

ITEM # \_\_\_\_\_

PREPARED BY: \_\_\_\_\_

Moved: \_\_\_\_\_

REVIEWED BY: Robert B. Rolwing  
County Attorney

Seconded by: \_\_\_\_\_

JOINT ORDINANCE NO. \_\_\_\_\_

A JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY FUEL GAS CODE, SO AS TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL CODE COUNCIL INTERNATIONAL FUEL GAS CODE AND LOCAL AMENDMENTS THERETO TO REPLACE AN EARLIER OUTDATED EDITION OF THAT CODE, AND ESTABLISH AN EFFECTIVE DATE THEREFORE. SPONSORED BY COMMISSIONER EDMUND FORD, JR.

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WHEREAS, The Board of Commissioners of Shelby County, Tennessee, and the City Council of the City of Memphis have previously adopted the 2015 Edition of the International Code Council (ICC) International Fuel Gas Code with certain local amendments thereto, now collectively known as the 2018 Memphis and Shelby County Fuel Gas Code; and

WHEREAS, A more recent edition of the ICC International Fuel Gas Code has been reviewed by the Memphis and Shelby County Office of Construction Code Enforcement and found to better address the needs of the citizens of Memphis and Shelby County and the regulated community that must follow that code in their work and licensing, and

WHEREAS, Requirements for the operation of a local permitting and inspection program for construction and installation of fuel gas systems, in lieu of state operation of such a program, is both desirable and in the best interests of this community, and

WHEREAS, State statutes require the frequent updating of the standard codes used to regulate construction so as to better protect the public by assuring the requirements for such installations are modern and represent an acceptable current level of professionalism and technical information, and

WHEREAS, Copies of the 2021 Edition of the ICC International Fuel Gas Code have been placed in the Office of the Minutes Clerk of the Shelby County Commission for public review of those documents and as required by state statute before their adoption by reference by the Shelby County Board of Commissioners and the Council of the City of Memphis; and

WHEREAS, An effective date for the adoption of these new requirements must be sufficiently timed so as to allow a seamless and smooth transition for the design professional and contractors who must work with that code, but that still meets the statutory requirements found in state law.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That all previous gas codes are hereby repealed except as may be set out in the attachments hereto, and that the 2021 Edition of the ICC International Fuel Gas Code is hereby adopted, a copy of said code being on file in the Shelby Board of Commissioners Minute's Office.

BE IT FURTHER ORDAINED, That the local amendments to the sections of the 2021 Edition of the ICC International Fuel Gas Code noted in the attached Exhibit A are also adopted and together these provisions and the 2021 ICC Fuel Gas Code shall become the 2021 Memphis and Shelby County Fuel Gas Code.

BE IT FURTHER ORDAINED That Appendix A – Gas Permit and Inspection Fees, a locally drafted amendment, is hereby adopted into this code, but that no appendix listed in the 2021 ICC International Fuel Gas Code is adopted.

BE IT FURTHER ORDAINED, That Chapter 6, Article V of the Shelby County Code of Ordinances is amended to make such changes as necessary to implement the update of this code, in accordance with the changes shown in Exhibit B, which is attached hereto and incorporated herein by reference;

BE IT FURTHER ORDAINED, That those provisions of Ordinance 243 adopted by the Shelby County Commission on August 27, 2001 which establish the permit and inspection fees for the Fuel Gas Code will be repealed upon passage of this ordinance and the provisions of Appendix A shall establish the fees associated with the provisions of this code and its implementation and operation by the Office of Construction Code Enforcement.

BE IT FURTHER ORDAINED, That should any part of this ordinance or code be found to be unconstitutional or unenforceable by a court of competent jurisdiction that such a determination will have no effect on the other portions of the adopted Code and the amendments thereto.

BE IT FURTHER ORDAINED, That this Joint Ordinance shall take effect in the City of Memphis and the unincorporated areas of Shelby County on December 31, 2021 by virtue of the concurring and separate passage thereof by the Memphis City Council and by the Board of Commissioners of Shelby County or if not adopted by each legislative body by that date, at the date of such

adoption by the last adopting body.

\_\_\_\_\_  
Lee Harris  
County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Adopted  
Third Reading: \_\_\_\_\_

EXHIBIT A

*Memphis*

*and*

*Shelby County*

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**2018 Joint Fuel Gas Code**

## CHAPTER 1

### **Section 101.1 entitled “Title” shall be deleted and replaced with the following:**

**101.1 Title.** The regulations shall be known as the 2021 Joint Fuel Gas Code of Memphis and Shelby County, hereinafter referred to as “this code.”

### **Section 101.2 entitled “Scope” is amended to delete the exception without replacement**

### **Section 103 entitled “Code Compliance Agency” shall be deleted and replaced with the following new sections and sub-sections:**

**103.1 Creation of Enforcement Agency.** Joint Resolution/Ordinance #3333 was adopted and approved by the City of Memphis and the Shelby County legislative bodies, to create the Memphis and Shelby County Office of Construction Code Enforcement (MSCCE) this joint agency charged with enforcement of the MSC Building, MSC Existing Building, MSC Electrical, MSC Fuel Gas, MSC Plumbing and this code, which are to be known collectively as MSCCE 2018 Technical Codes

### **103.2 Employee Qualifications**

**103.2.1 Building Official qualifications.** As established by Ordinance #3333

**103.2.2 Chief Inspector qualification.** The Building Official, with the approval of the Administrator, may designate chief inspectors to administer the provisions of the 2018 Technical Codes for Memphis and Shelby County. The qualifications of the

Chief Inspectors shall be as established by Ordinance #3333.

**103.2.3 Inspector qualifications.** The Building Official, with the approval of the Administrator, may hire such numbers of officers, inspectors, assistants, and other employees as shall be authorized from time to time. For employee minimum qualifications, see the Shelby County Administration Job Class Master.

**103.2.4 Deputy Building Official qualifications.** The Building Official may designate as his deputy an employee in the department who shall, during the absence or disability of the Building Official, exercise all the powers of the Building Official. The Deputy Building Official should have the same qualifications listed in 103.2.2.

**103.3 Restriction on employees.** An officer or employee connected with the department, except one whose only connection is as a member of the Boards established by the Technical Codes, shall not be financially interested in the furnishing of labor, material or appliances for the construction, alteration, or maintenance of a building, structure, service, system or in the making of plans or of specifications thereof, unless he is the owner of such. This officer or employee shall not engage in any other work, which is inconsistent with the duties or conflicts, or may appear to conflict, with the interest of the department.

**103.4 Records.** The Building Official shall keep, or cause to be kept, official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such reports shall be retained in the official records for the period required for the

retention of public records and shall be open to public inspection.

**103.5 Liability.** Any officer or employee, or member of the Joint Board of Appeals or Mechanical and Fuel Gas Advisory Board, charged with the enforcement of the Technical Codes, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of the Technical Codes shall be defended by the department of law until the final termination of the proceedings.

**103.6 Reports.** The Building Official shall submit annually a report covering the work of the OCCE during the preceding year. He may incorporate in said report a summary of the decisions of the Joint board of Appeals during said year.

**Section 109 entitled “Fees” shall be amended to add the following new section:**

**109.7 Re-inspection fee for repeat or unnecessary inspections.**

Conditions for re-inspection fee for repeat or unnecessary inspections

- a. Building, mechanical, electrical, or plumbing inspections failing a second time for the same defect.
- b. No plainly visible street address posted on the jobsite.
- c. When an inspection has been scheduled and the work has not been performed.

d. Any failure of a contractor to be on site within 15 minutes for a meeting they have requested shall be charged a re-inspection fee.

e. Each additional failure for the same defect or missed meeting shall be charged an additional re-inspection fee.

Fees are found on the permit and Inspection Fee Schedule as G-7

**Chapter 1 is amended to add a new section entitled “License Requirements” to read as follows:**

**112.1 General.**

**112.1.1 License required.** A person shall not engage in or work on the installation, extension, or alteration of consumer gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered a good and sufficient bond in the sum prescribed and as set forth in Section 112.1.4, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in compliance with the provisions of the Technical Codes.

**112.1.2 Time for securing license.** Upon arrival of said bond, the person desiring to do such work shall secure from the Office of Construction Code Enforcement a license to do business which shall run concurrent with the fiscal policy of the authority.

**112.1.3 Other license requirements.** Contractors shall comply with the State of Tennessee Contractor’s License Law & Rules and Regulations: TCA, Title 62 Chapter 6. This includes specifically TCA 62-6-103 entitled “ License requirement” in

subsection (B) which states “Except in counties with a population of not less than seven hundred seventy seven thousand one hundred thirteen (777,113) according to the 1980 federal census or any subsequent federal census, a person or firm specified in subdivision (a)(2)(A) shall not make more than one (1) application for a permit to construct a single residence or shall not construct more than one (1) single residence within a period of two (2) years. There shall be a refutable presumption within that such person or firm intends to construct for purpose of resale, lease, rent or any other similar purpose if more than one (1) single residence is constructed within a period of two (2) years. No provision of this subdivision shall be construed to alter the definition of “contractor” as defined in Section 62-6-102.

#### **112.1.4 Contractor Responsibilities**

**112.1.4.1 Financial assurance.** In order to enhance enforcement of Technical Code provisions, every person doing business in Memphis and Shelby County as a registered and/or licensed gas (Master A & B) contractor shall file with the Building Official at its initial licensing, registration or first renewal of same after the effective date of this section, a permit bond on a form acceptable to the Building Official in the penal sum of \$25,000, and issued by an incorporated insurance company authorized to do business in the State of Tennessee. Upon arrival of said permit bond, the person desiring to do such work shall secure from the Office of Construction Code Enforcement, a registration to do business, which shall run concurrent with the fiscal policy of such authority. When a single legal entity maintains two or more such licenses or registrations with Office of Construction Code Enforcement or two or more permits, the total penal sum of the bond for all such

licenses and permits shall not exceed \$50,000. A single bond may be used to meet this requirement.

**112.1.4.1.1 Conditions.** The conditions of the bond shall be that the principle and surety shall indemnify the City of Memphis and the County of Shelby for their own use, and/or to any citizen against loss by improper compliance with the Technical Codes and any other law or ordinance governing such work: that the principal will suffer no work to be done without a permit, and will report done for inspection by the Building Official in conformity with the Technical Codes.

**112.1.4.1.2 Duration.** Such bond shall be continuous and remain in effect every year thereafter, unless canceled by providing 10 days written notice to the principal and obligee. Immediately upon receiving written notice of cancellation, the Building Official shall require that a new bond be furnished. The proper bond form will be provided by the Building Official.

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

**112.1.4.2 Compliance with licensing and registration requirements.** It shall be the duty of every contractor who shall make contracts for the installation or repair of buildings, structure, electrical, gas, mechanical or plumbing systems, for which a permit is required, to comply with state and local rules and regulations concerning the registration and /or licensing which are

applicable governing authority may have adopted.

**112.2 License required.** Any person desiring to engage in or work at the business of installing, replacing, repairing, extending or altering any system of pipe on the downstream side of the gas meter for the conveyance, distribution or use of illumination of fuel gas, or connection, repairing, installing, or maintaining any gas burning device connected to any gas system of gas piping in any building or structure shall first be licensed with the Office of Construction Code Enforcement conforming to the licensing requirement established by the Mechanical/Fuel Gas Code Advisory Board. No person shall employ any person to do such work on properties under the Technical Codes for which a license is required, unless he is licensed to perform such work. Gas contractors shall furnish full names of their employees when requested in writing, by the Chief Mechanical Inspector.

**112.2.1 Minimum requirements for examination.** Before making application for the Master “A” or “B” Gas Contractor License, the Applicant must meet the following requirements:

1. Be 21 years of age or older, and
2. Have experience (full time employment and actively engaged in either installation and/or design in the appropriate field) a minimum of
  - a. 4 years for a Master Gas “A” license, or
  - b. 2 years for a Master Gas “B” license.

**112.2.2 Examination in writing.** The examination provided for this Section shall be in writing and shall be confined to questions, the answer to which will determine the fitness of the applicant for the intended service.

**112.4 Altering, or transferring licenses; use of another’s license; evading of licensure.** - It shall be a violation of this code for any person licensed under the Technical Codes to alter, transfer, lend or rent his license certificate, or to use a license not his own. It shall also be a violation of this code for a person to falsely represent himself to be licensed under the Technical Codes, or to wrongfully use a license issued by the Mechanical/Fuel Gas Code Advisory Board.

**112.4.1 False Representation concerning business relationship.** It shall also be a violation of this code for any person to falsely represent the nature or extent of the business relationship between any 2 or more persons, firms, or corporations for the purpose of evading the licensing requirements of the Technical Codes.

**112.5 Applications And Examination.**

**112.5.1 Application for license.** Application for license under the Technical Code shall be made to the Mechanical/Fuel Gas Code Advisory Board on a form to be supplied by the Chief Mechanical Inspector, which form shall contain the name, address and proof of experience and other information deemed proper by the Mechanical/Fuel Gas Code Advisory Board, to show the applicant to be qualified for the type of work he desires to perform. The Chief Mechanical inspector shall oversee the review the qualifications of each applicant after payment of the fee and proof of experience relevant to the level of license requested by the applicant.

**112.5.1.1 Fees for examination.** Fees for examination of gas contractors shall be as follows:

- 1 Class A master gas contractor (unlimited)  
\$150
2. Class B gas contractors (residential)  
\$150

**112.5.1.1 Renewal or registration of Contractor's license** – For the renewal or registration of contractor's license, the contractor must submit a completed and notarized copy of the OCCE "Contractor's Affidavit for Registration or Renewal" packet.

**112.5.2 Category of licenses.** – A gas license shall be issued in the following categories upon receiving a passing score on an examination approved by the Mechanical/Fuel Gas Code Advisory Board.

1. Class A Master Gas Contractor to those persons who have four or more years experience as a gas installer, who may work without supervision and who are qualified to do unlimited gas fitter work.

2. Class B Master Gas Contractor to those persons who are qualified to do up to, and including the work necessary for residential piping and appliance work, except central heating plants.

**112.6 Expiration of license: annual and renewal fees.** Annual renewal fees shall be as follows:

1. Class A master gas contractors \$110
2. Class B master gas contractors \$110

**112.6.1 Renewal requirements.** All gas licenses shall expire on December 31 of each year. Annual renewal of each license shall be made during the month of December. A late fee of \$10 shall accompany any request for renewal of license received after the date of

expiration but not later than two years after the date of expiration. Any person whose license is not renewed within 2 years after the expiration thereof shall be required to make a new application, pass the required examination, and pay the appropriate fees before his new license is issued. Payment of the late fee shall not relieve the license holder of any other penalties which may arise from performing work with an expired license.

**112.6.2 Retired license status.** As used in the Technical Code, inactive Class "A" and "B" master gas contractor is defined to include any individual who is duly licensed and holds a current license under the Technical Code but is not presently active in his license capacity. Any person holding a retired gas license shall be required to pay an retired license renewal fee of \$15 per year, or the license shall expire. Before resuming duties as an active license holder, the required annual/renewal fee shall be paid and financial assurance document.

### **Suspension Or Revocation Of License**

**112.7.1 Generally.** Any license under the Technical Codes may be suspended or revoked by the Mechanical/Fuel Gas Code Advisory Board upon a violation of the terms of this chapter or any other ordinance or law governing the installation or inspection of gas work; provided however, charges shall be preferred in writing by the Board and served upon the licensee, and the licensee shall be given a right to a hearing concerning such charges.

**112.7.1.1 Conspiracy to evade.** Any person licensed under this chapter who conspires with another person or firm to evade any of the provisions of this chapter or other ordinance or laws governing gas work shall have that license suspended or revoked,

either temporarily or permanently, by the Mechanical/Fuel Gas Code Advisory Board upon submission of proof that such a conspiracy exists or did exist.

**112.7.1.2 Repeated failure of work.**

Violations of any provisions of the Technical Codes and repeated failure to have his work pass inspection shall be grounds for suspension or revocation of licenses issued under the Technical Codes. No person licensed under the Technical Codes shall have his license revoked without an opportunity to appear before the Mechanical/Fuel Gas Code Advisory Board and to be heard in his own defense.

**112.7.1.3 Prohibition during suspension or revocation.** It shall be unlawful for any person whose license has been suspended or revoked to do any work for the performance of which a license is required under the Technical Codes.

**112.7.2 Special Grounds For Revoking Or Suspending Licenses**

**112.7.2.1 Use of unlicensed employee.** It shall be grounds for the Mechanical/Fuel Gas Code Advisory Board to suspend or revoke the license of any contractor licensed under this chapter upon proof that said contractor used as an employee, for the purpose of performing any work for which a license is required and for which it is required to obtain a permit under the Technical Codes, any unlicensed person or firm.

**112.7.2.2 Failure to complete work or cure defects.** All licensed contractors shall be responsible for completing all work performed under permits issued in their names in accordance with the provisions of the Technical Codes and to the satisfaction of the Chief Mechanical Inspector. Failure to

satisfactorily complete said work or to cure any defect in said work shall be grounds for the suspension or revocation of the contractor's license.

**112.7.2.3 Failure to properly supervise.**

The failure of any contractor to properly supervise, direct or control any and all work performed under a permit issued through his license as a contractor shall be grounds for suspension or revocation of this license by the Mechanical/Fuel Gas Code Advisory Board, regardless of whether said work was performed by an employee of the contractor that they represent.

**112.7.2.4 Failure to respond to official correspondence.** The failure of any licensed contractor to answer official correspondence from the Chief Mechanical Inspector or the Mechanical/Fuel Gas Advisory Board without good cause within 15 days after it receipt by certified mail shall be grounds for the suspension of that contractor's license until such time as an appropriate response is received.

## CHAPTER 2

### **Amend Section 202 by inserting the following definitions in the appropriate alphabetic location within the Section:**

**ADMINISTRATIVE AUTHORITY.** Whenever the term “Administrative Authority” is used in the Joint Gas Code herein adopted, it shall mean the Building Official.

**ADMINISTRATOR.** Whenever the term “Administrator” is used in the Joint Gas Code herein adopted, it shall mean the Administrator of the Memphis and Shelby County OCCE.

**BOARD OF ADJUSTMENTS AND APPEALS.** Whenever the term “Board of Adjustments and Appeals” is used in the Joint Gas Code herein adopted, it shall mean the Joint Board of Appeals of Memphis and Shelby County.

**BUILDING OFFICIAL.** The officer or other designated authority, or their duly authorized representative, charged with the administration and enforcement of the Technical Codes.

**CHIEF APPOINTING AUTHORITY.** Whenever the term “Chief Appointing Authority” is used in the Technical Codes herein adopted, it shall mean the Mayors of the City of Memphis and the County of Shelby, Tennessee.

**CITY, MUNICIPALITY OR GOVERNING BODY.** Whenever the word “City”, “Municipality” or “Governing Body” is used in the Technical Codes herein adopted, it shall mean the City of Memphis and County of Shelby, Tennessee.

**CONFINED SPACE.** A space in which the volume is not greater than 50 cubic feet per 1,000 BTU per hour of the aggregate input rating of all appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with a door, are considered a part of this space for volume determination.

**EMPLOYEE.** Whenever the word “employee” is used in the Joint Gas Code herein adopted, it shall mean a person working directly for a licensed contractor for wages or salary subject to federal and/or state payroll tax laws.

**GAS CONTRACTOR.** Whenever the term “Gas Contractor” is used in the Joint Gas Code herein adopted, it shall mean a gas contractor who holds a license issued by the Office of Construction Code Enforcement.

**GAS OFFICIAL.** Whenever the term “Gas Official” is used in the Joint Gas Code herein adopted, it shall mean the Building Official of the Memphis and Shelby County, Tennessee.

**GAS SECTION.** Whenever the term “Gas Section” is used in the Joint Gas Code herein adopted, it shall mean the Mechanical Section of the Memphis and Shelby County Office of Construction Code Enforcement.

**INTERNATIONAL GAS CODE.** Whenever the term “International Gas Code” is used in the Technical Codes herein adopted, it shall mean the International Gas Code with Local Amendments and will be known as the Memphis and Shelby County Gas Code (MSCGC).

**INTERNATIONAL MECHANICAL CODE.** Whenever the term “International Mechanical Code” is used in the Technical Codes herein adopted, it shall mean the International Mechanical Code with Local Amendments and will be known as the Memphis and Shelby County Mechanical Code (MSCMC).

**PERMANENT ACCESS.** Ladder, inside stairway, pulldown stairs (no scuttle holes).

**SUPERVISION.** Whenever the term “supervision” is used in the Joint Gas Code, herein adopted, in reference to a gas contractor, the term shall be construed to mean first hand knowledge of the work being performed by an employee whose work relies on the license held by the gas contractor and shall include the requirements of active training of the employee working under the gas contractor’s license, and shall further require the gas contractor to sign all gas permit applications prior to a permit being issued as signifying his or her approval thereof before or at the time of inspection of the completed work by the Building Official, the gas contractor will certify by written affidavit to said Official that such work has been satisfactorily completed, and will further furnish the names of those employees under his supervision upon request.

## **CHAPTER 3**

### **Add Section 301.12.1 and the indicated subsections 1, 2, 3, 4 as follows:**

#### **301.12.1 Seismic Protection Requirements**

**301.12.1.1 Contractor responsibility.** Each contractor responsible for the construction of a main wind- or seismic force-resistance system, designated seismic system, or wind or seismic resisting component listed in the statement of special inspection shall submit in written statement of responsibility to the Building Official and to the owner prior to commencement of work on the system or component. The contractor statement of responsibility shall contain acknowledgement of awareness of the special requirements contained in the statement of special inspection.

**301.12.1.2 Applicable designated seismic systems.** As also may be required by the Building Code, the following systems and components in new structure in locations in Shelby County within seismic categories design C and D shall be covered by the statement of special inspection where applicable.

1. Heating, ventilation and air conditioning (HVAC) ductwork, containing hazardous materials and anchorage of such ductwork.
2. Piping systems and mechanical units containing flammable, combustible or highly toxic materials.

**301.12.1.3 Mechanical and fuel gas components.** Special inspections for mechanical and fuel gas components shall be as follows:

1. Periodic special inspection is required during installation of piping systems intended to carry flammable, combustible, or highly toxic contents and their associated equipment in structures assigned to seismic design category C, D, E, or F.
2. Periodic inspection is required during installation of HVAC ductwork that will contain hazardous materials in structures assigned to seismic design category C, D, E, or F.

**301.12.1.4 Designated seismic system verification.** The special inspector shall examine designated seismic systems requiring seismic qualification in compliance with Section 1708.4 of the Memphis and Shelby County Building Code and verify the labels, anchorages and mountings conform to the certificate of compliance.

## **CHAPTER 4**

### **Amend Section 401.3 to add the following new sub-section:**

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

### **Add to Section 402.1.1 Sizing**

When the gas pressure is 0.5 psi or less, all consumer gas pipe from the point of delivery of the first branch in the house piping shall not be less than one inch in diameter.

**CHAPTERS 5, 6, 7 AND 8 (No amendments)**

## **APPENDIX A - Gas Permit and Inspection Fees**

### **Fuel Gas Permit and Inspection Fee Ordinance and Schedule for Fuel Gas Permit and Inspection Fees**

#### **Fuel Gas Permit and Inspection Fees**

The fee for each permit shall start with a base fee of \$20.00. Additional fees shall be computed from the *Gas Permit and Inspection Fee Schedule* as listed below.

#### **G-1 Fees for Amending Permit**

**G-1.1** After a permit has been issued and an amendment or supplemental revision is applied for, the additional fee or service charge shall be as follows:

**G-1.2** For each amendment which involves additional work not originally applied for to complete the entire project, the addition fee shall be the normal fee for the work contemplated and shall be computed disregarding the valuation of the work previously permitted.

**G-1.3** For each amendment or supplement not involving additional work by square footage, volume or dollar value, the minimum fee normally required for such work shall apply even though the project dollar value or building volume may decrease. (Min. fee is \$20.00)

#### **G-2 Work Commencing Before Permit Issuance**

In case any work requiring a permit is started prior to obtaining said permit, as a penalty for violating this Code, the total normal fee applicable shall be doubled. The payment of said fee shall not relieve any persons from fully complying with the requirements of this Code for performance or execution of the work, nor from other penalties prescribed by law.

#### **G-3 Schedule of Permit Fees**

On all gas systems requiring a gas permit, a fee for each gas permit shall be paid as required at the time of filing the application, in accordance with the following:

**G-3.1** On all installation requiring a permit, as set forth in this Section, a fee for each permit shall be paid as required, at the time of filing the application, in accordance with the following schedule.

**G-3.1.1** For \$1.00 to \$1,000 valuation of installation, the fee shall be \$15.00 with minimum permit fee of \$15.00.

**G-3.1.2** When the estimated cost exceeds \$1,000, the additional fee is \$8.00 per each \$1,000 of valuation.

**G-3.1.3** The fee for installing a water heater shall be \$15.00 for the first \$1,000 and \$8.00 per additional \$1,000 of valuation.

Change

**G-3.1.4 Single Family Residents Only - additional fee for each gas outlet \$2.50**

**Add G-3.1.5**

**Single Family Residents Only – gas piping permit fees shall be based on total valuation (contract price) plus \$2.50 per gas outlet. All other gas permits shall be based on total valuation (contract price).**

**G-4 Minimum Permit Fee**

The minimum permit fee shall be \$15.00.

**G-5 Filing Application for Joint Board of Appeals**

Notice of Joint Board of Appeals shall be accompanied by a fee of \$125.00.

**G-6 Refunds**

Permit fees may be refunded if no work has commenced and a request for refunds is submitted to the Building Official in writing by the permittee within 6 months of the date of issuance. The permit is surrendered when a request for refund is submitted. The amount of the refund will be  $\frac{2}{3}$  of the permit fee, but in no case, will the amount retained by the Office of Construction Code Enforcement be less than \$15.00. Note that the refund does not include the \$20.00 base fee, the \$4.00 Data Processing fee, or the \$1.00 Residential/\$5.00 Commercial Housing Initiative.

**G-7 Re-inspection Fee for Excessive or Unessential Inspection Call**

**G-7.1** A \$50.00 re-inspection fee shall be charged for the re-inspection and rejection of the same infraction; and for every re-inspection thereafter until the infraction is corrected.

**G-7.2** Any person, firm or corporation aggrieved by the assessment for any re-inspection fee may appeal to the Building Official for a review of the facts involved and a reduction or dismissal of said fees.

## GAS PERMIT AND INSPECTION FEES SCHEDULE

| 2018<br>Section | Section Title   | 2018<br>Fee   |
|-----------------|---|---------------|
| <b>G-0</b>      | <b>Fee Issuance Cost per Permit</b>                               | \$20.00       |
| <b>G-1</b>      | <b>Fees for Amending Permit</b>                                   |               |
| <b>G-1.3</b>    | Amendment – Min. Fee  | \$20.00       |
| <b>G-2</b>      | <b>Work Commencing Before Permit Issuance- shall be double</b>    | Double<br>Fee |
| <b>G-3</b>      | <b>Schedule of Permit Fees</b>                                    |               |
| <b>G-3.1</b>    | Fee \$1 to \$1,000 valuation of installation                      | \$15.00       |
| G-3.1.2         | Per each additional \$1,000                                       | \$8.00        |
| G-3.1.3         | Water heater first \$1000   | \$15.00       |
|                 | Per each additional \$1000  | \$8.00        |
| <b>G-3.1.4</b>  | Single Family Residents Only – Additional fee for each gas outlet | \$2.50        |
| <b>G-4</b>      | Minimum Permit Fee  | \$15.00       |
| <b>G-5</b>      | Fee for Joint Board of Appeals                                    | \$125.00      |
| <b>G-6</b>      | Refund 2/3 of fee – min. fee                                      | \$15.00       |
| <b>G-7</b>      | Re-inspection fee   |               |
| <b>G-7.1</b>    | First re-inspection fee   | \$50.00       |
|                 | Additional fee beyond the first                                   | \$50.00       |

Note that a \$4.00 Data Processing fee, and a \$1.00 Residential/\$5.00 Commercial Housing Initiative are added to all Permits.

## EXHIBIT B

### AMENDMENTS TO SHELBY COUNTY CODE OF ORDINANCES

#### ARTICLE V. - MEMPHIS AND SHELBY COUNTY FUEL GAS CODE

Sec. 6-151. - Adopted.

Sec. 6-152. - Local amendments.

Sec. 6-153. - Incorporated by reference.

Sec. 6-154. - Effective date.

Secs. 6-155—6-184. - Reserved.

##### **Sec. 6-151. - Adopted.**

The Joint Fuel Gas Code of Memphis and Shelby County is hereby amended by adopting the ~~2009-2015~~ edition of the International Fuel Gas Code to be known as the ~~20182~~ Joint Fuel Gas Code of Memphis and Shelby County.

##### **Sec. 6-152. - Local amendments.**

The Joint Fuel Gas Code of Memphis and Shelby County is further amended by adoption of the local amendments, including Appendix A—Permit Fees adopted in the local fee ordinance, attached to Joint Ordinance No. ~~298~~\_\_\_\_\_.

##### **Sec. 6-153. - Incorporated by reference.**

The ~~201509~~ edition of the International Fuel Gas Code and those local amendments attached to Joint Ordinance No. ~~298~~\_\_\_\_\_ are hereby incorporated by reference as if set out herein in their entirety including the appendix section noted above as adopted in the local amendments.

##### **Sec. 6-154. - Effective date.**

This article shall take effect in the City of Memphis and the unincorporated areas of Shelby County on ~~June 30, 2012~~~~January 1, 2019~~, by virtue of the concurring and separate passage thereof by the council of the City of Memphis and by the board of commissioners of the county or if not adopted by each legislative body by that date, at the date of such adoption by the second body.

##### **Secs. 6-155—6-184. - Reserved.**