



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

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Title: An ordinance amending the Metropolitan Code of Laws, sections 16.08.014 and 16.08.016, in order to bring it into compliance with a new state law regarding maximum standards for energy conservation in one and two-family construction projects.

Sponsors: Sean Parker

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/4/2023	1	Mayor	approved	
8/1/2023	1	Metropolitan Council	passed on third reading	
7/18/2023	1	Metropolitan Council	passed on second reading	
7/18/2023	1	Government Operations and Regulations Committee	approved	
7/6/2023	1	Metropolitan Council	passed on first reading	
6/27/2023	1	Metropolitan Council	filed	

An ordinance amending the Metropolitan Code of Laws, sections 16.08.014 and 16.08.016, in order to bring it into compliance with a new state law regarding maximum standards for energy conservation in one and two-family construction projects.

WHEREAS, the Tennessee General Assembly passed House Bill 799, effective July 1, 2023, on April 28, 2023, that bill becoming 2023 Tennessee Public Acts, chapter 312; and

WHEREAS, 2023 Tennessee Public Acts, chapter 312, section 5 provides that Tennessee Code Annotated section 68-120-101(b)(2) is amended to require that jurisdictions that exempt themselves from the state building construction safety standards must adopt the International Energy Conservation Code for one and two-family construction and may not apply it in a manner that is more stringent than the state minimum standard; and

WHEREAS, the Metropolitan Government of Nashville and Davidson County (“Metro”) is a jurisdiction that has exempted itself from the state building construction safety standards; and

WHEREAS, the Metro has adopted the 2018 International Energy Conservation Code, but amended it so that it does not apply to one and two-family construction but only commercial structures; and

WHEREAS, Metro currently enforces only the 2018 International Residential Code regarding energy conservation in one and two-family construction, which Code duplicates the 2018 Energy Conservation Code standards; and

WHEREAS, the State of Tennessee has adopted the 2018 International Energy Conservation Code with the

amendments listed in Tenn. Comp. R. & Regs. 0780-02-23-.02(1)(b); and.

WHEREAS, in order to bring the Metropolitan Code of Laws into compliance with 2023 Tennessee Public Acts, chapter 312, it is necessary to amend it so that the 2018 International Energy Conservation Code as adopted and amended is applicable to one and two-family construction and its standards do not exceed those adopted by the State of Tennessee, and to provide that the 2018 International Residential Code chapter on energy efficiency is omitted insofar as it replicates the International Energy Conservation Code.

NOW, THEREFORE, BE IT ENACTED BY THE METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY:

Section 1. That the Metropolitan Code of Laws shall be amended by adding the following to section 16.08.014:

Q. Chapter 11, Energy Efficiency, shall be deleted and in its place the 2018 International Energy Conservation Code as amended in section 16.08.016 shall be enforced.

Section 2. That the Metropolitan Code of Laws shall be amended by deleting section 16.08.016(B) and replacing it with the following:

B. The 2018 Edition of the International Energy Conservation Code is hereby amended so that it meets and does not exceed the 2018 International Energy Conservation Code standards as adopted by the State of Tennessee, per Tenn. Comp. R. & Regs. 0780-02-23-.02(1)(b).

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Sections 16.08.014 and 16.08.016 of the Metropolitan Code of Laws to bring Metro into compliance with a new state law regarding maximum standards for energy conservation in one and two-family construction projects.

2023 Tennessee Public Acts, Chapter 312, effective July 1, 2023, which provides that jurisdictions that exempt themselves from the state building construction safety standards must adopt the International Energy Conservation Code for one and two-family construction and may not apply it in a manner that is more stringent than the state minimum standard. Metro has exempted itself from the state building construction safety standards and has adopted the 2018 International Energy Conservation Code - however, it was amended so that it does not apply to one and two-family construction but only commercial structures. Metro currently enforces only the 2018 International Residential Code regarding energy conservation in one and two-family construction, which Code duplicates the 2018 Energy Conservation Code standards. The State of Tennessee has adopted the 2018 International Energy Conservation Code with amendments that are listed in state regulations.

This ordinance amends the Metro Code of Laws to bring it into compliance with 2023 Tennessee Public Acts, Chapter 312.