

FAYETTE COUNTY, TENNESSEE

FIRE SPRINKLER RESOLUTION

A RESOLUTION ESTABLISHING THE USE OF AUTOMATIC SPRINKLER SYSTEMS IN THE CONSTRUCTION OF ONE- AND TWO-FAMILY DWELLINGS WITHIN FAYETTE COUNTY, TENNESSEE.

WHEREAS, Fayette County is concerned with the health, safety, and welfare of its citizens; and

WHEREAS, Fayette County is concerned with the need to provide ample fire protection to its citizens and property; and

WHEREAS, Fayette County is concerned with the need for growth and expansion in the fire services provided by all fire departments within Fayette County; and

WHEREAS, this resolution shall read in its entirety as follows,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, in regular session this 27th day of November, 2007, that:

1. New Building Construction

An Approved Automatic Sprinkler System shall be installed in all new One- and Two-Family Dwellings according to NFPA 13D. For the purpose of this Resolution, the term "building" shall mean any structure that contains one or two dwelling units intended to be used, rented, leased, let or hired out to be occupied for habitation purposes.

Exceptions:

- a. Buildings for which a building permit was issued prior to the effective date of this Resolution.
- b. Existing buildings moved to a new site.
- c. Manufactured homes.

2. Building Additions

When a building is altered, renovated or enlarged, an Approved Automatic Sprinkler System must be installed in the altered, renovated or enlarged portion of the building if the resulting structure as a whole will meet any of the criteria listed in Section 1.

Exception: Buildings that do not have pre-existing automatic sprinkler systems.

3. Definitions

- a. "Approved Automatic Sprinkler System" means a system installed in accordance with National Fire Protection Association Standards.

- b. "Building" means any structure that contains one or two dwelling units intended to be used, rented, leased, let or hired out to be occupied for habitation purposes. For purposes of determining when an Approved Automatic Sprinkler System is required by this Resolution, portions of buildings separated from other portions by a fire wall shall not be considered separate buildings.

4. Additional Requirements of Sprinkler Systems

- a. The water flow switch for the automatic sprinkler system shall be connected to a local horn alarm placed on the outside of the dwelling. Any dwelling located in a platted subdivision shall also have the water flow switch and alarm connected to a strobe light posted on an exterior side of the dwelling that faces the street.
- b. Plans for an Approved Automatic Sprinkler System shall be prepared by a licensed fire sprinkler contractor. The plans shall be subject to a plans review fee of \$25.00 or any other costs incurred by Fayette County for third party review.

5. Maintenance of System Required

All one- and two-family dwellings sprinklered in accordance with NFPA 13D shall be maintained according to the standard.

6. System Inspection

The Fayette County Fire Chief, or his designee, shall provide an initial inspection of the Automatic Sprinkler System for buildings meeting the criteria of this Resolution. This inspection shall not guarantee proper installation of said system, but will insure that the system exists.

Further, all Automatic Sprinkler Systems and appurtenances shall be installed, tested, inspected, and maintained in accordance with National Fire Protection Association (NFPA).

7. Certified Installer Required

All Automatic Sprinkler Systems must be designed and installed by a Fire Sprinkler Contractor that is:

- a. Licensed by the State of Tennessee; and
- b. Licensed by Fayette County.

Licensing by Fayette County shall include the posting of a bond and/or a certificate of insurance naming Fayette County as the insured.

8. Issuance of Certificate of Occupancy

A Certificate of Occupancy shall not be issued for any one- or two-family dwelling that meets any of the criteria listed in Section 1 or Section 2 until the issuing agency has on file a letter from the installing contractor certifying that the Automatic Sprinkler System has been designed, installed and tested in accordance with the requirements of NFPA 13D.

9. Enforcement

Any person, firm or corporation, being the owner or having control or use of any building or premises, who violates any of the provisions of this Resolution, shall be guilty of a Civil Offense and shall be fined not in excess of \$50.00 for each offense. Each day such violation is permitted to exist after notification shall constitute a separate offense.

When any violation of any provision of this Resolution shall be found to exist, the Fayette County Fire Chief, or his designee, is hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, that may be appropriate or necessary to enforce the provisions of this Resolution in the name of Fayette County, including but not limited to the issuance of a "stop work" order to aid in the enforcement of any of the provisions of this Resolution.

10. Authority and Purpose

This Resolution is adopted pursuant to all applicable laws of the State of Tennessee.

11. Severability

If any section, sentence, clause or phrase of this Resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Resolution.

12. Effective Date

This Resolution shall take effect on April 1, 2008, the public welfare requiring it.

RHEA TAYLOR, COUNTY MAYOR