Council, the 2018 National Fire Protection Association (NFPA 1) Fire Code, and the 2018 National Fire Protection Association (NFPA 101) Life Safety Code are hereby adopted and incorporated herein by reference as a part of this Code, and are hereinafter collectively referred to as the Fire Code.

**7-202. Appendices Adopted.** In addition to the International Fire Code, the following appendices to said Code are adopted:

Appendix B

Appendix C  
Appendix D

**7-203. Modifications.** The text of Appendix B of the 2018 International Fire Code shall be amended in the following manner:

- |                          |  |
|--------------------------|--|
| Modify B105.1:           | Delete in its entirety.  |
| Modify Table B105.1 (1): | Delete in its entirety.  |
| Modify B105.2:           | Delete in its entirety and replace with the following:<br>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 specified in Table B105.1 (2) and modified by B105.3.1.  |
| Add B105.3.1:            | <b>B105.3.1 Water supply for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses equipped with an automatic sprinkler system.</b> A reduction in required fire-flow and flow duration of up to 75 percent, as approved by the fire official, is allowed for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses when the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow and flow duration shall not be less than 1,500 gallons per minute (5678 L/min) for 2 hours as specified in Table B105.1 (2). |
| Modify Table B105.2:     | Delete in its entirety.  |
| Add B105.4:              | <b>B105.4 Insufficient Fire-flow.</b> Where buildings are not able to meet fire-flow requirements in accordance with Appendix B, an automatic fire sprinkler system shall be installed.  |

**7-204. Enforcement.** The Chief of the Fire Department is designated as the Fire Official whose duties shall be to enforce the provisions of the fire code.

**7-205. Definition of “municipality.”** Wherever the word “municipality” is used in the fire code herein adopted, it shall be held to mean the Town of Dandridge, Tennessee.

**7-206. Variances.** The Chief of the Fire Department may recommend to the Board of Mayor and Aldermen variances from the provisions of the fire code upon application in writing by any property owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such variances when granted or allowed shall be contained in a resolution of the Board of Mayor and Aldermen.

**7-207. Available in recorder's office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the International Fire Code, 2018 edition, with the above modifications, and the 2018 edition of the National Fire Protection Association (NFPA 101) Life Safety Code, have been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**7-208. Storage of explosives, flammable liquids, etc.** The limits referred to in the fire code, in which storage of explosive materials is prohibited, are hereby declared to be the fire district as set out in Section 7-101 of this code.

The limits referred to in the fire code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby declared to be the fire district as set out in Section 7-101 of this code.

The limits referred to in the fire code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire district as set out in Section 7-101 of this code.

The limits referred to in the fire code, in which bulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire district as set out in Section 7-101 of this code.

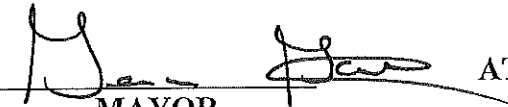

**7-209. Gasoline trucks.** No person shall operate or park any gasoline tank truck within the central business district or within any residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline.

**7-210. Location for the sale of fireworks.** (1) Any fireworks sold within the corporate limits of the town shall take place only in a permanent structure which meets the prevailing fire and building codes for the town.

(2) No fireworks shall be sold within the corporate limits of the town from any temporary structure, accessory structure or any tent.

**7-211. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the fire code as herein adopted by reference and modified. Each day shall constitute a separate violation of same. Upon conviction of any said violation, such person shall be punished by levying a fine not to exceed Fifty Dollars (\$50.00) per violation.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:  MAYOR ATTEST:  TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

1000 - 1000

ORDINANCE NO. 20/21-21

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 10 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2017 EDITION OF THE ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the A117.1 Accessible and Usable Buildings and Facilities Code as promulgated by the International Code Council and currently uses the 2009 edition thereof; and

**WHEREAS**, a 2017 edition of the A117.1 Accessible and Usable Buildings and Facilities Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the Accessible and Usable Building and Facilities Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 10 of Title 12 in its entirety and adopting a new Chapter 10 in lieu thereof to read as follows:

**12-1001. Accessible and Usable Buildings and Facilities Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of making sites, facilities, buildings and elements accessible to and usable by people with such physical disabilities as the inability to walk, difficulty with walking, reliance on walking aids, blindness, and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information and extremes of physical size, the A117.1 Accessible and Usable Building and Facilities Code, 2017 edition as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the accessible and usable buildings and facilities code.

**12-1002. Available in recorder's office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the accessible and usable buildings and facilities code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-1003. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the accessible and usable buildings and facilities code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:

  
MAYOR

ATTEST:

  
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021



ORDINANCE NO. 20/21-20

AN ORDINANCE TO AMEND TITLE 12 CHAPTER 9 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, the Town of Dandridge has previously adopted the International Existing Building Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

WHEREAS, a 2018 edition of the International Existing Building Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

WHEREAS, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Existing Building Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 9 of Title 12 in its entirety and adopting a new Chapter 9 in lieu thereof to read as follows:

**12-901. Existing Building Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the repair, alteration, change of occupancy, addition to and relocation of existing buildings, the International Existing Building Code, 2018 edition with appendices A,B,C and Resource A as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the existing building code.

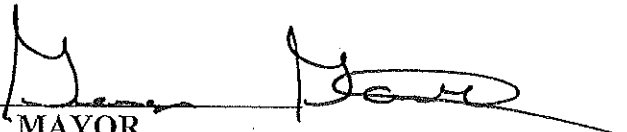
**12-902. Modifications.** The text of the 2018 International Existing Building Code shall be amended in the following manner:

Modify 101.1: The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.

**12-903. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the existing building code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-904. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the existing building code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

**ORDINANCE NO. 20/21-19**

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 8 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the International Swimming Pool and Spa Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

**WHEREAS**, a 2018 edition of the International Swimming Pool and Spa Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Swimming Pool and Spa Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 8 of Title 12 in its entirety and adopting a new Chapter 8 in lieu thereof to read as follows:

**12-801. Swimming Pool and Spa Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas, the International Swimming Pool and Spa Code, 2018 edition as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the swimming pool and spa code.

**12-802. Modifications.** The text of the 2018 International Swimming Pool and Spa Code shall be amended in the following manner:

Modify 101.1:           The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.

**12-803. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the swimming pool and spa code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-804. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the swimming pool and spa code as herein adopted by reference and modified.

SECTION 2: This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

**ORDINANCE NO. 20/21-18**

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 7 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the International Energy Conservation Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

**WHEREAS**, a 2018 edition of the International Energy Conservation Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Energy Conservation Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 7 of Title 12 in its entirety and adopting a new Chapter 7 in lieu thereof to read as follows:

**12-701. Energy Conversation Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the International Energy Conservation Code, 2018 edition with appendices RA as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the energy conservation code.

**12-702. Modifications.** The text of the 2018 International Energy Conservation Code shall be amended in the following manner:

Modify 101.1: The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.

**12-703. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the energy conversation code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-704. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the energy conservation code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

ORDINANCE NO. 20/21-17

AN ORDINANCE TO AMEND TITLE 12 CHAPTER 6 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, the Town of Dandridge has previously adopted the International Mechanical Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

WHEREAS, a 2018 edition of the International Mechanical Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

WHEREAS, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Mechanical Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 6 of Title 12 in its entirety and adopting a new Chapter 6 in lieu thereof to read as follows:


**12-601. Mechanical Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning, and refrigeration systems, incinerators and other energy-related systems, the International Mechanical Code, 2018 edition with appendices A as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the mechanical code.

**12-602. Modifications.** The text of the 2018 International Mechanical Code shall be amended in the following manner:  
Modify 101.1: The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.

**12-603. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the mechanical code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-604. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the mechanical code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021



ORDINANCE NO. 20/21-16

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 5 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the International Fuel Gas Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

**WHEREAS**, a 2018 edition of the International Fuel Gas Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Fuel Gas Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 5 of Title 12 in its entirety and adopting a new Chapter 5 in lieu thereof to read as follows:

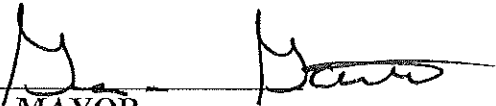
**12-501. Fuel Gas Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating all gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of the International Fuel Gas Code, 2018 edition with appendices A,B,C and D as prepared and adopted by the International Code Council, which is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the fuel gas code.

**12-502. Modifications.** The text of the 2018 International Fuel Gas Code shall be amended in the following manner:  
Modify 101.1: The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.

**12-503. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the fuel gas code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-504. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the fuel gas code as herein adopted by reference and modified.

SECTION 2: This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

ORDINANCE NO. 20/21-15

AN ORDINANCE TO AMEND TITLE 12 CHAPTER 4 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL

WHEREAS, the Town of Dandridge has previously adopted the International Residential Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

WHEREAS, a 2018 edition of the International Residential Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

WHEREAS, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Residential Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 4 of Title 12 in its entirety and adopting a new Chapter 4 in lieu thereof to read as follows:

**12-401. Residential Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating residential dwellings, including construction, repairs, use, occupancy, removal, and demolition thereto, of every detached one- or two-family dwellings and one family townhouses not more than three (3) stories in height, and their accessory structures, the International Residential Code, 2018 edition, with appendices A, B, C, D, F, G, H, J,L,M,N,O,P,Q,R,S and T as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the residential code.

**12-402. Modifications.** The text of the 2018 International Residential Code shall be amended in the following manner:

Modify R101.1: The phrase "[Name of Jurisdiction]" shall be changed to "the Town of Dandridge" in this section and all subsequent occurrences.

Modify R102.5: At the end of this section insert the following:  
The following Appendices are specifically included in the adoption. All others are excluded.  
Appendix A Sizing and Capacities of Gas Piping.  
Appendix B Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances, 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 Appliances Insulation.  
Appendix F Radon Control Methods.  
Appendix G Piping Standard for various installations  
Appendix H Patio Covers.  
Appendix J Existing Buildings and  
Structures  
Appendix L Permit Fees  
Appendix M Home Day Care – R3  
Occupancy  
Appendix N Venting Methods.  
Appendix O Automatic  
Vehicular Gates. Appendix P  
Sizing of Water Piping System.  
Appendix Q Tiny Homes  
Appendix R Lite Straw Clay construction  
Appendix S Straw bale construction  
Appendix T (re) Solar-ready provisions,  
Detached one-two family dwellings and  
townhomes.

Modify Table R301.2 (1):

Insert "10 PSF" in the table for Ground Snow Load.  
Insert "90" in the table for Wind Speed.  
Insert "No" in the table for topographic effects.  
Insert "C" in the table for Seismic Design Category.  
Insert "Severe" in the table for Weathering.  
Insert "12 inches" in the table for Frost Line Depth.  
Insert "Moderate to heavy" in the table to Termite.  
Insert "19 degrees Fahrenheit" in the table for Winter Design Temp.  
Insert "No" in the table for Ice Barrier Underlayment Required.  
Insert "210" in the table for Air Freezing Index.  
Insert "59.4" in the table for Mean Annual Temp.

Modify R3012.1:

Delete Item 1. Renumber item 2 to item 1 and insert "and townhouses" just after the word "dwellings" and at the end of the section insert "All references to "townhouses" in seismic design category C" in Chapters 6, 7 and 28 shall not apply in the "Town of Dandridge."

Modify Section R302.2:

Delete the word "Exception:" and insert "Exception #1" for townhouses equipped with an automatic sprinkler system:"

At the end of Exception #1, insert the following:

"Exception #2: for townhouses not equipped with an automatic sprinkler system:" A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be

installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4."

- Modify R302.5.1: Delete the words "equipped with a self-closing device" and insert a period after the word "doors."
- Modify R303.4: Add the word "Optional" in the section title after the word "Ventilation." Delete the phrase "the dwelling unit shall be provided with whole-house mechanical ventilation shall be." Delete the phrase "The building shall be provided with ventilation that meets" and replace with "Buildings provided with ventilation shall meet."
- Modify R312.2: Delete sections R312.2 and R312.2.1 in their entirety.
- Modify R313: Add the phrase "Optional, see *Tennessee Code Annotated*, Section 68-1-120-101(a)(8)." in the section title after the word "Systems."
- Modify R313.1: Delete the phrase "An automatic residential fire sprinkler system shall be installed in townhouses" and insert "When an automatic residential fire sprinkler system is installed in townhouses, the following shall apply:"
- Modify R313.2: Delete the phrase "An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings." and insert "When an automatic residential fire sprinkler system is installed in one- and two-family dwellings, the following shall apply:"
- Modify R314.3: Insert "5. In each garage or storage area with a six foot or wider door to the outside. These smoke alarms shall be specifically approved for use in garages in the manufacturers written instructions. Exception: Heat detectors interconnected with the alarm system and having battery backup may be used in a garage or storage area."
- Modify R322.1.7: Delete "and Chapter 3 of the International Private Sewage Disposal Code" and insert ", the requirements of the water and sewer service utility providers and Dandridge" in its place.
- Modify Figure R403.1: Insert a note in the figure as follows: "The bottom of all foundations shall extend a minimum of 12 inches below finished grade."
- Modify R502.11.4: Delete "to the building official and approved prior to installation" and insert "for review when required by the building official."

Modify R802.10.1: Delete "to the building official and approved prior to installation." and insert "for review when required by the building official."

Modify Table N1102.1.2 (R402.1.1):

In the row for climate zone "4 except Marine)," change Ceiling R-Value from "R49" to "R-38," and change the Wood Frame Wall R-Value from "20 or 13+5" to "13," and change the Mass Wall R-Value from "8/13" to "5/10."

Modify Table N1102.1.4 (R402.1.4):

In the row for climate zone "4 except Marine," change Ceiling U-Factor from "0.026" to "0.30," and change the Frame Wall U-Factor from "0.057" to "0.982," and change the Mass Wall U-Factor from "0.098" to "0.141."

Modify N1102.2.6 (R402.2.6):

After the first occurrence of the word "of" insert "Table N 1102.1.1. or."

Modify N1102.4.1.1 (R402.4.1.1):

Add the phrase "and visual inspection option." After the word "Installation" in the section title. Add the phrase", and be field verified" after the word "construction."

Modify N1102.4.1.2 (R402.4.1.2):

Add the word "(optional)" after the word "Testing" in the section title. Before the first sentence insert "Where required by the building official,"

Modify N1103.1.1 (R403.1.1):

Add the word "(optional)." after the word "thermostat" in the section title. Before the first sentence insert "Where required by the building official and,"

Modify N1103.3.2 (R403.3.2):

Before the words "Duct tightness" insert "Where required by the building official,"

Modify N1103.5.1.1 (R403.5.1.1):

Add the sentence "All circulating service hot water piping shall be insulated to at least R-2." after the section title.

Modify N1103.6 (R403.6):

Delete the word "Mandatory" and insert "Optional" in the section title.

Modify N1103.10 (R403.10):

Delete the word "Mandatory" and insert the word "Optional" in the section title. Before the first sentence insert "Where required by the building official,"

Modify N 1104: Delete the word "Mandatory" and insert the word "Optional" in the section title.

Modify N1104.1 (R404.1):

Delete the word "Mandatory" and insert the word "Optional" in the section title. Before the first sentence insert "Where required by building official,"

Modify P2603.5 1: Delete "(NUMBER)" in two places and insert "twelve inches" in two places.

Modify AE304.3.2.1:

Before the first sentence insert "Where required by the building official,"

Modify AE305.5.1: At the end of the section insert "Exception: The inspections required by this section shall not apply to manufactured homes as exempted by the State of Tennessee but shall apply to any construction or installation of decks, porches, steps or other structures or equipment."

Modify Section AF103.5.3:

At the end of the section insert "Exception: The vent pipe shall be allowed to terminate in the attic and may be capped unless tests verify the radon potential to be 4pCi/L or greater."

Modify AF103.6.1: At the end of the section insert "Exception: The vent pipe shall be allowed to terminate in the attic and may be capped unless tests verify the radon potential to be 4pCi/L or greater."

Delete AF103.12: Delete in its entirety.

**12-403. Available in recorder's office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the residential code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-404. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021



ORDINANCE NO. 20/21-14

AN ORDINANCE TO AMEND TITLE 12 CHAPTER 3 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE.

WHEREAS, the Town of Dandridge has previously adopted the National Electrical Code as promulgated by the National Fire Protection Association and currently uses the 2008 edition thereof; and

WHEREAS, a 2017 edition of the National Electrical Code has been published by the National Fire Protection Association and the Town of Dandridge desires to adopt same; and

WHEREAS, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the National Electrical Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 3 of Title 12 in its entirety and adopting a new Chapter 3 in lieu thereof to read as follows:

**12-301. Electrical Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling, or for other purposes, the National Electrical Code, 2017 edition as prepared and adopted by the National Fire Protection Association, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the electrical code.

**12-302. Available in recorder's office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the electrical code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-303. Permit required for doing electrical work.** No electrical work shall be done within this town until a permit therefor has been issued by the town. The term "electrical work" shall not be deemed to include minor repairs that do not involve the installation of new wire, conduits, machinery, apparatus, or other electrical devices generally requiring the services of an electrician.

**12-304. Enforcement.** The electrical inspector shall be such person as the board of mayor and aldermen shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the electrical code as herein adopted by reference. He is authorized and directed to make such inspections of electrical equipment and wiring, etc., as necessary to insure compliance

with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties. He is authorized to refuse or discontinue electrical service to any person or place not complying with this chapter and/or the electrical code.

**12-305. Fees.** The electrical inspector shall collect the same fees as are authorized in Section 68-102-143 of Tennessee Code Annotated for electrical inspections by deputy inspectors of the state fire marshal.

**12-306. Violations.** It shall be unlawful for any person to do or authorize any electrical work or to use any electricity in such manner or under such circumstances as not to comply with this chapter and/or the requirements and standards prescribed by the electrical code.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED: \_\_\_\_\_

MAYOR

ATTEST: \_\_\_\_\_

TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

**ORDINANCE NO. 20/21-13**

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 2 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the International Plumbing Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

**WHEREAS**, a 2018 edition of the International Plumbing Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Plumbing Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 2 of Title 12 in its entirety and adopting a new Chapter 2 in lieu thereof to read as follows:

**12-201. Plumbing Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating plumbing installations, including alterations and repairs, within or without the Town of Dandridge, when such plumbing is or is to be connected with the town water or sewerage system, the International Plumbing Code, 2018 edition with appendices B, C, D, E and F as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the plumbing code.

**12-202. Modifications.** The text of the 2018 International Plumbing Code shall be amended in the following manner:

- Modify 101.1: The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.
- Modify 305.4.1: Delete “(Number)” in two places and insert “twelve” in its place.
- Modify 701.2: Delete “in accordance with the International Private Sewage Disposal Code.”

**12-203. Available in recorder’s office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the plumbing code has been placed on file in the recorder’s office and shall be kept there for the use and inspection of the public.

**12-204. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

**ORDINANCE NO. 20/21-12**

**AN ORDINANCE TO AMEND TITLE 12 CHAPTER 1 OF THE DANDRIDGE MUNICIPAL CODE AND FURTHER BEING AN ORDINANCE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE AS PREPARED BY THE INTERNATIONAL CODE COUNCIL**

**WHEREAS**, the Town of Dandridge has previously adopted the International Building Code as promulgated by the International Code Council and currently uses the 2012 edition thereof; and

**WHEREAS**, a 2018 edition of the International Building Code has been published by the International Code Council and the Town of Dandridge desires to adopt same; and

**WHEREAS**, it is in the best interests of the citizens and residents of the Town of Dandridge to adopt an up-to-date and current publication of the International Building Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** The Dandridge Municipal Code is hereby amended by repealing Chapter 1 of Title 12 in its entirety and adopting a new Chapter 1 in lieu thereof to read as follows:

**12-101. Building Code Adopted.** Pursuant to authority granted by sections 6-54-501 et seq. of Tennessee Code Annotated and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure other than one- and two-family dwellings and townhouses, the International Building Code, 2018 edition with appendices B, C, E, F,G, I, and J as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code.

**12-102. Modifications.** The text of the 2018 International Building Code shall be amended in the following manner:

- Modify 101.1:           The phrase “[Name of Jurisdiction]” shall be changed to “the Town of Dandridge” in this section and all subsequent occurrences.
- Modify 3412.2:         Delete “[Date to be inserted by the Jurisdiction. Note it is recommended that this date coincide with the effective date of the building codes within the jurisdiction.]” and insert “April 13, 2021” in its place.

**12-103. Building permits and fees.** (1) A building permit is required on all structures that require inspections. Costs shall be calculated based on square foot construction costs. The fee schedule is as follows:

<u>Total Valuation</u>	<u>Fee</u>
\$500 or less	\$24.00
\$500 to \$2,000	\$24.00 for the first \$500.00 plus \$3.00 for each additional hundred or fraction thereof, to and including \$2,000.00.
\$2,000 to \$40,000	\$69.00 for the first \$2,000.00 plus \$11.00 for each additional thousand or fraction thereof, to and including \$40,000.00.
\$40,000 to \$100,000	\$487.00 for the first \$40,000.00 plus \$9.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000 to \$500,000	\$1,027.00 for the first \$100,000.00 plus \$7.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000 to \$1,000,000	\$3,827.00 for the first \$500,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$1,000,000.00.
\$1,000,000 to \$5,000,000	\$6,327.00 for the first \$1,000,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$5,000,000.00.
\$5,000,000 and up	\$18,327.00 for the first \$5,000,000.00 plus \$1.00 for each additional thousand or fraction thereof.


(2) Where work for a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

**12-104. Available in recorder's office.** Pursuant to the requirements of Section 6-54-502 of Tennessee Code Annotated, one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

**12-105. Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:

  
MAYOR

ATTEST:

  
TOWN RECORDER

Passed First Reading: March 9, 2021  
Passed Second Reading: April 13, 2021  
Public Hearing Held: April 13, 2021

1128 1/2



ORDINANCE NUMBER 20/21-08

**AN ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN**

**(Title 4, Chapter 5)**

**WHEREAS**, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the Board of Mayor and Aldermen of the Town of Dandridge, TN hereby updates the Occupational Safety and Health Program Plan for our employees.

**WHEREAS**, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

**SECTION 1. NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen that there be and is hereby amended as follows:

**TITLE 4 CHAPTER 5:**

This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of the Town of Dandridge, Tennessee.

**4-501. PURPOSE.**

The Town of Dandridge in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- (1) Provide a safe and healthful place and condition of employment that includes:
  - a) Top Management Commitment and Employee Involvement;
  - b) Continually analyze the worksite to identify all hazards and potential hazards;
  - c) Develop and maintain methods for preventing or controlling the existing or potential hazards;  
and
  - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- (2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
- (3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- (5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
- (6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

**4.502. COVERAGE.**

The provisions of the Occupational Safety and Health Program Plan for the employees of the Town of Dandridge shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

**4.503. STANDARDS AUTHORIZED.**

The Occupational Safety and Health standards adopted by the Town of Dandridge are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

**4.504. VARIANCES FROM STANDARDS AUTHORIZED.**

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

**4.505. ADMINISTRATION.**

For the purposes of this ordinance, the Town Recorder is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

**4.506. FUNDING THE PROGRAM PLAN.**

Sufficient funds for administering and staffing the Program Plan pursuant to this ordinance shall be made available as authorized by the Town of Dandridge.


**SECTION 2. SEVERABILITY: BE IT FURTHER ORDAINED** that if any section, sub-section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 3. AMENDMENTS, ETC: BE IT FURTHER ORDAINED** that this ordinance shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the Town of Dandridge requiring it.

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
TOWN RECORDER

Passed on First Reading: February 9, 2021  
Passed on Second Reading: March 9, 2021



# **Occupational Safety and Health Program**

## **Plan of Operation**

### **Town of Dandridge, Tennessee**

(Updated 3/9/21 via Ordinance No. 20/21-08)

**PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN FOR THE EMPLOYEES OF THE TOWN OF DANDRIDGE, TENNESSEE.**

<u>SECTION</u>	<u>PAGE</u>
I. PURPOSE AND COVERAGE .....	3
II. DEFINITIONS .....	3
III. EMPLOYER'S RIGHTS AND DUTIES .....	4
IV. EMPLOYEE'S RIGHTS AND DUTIES .....	5
V. ADMINISTRATION.....	5
VI. STANDARDS AUTHORIZED .....	6
VII. VARIANCE PROCEDURE.....	6
VIII. RECORDKEEPING AND REPORTING .....	7
IX. EMPLOYEE COMPLAINT PROCEDURE.....	8
X. EDUCATION AND TRAINING .....	8
XI. GENERAL INSPECTION PROCEDURES .....	9
XII. IMMINENT DANGER PROCEDURES .....	10
XIII. ABATEMENT ORDERS AND HEARINGS.....	11
XIV. PENALTIES .....	12
XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION .....	12
XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS.....	12
XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED .....	12

APPENDICES

I. WORK LOCATIONS .....	13
II. NOTICE TO ALL EMPLOYEES .....	14
III. PROGRAM PLAN BUDGET .....	15
IV. ACCIDENT REPORTING PROCEDURES .....	16

## I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of the Town of Dandridge, Tennessee.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The Town of Dandridge in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees, shall

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

## II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

- a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. EMPLOYER means the Town of Dandridge and includes each administrative department, board, commission, division, or other agency of the Town of Dandridge.
- c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or DIRECTOR means the person designated by the establishing ordinance, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of the Town of Dandridge.
- d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.
- e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
- f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally

classified as "volunteers" provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.

- g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
- h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
- i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
- j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
- k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
  - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
  - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the Board of Mayor and Aldermen to which this plan applies.
- n. CHIEF EXECUTIVE OFFICER means the Town Administrator.

### III. EMPLOYER'S RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from an unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
- f. Employer is entitled to protection of its legally privileged communication.
- g. Employer shall inspect all worksites to ensure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant



manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.

- i. Employer shall notify all employees of their rights and duties under this Program Plan.

#### IV. EMPLOYEE'S RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

#### V. ADMINISTRATION

- a. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
  1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
  2. The Safety Director may delegate the power to make inspections, provided procedures employed are as

effective as those employed by the Safety Director.

3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
  4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
  5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
  6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
  7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
  8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
  9. **The Safety Director shall, in the eventuality that there is a fatality, ensure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
  2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
  3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
  4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

## **VI. STANDARDS AUTHORIZED**

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

## **VII. VARIANCE PROCEDURE**

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the

application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
  1. A specification of the standard or portion thereof from which the variance is sought.
  2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
  3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
  4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
  5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
  1. The employer:
    - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
    - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
    - iii. Has an effective Program Plan for coming into compliance with the standard as quickly as possible.
  2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
- f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

## VIII. RECORDKEEPING AND REPORTING

- a. Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to [www.osha.gov](http://www.osha.gov) and type Recordkeeping Forms in the search box.

- b. The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.
- c. Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

## **IX. EMPLOYEE COMPLAINT PROCEDURE**

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

## **X. EDUCATION AND TRAINING**

- a. Safety Director and/or Compliance Inspector(s):
  1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.
  2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR

1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, personal hygiene, etc., which may be required.
3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocutation; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
5. Instruct employees on hazards and dangers of confined or enclosed spaces.
  - i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
  - ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
  - iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

## XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Ordinance, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
  1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
  2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable

limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.
- c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
- d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
- e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
- f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
- g. Advance Notice of Inspections.
  - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
  - 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
- h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
  - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
  - 2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.
- i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

## **XII. IMMINENT DANGER PROCEDURES**

- a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
  - 1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.

2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
  3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
  4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
  5. The imminent danger shall be deemed abated if:
    - i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
    - ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
  6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (l) of Section XI of this plan.
- b. Refusal to Abate.
1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
  2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

### **XIII. ABATEMENT ORDERS AND HEARINGS**

- a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:
  1. Issue an abatement order to the head of the worksite.
  2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
  1. The standard, rule, or regulation which was found to be violated.
  2. A description of the nature and location of the violation.
  3. A description of what is required to abate or correct the violation.
  4. A reasonable period of time during which the violation must be abated or corrected.
- c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

#### **XIV. PENALTIES**

- a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
  1. Oral reprimand.
  2. Written reprimand.
  3. Suspension for three (3) or more working days.
  4. Termination of employment.

#### **XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION**

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (ordinance, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

#### **XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS**

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30-day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

#### **XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED**

- a. Compliance with any other law, statute, ordinance, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, ordinance, or executive order, as applicable, is specifically repealed.

---

Signature: Safety Director, Occupational Safety and Health

March 9, 2021



**APPENDIX -I WORK LOCATIONS**

(ORGANIZATIONAL CHART)

Dandridge, TN 37725

Work Location – Name	Address	Contact Person	Phone #	# Employees
Town Hall	131 E. Main St	Cathy Dixon	865/397-7420 x11	4
Visitor Center	137 E. Main St	Cathy Dixon	865/397-7420 x11	1
Public Works	267 W. Hwy 25/70	Donald Whaley	865/397-5101	7
Police Dept	267 W. Hwy 25/70	Carson Williams	865/397-8862	16
Parks & Rec	1145 Treadway Dr	Chris Shockley	865/397-9200	25
Water Mngmnt Facility	1114 Wastewater Dr	Mike Norton	865/397-2925	11
Volunteer Fire Dept	843 Old Hwy.92	Andy Riley	865/397-3192	28
<b>TOTAL</b>				<b>92</b>

## APPENDIX – II NOTICE TO ALL EMPLOYEES

### NOTICE TO ALL EMPLOYEES OF THE TOWN OF DANDRIDGE...

The Tennessee Occupational Safety and Health Act of 1972 provides job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to ensure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Director or Chief Executive Officer.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the Director for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of the Town of Dandridge is available for inspection by any employee at Town Hall during regular office hours.

---

Signature: Director of Occupational Safety & Health for the Town of Dandridge

March 9, 2021

## APPENDIX – III PROGRAM PLAN BUDGET

### STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the Town of Dandridge, the Dandridge Volunteer Fire Department, and the Dandridge Water Management Facility have sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

## APPENDIX – IV ACCIDENT REPORTING PROCEDURES

(51-250)

- Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence.
- The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness.
- All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence.
- The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

**NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan.**

**ORDINANCE NO. 19/20-11**

**ORDINANCE TO AMEND TITLE 1 CHAPTER 1 SECTION 118 OF THE DANDRIDGE MUNICIPAL CODE**

**WHEREAS**, Section 14 of the Charter for the Town of Dandridge, Tennessee provides that the Board of Mayor and Aldermen may set the annual salary of the Mayor and Alderman by ordinance, but no ordinance increasing such salary shall become effective until after the next election of the Town after the final reading and passage of said ordinance,

**WHEREAS**, serving as an alderman requires a great deal of time and personal expense, and reasonable pay for such service should make it easier to interest more citizens in seeking the office,

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** Section 1-118 shall be deleted in its entirety and replaced with the following:

**1-118. Salary of mayor and aldermen.** The salary of each alderman shall be two hundred fifty dollars (\$250.00) per month and the salary of the mayor shall be one thousand three hundred fifty dollars (\$1,350.00) per month.

**SECTION 2:** This ordinance shall take effect December 1, 2020, the public welfare requiring it.

APPROVED: \_\_\_\_\_

*Demetrius Bantz*  
MAYOR

ATTEST: \_\_\_\_\_

*Cathy Dixon*  
TOWN RECORDER

Passed on First Reading: May 12, 2020  
Passed on Second Reading: June 9, 2020  
Public Hearing Date: June 9, 2020



**ORDINANCE NO. 19/20-09**

**AN ORDINANCE TO AMEND TITLE 20 CHAPTER 6 SECTION 604 OF THE  
DANDRIDGE MUNICIPAL CODE**

**WHEREAS**, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend the requirements for Activities Prohibited on the Dandridge Dock.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Dandridge, Tennessee, that:

**SECTION 1:** Section 20-604 be amended to add Section 20-604(16)

**20-604. (16)** No more than two (2) fishing poles are allowed on the dock per T.W.R.A. fishing license holder.

**SECTION 2:** This ordinance shall take effect immediately after its passage, the public welfare requiring it.

APPROVED:   
MAYOR

ATTEST:   
TOWN RECORDER

Passed First Reading: May 12, 2020  
Public Hearing Held: June 9, 2020  
Passed Second and Final Reading: June 9, 2020





ORDINANCE NO. 19/20-08

AN ORDINANCE TO AMEND TITLE 2 CHAPTER 1 SECTION 104 OF THE  
DANDRIDGE MUNICIPAL CODE

WHEREAS, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend the requirement for regular meetings of the workshop committee,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dandridge, Tennessee, that:

SECTION 1: Section 2-104 shall be deleted in its entirety.

**2-104. Workshop committee.** The mayor shall nominate and the Board of Mayor and Aldermen shall appoint, by majority vote, a citizen or citizens who are eligible to vote in the town's municipal elections to serve on workshop committee(s). The workshop committees shall be established as an ongoing committee to assist and work with the entire Board of Mayor and Aldermen on a regular basis or for a specifically designated project. The term of each workshop committee member shall be two (2) years or when a specifically designated project is completed, whichever occurs first.

Each workshop committee member shall provide input into the specific issues of the committee; voice concerns of the citizens or themselves of the enactment or enforcement of ordinances; policies and procedures, and regulations; and participate in submitting verbal or written reports to the Board of Mayor and Aldermen upon request. Any member or members of the Board of Mayor and Aldermen may be nominated and appointed to a workshop committee.

At no time shall any workshop committee submit a proposal to any form of vote. Reports to the Board of Mayor and Aldermen shall contain all ideas, recommendations and/or findings of said committee.


The Board of Mayor and Aldermen workshop committee shall consist of the mayor, members of the Board of Mayor and Aldermen, and no more than four (4) private citizens of the town, with the mayor and Board of Mayor and Aldermen members serving the term they are elected or appointed to serve in that office.

SECTION 2: Current Code Section 2-105. **Residency requirements.** shall be renumbered as Section 2-104.

SECTION 3: This ordinance shall take effect immediately after its passage, the public welfare requiring it.

Passed on First Reading: April 14, 2020      Passed on Second & Final Reading: May 12, 2020  
Public Hearing Held:      May 12, 2020

APPROVED:

  
MAYOR

ATTEST:

  
TOWN RECORDER



ORDINANCE NO. 19/20-07

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 1 SECTION 101 OF THE  
DANDRIDGE MUNICIPAL CODE

WHEREAS, it is appropriate and in the best interest of the citizens of the Town of Dandridge to amend the meeting time for the Board of Mayor and Aldermen,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Dandridge, Tennessee, that:

SECTION 1: Section 1-101 shall be deleted in its entirety and replaced with the following:

1-101. Meetings. The Board of Mayor and Aldermen shall hold regular monthly meetings at 6:00 p.m., on the second Tuesday of each month at the public works/police department building, 267 West Highway 25/70. Special meetings may be called by the mayor or any two (2) aldermen.

SECTION 2: This ordinance shall take effect immediately after its passage, the public welfare requiring it.

Passed on First Reading:	April 14, 2020
Public Hearing Held	May 12, 2020
Passed on Second and Final Reading:	May 12, 2020

APPROVED: \_\_\_\_\_

*Donna Bana*  
MAYOR

ATTEST: \_\_\_\_\_

*Carly Dixon*  
TOWN RECORDER

