ORDINANCE NO. 1057

"AN ORDINANCE TO AMEND TITLE 12 OF THE ATHENS MUNICIPAL CODE ENTITLED 'BUILDING, UTILITY, ETC. CODES' TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION"

BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, that the Athens Municipal Code Title 12 be amended as follows**:**

SECTION 1: That Chapter 8 of Title 12, Section 12-801 entitled "Energy conservation code adopted" of the Athens Municipal Code is amended to replace the words and figures "International Energy Conservation Code", 2006 edition, with "International Energy Conservation Code, 2009 edition.

SECTION 2: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 3: **BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and as provided by law.

PASSED ON FIRST READING: October 18, 2016

PASSED ON SECOND READING: November 15, 2016

DATE OF PUBLIC HEARING: November 15, 2016

Ann S. Davis
ANN S. DAVIS, Mayor

Mitchell B. Moore
MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:

H. CHRIS TREW, City Attorney

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CITY OF ATHENS

Anthony Casteel, AICP
Community Development Director

September 16, 2016

Tim Planer, Statewide Supervisor
Department of Commerce & Insurance
500 James Robertson Parkway
Davy Crockett Tower
Nashville, Tennessee 37243-0565

RE: September 6, 2016 Audit Finding Letter for the City of Athens, TN

Mr. Planer,

We are currently in the process of updating the entire City of Athens Municipal Code. The adoption of the 2009 Energy Code was included in that update. This has been a long process that our City Manager has been working on for multiple months with each City department.

However, Community Development Department will go ahead and start the process now on the adoption of the 2009 Energy Code and forego waiting to adopt the entire Municipal Code changes in their entirety. Per your letter we are submitting the following plan corrective action to address the adoption of the 2009 Energy Code.

- On October 10, 2016, we will submit the proposed ordinance to adopt the 2009 Energy Code to the Athens City Council at their work session.
- If accepted, the proposed ordinance will be placed on their agenda for first reading at their October 18, 2016 regular City Council meeting.
- If the proposed ordinance passes on first reading, a second reading and public hearing will be held during the November 15, 2016 regular City Council meeting.
- If passed on November 15, 2016, it will go into effect immediately.

Please let me know if this is an acceptable remedy to this issue. We appreciate you bringing this to our attention, and apologize for not already having adopted the 2009 Energy Code. We look forward to receiving your response and guidance.

Sincerely,

Anthony Casteel, AICP

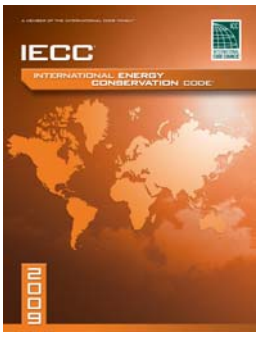
Cc: Gary Farley, Director, Electrical, Building and Marina
Mitchell Moore, City Manager of City of Athens, TN
Gene McConkey, Building Inspector of Athens, TN

INTERNATIONAL CODE COUNCIL

2009 IECC Update

International Energy Conservation Code

International Energy Conservation Code



Scope

The code applies to both residential and commercial buildings. In the code, the United States is divided into eight climate zones which are used in determining applicable requirements for residential and commercial energy efficiency. Criteria to determine the applicable climate zones for international locations are also included.

Insulation, window and skylight requirements for the thermal envelope for both residential and commercial buildings are based on the climate zones. Performance criteria for compliance with residential energy efficiency requirements using simulated energy analysis is also addressed.

Content

Chapter 1: Administration and Enforcement (Revised in its entirety)			
Code Section		Section Title	Change
2009	2006		
303	102	Materials, Systems and Equipment	Provisions applicable to the energy code regarding materials, systems and equipment are moved to a more logical location, in Chapter 3. These are general technical requirements, not administrative requirements.
102.1	103.1.1	Above code programs	Requires now that the mandatory provisions of Chapters 4 and 5 be met for buildings being built using above code programs.
103.2	104.2	Information required on construction documents	Added several items to be required on construction documents, including: Area weighted U-factor and SHGC calculations; mechanical and service water heating system and equipment types, sizes and efficiencies; economizer description; equipment and systems controls; fan motor hp and controls; duct sealing; duct and pipe insulation and location; lighting fixture schedule with wattage and control narrative; and air sealing details.

Chapter 4: Residential Energy Efficiency (Revised in its entirety)			
Code Section		**Section Title**	**Change**
2009	**2006**		
Table 402.1.1 And Table 402.1.3	Table 402.1.1 And Table 402.1.3	Insulation and fenestration requirements by component Equivalent U-factors	Several values changed for aggressive reduction in energy usage. Including: 1. Fenestration U-Factors and SHGC values in warm climate zones. (climate zones 1, 2, 3 and 4) 2. Basement and crawl space wall insulation R-Values and U-Factors in all climate zones.
402.4.1	402.4.1	402.4.1 Building thermal envelope.	New items that must be sealed have been added to the list, including attic access openings and rim joist functions.
402.4.2	NEW	Air sealing and insulation	Building air tightness must be demonstrated through testing or rigorous inspections.
402.4.3	NEW	Fireplaces	Wood-burning fireplaces are now required to have gasketed doors, and must draw combustion air from the outside.
403.1.1	403.1.1	Programmable thermostat	For forced-air heating equipment, every dwelling unit must have at least one programmable thermostat.
403.3.2	403.3.2	Sealing	All ducts are required to be tested for leak tightness. New criteria for testing is provided.
403.11	NEW	Pools	Energy conservation requirements are required for pools, including time switches to turn pumps and heaters off, and vapor covers.
404.1	NEW	Lighting equipment	A minimum of fifty percent of the lamps in permanently installed lighting fixtures shall be high efficiency lamps.

TABLE 402.1.1
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT[a]

CLIMATE ZONE	FENESTRATION *U*-FACTOR[b]	SKYLIGHT[b] *U*-FACTOR	GLAZED FENESTRATION SHGC[b, e]	CEILING *R*-VALUE	WOOD FRAME WALL *R*-VALUE	MASS WALL *R*-VALUE[i]	FLOOR *R*-VALUE	BASEMENT[c] WALL *R*-VALUE	SLAB[d] *R*-VALUE & DEPTH	CRAWL SPACE[c] WALL *R*-VALUE
1	1.2	0.75	0.30	30	13	3/4	13	0	0	0
2	0.65[j]	0.75	0.30	30	13	4/6	13	0	0	0
3	0.50[j]	0.65	0.30	30	13	5/8	19	5/13[f]	0	5/13
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10 /13	10, 2 ft	10/13
5 and Marine 4	0.35	0.60	NR	38	20 or 13+5[h]	13/17	30[g]	10/13	10, 2 ft	10/13
6	0.35	0.60	NR	49	20 or 13+5[h]	15/19	30[g]	15/19	10, 4 ft	10/13
7 and 8	0.35	0.60	NR	49	21	19/21	38[g]	15/19	10, 4 ft	10/13

For SI: 1 foot = 304.8 mm.

a. *R*-values are minimums. *U*-factors and SHGC are maximums. R-19 batts compressed into a nominal 2 × 6 framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Zones 1 through 3 for heated slabs.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation is not required in warm-humid locations as defined by Figure 301.1 and Table 301.1.

g. Or insulation sufficient to fill the framing cavity, R-19 minimum.

h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25 percent or less of the exterior, insulating sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25 percent of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.

i. The second *R*-value applies when more than half the insulation is on the interior of the mass wall.

j. For impact rated fenestration complying with Section R301.2.1.2 of the *International Residential Code* or Section 1608.1.2 of the *International Building Code*, the maximum *U*-factor shall be 0.75 in Zone 2 and 0.65 in Zone 3.

TABLE 402.1.3
EQUIVALENT *U*-FACTORS[a]

CLIMATE ZONE	FENESTRATION *U*-FACTOR	SKYLIGHT *U*-FACTOR	CEILING *U*-FACTOR	FRAME WALL *U*-FACTOR	MASS WALL *U*-FACTOR[b]	FLOOR *U*-FACTOR	BASEMENT WALL *U*-FACTOR[d]	CRAWL SPACE WALL *U*-FACTOR[c]
1	1.20	0.75	0.035	0.082	0.197	0.064	0.360	0.477
2	0.65	0.75	0.035	0.082	0.165	0.064	0.360	0.477
3	0.50	0.65	0.035	0.082	0.141	0.047	0.091[c]	0.136
4 except Marine	0.35	0.60	0.030	0.082	0.141	0.047	0.059	0.065
5 and Marine 4	0.35	0.60	0.030	0.057	0.082	0.033	0.059	0.065
6	0.35	0.60	0.026	0.057	0.060	0.033	0.050	0.065
7 and 8	0.35	0.60	0.026	0.057	0.057	0.028	0.050	0.065

Chapter 5: Commercial Energy Efficiency			
Code Section		Section Title	Change
2009	2006		
502.1.2, Table 502.1.2	NEW	U-Factor alternative	Similar to residential construction in Chapter 4, the commercial buildings in Chapter 5 can now utilize a U-Factor alternative for insulation and fenestration requirements.
Table 502.2(1)	Table 502.2(1)	Building envelope requirements—opaque assemblies	The table now contains separate requirements for Group R occupancies and all other occupancies. In addition, there are more restrictive building envelope values.
Table 502.3	Table 502.3	Building envelope requirements—fenestration	More restrictive fenestration values are provided for climate zones 7 and 8. In addition, separate requirements for plastic skylights are removed.
502.5	NEW	Roof reflectance	Requirements for roof reflectance are added.
503.2.10	NEW	Air system design and control	New requirements for design of HVAC systems and for motor energy use limitations are added.
503.2.11	NEW	Heating outside a building	Systems installed to provide heat outside a building shall be radiant systems. Such heating systems shall be controlled by an occupancy sensing device or a timer switch, so that the system is automatically de-energized when no occupants are present.

TABLE 502.1.2
BUILDING ENVELOPE REQUIREMENTS OPAQUE ELEMENT, MAXIMUM *U*-FACTORS

CLIMATE ZONE	1		2		3		4 EXCEPT MARINE		5 AND MARINE 4		6		7		8	
	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R
Roofs																
Insulation entirely above deck	U-0.063	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.048	U-0.039	U-0.039	U-0.039	U-0.039
Metal buildings	U-0.065	U-0.065	U-0.055	U-0.055	U-0.055	U-0.055	U-0.055	U-0.055	U-0.055	U-0.055	U-0.049	U-0.049	U-0.049	U-0.049	U-0.035	U-0.035
Attic and other	U-0.034	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027	U-0.027
Walls, Above Grade																
Mass	U-0.058	U-0.151	U-0.151	U-0.123	U-0.123	U-0.104	U-0.104	U-0.090	U-0.90	U-0.80	U-0.080	U-0.071	U-0.071	U-0.071	U-0.071	U-0.052
Metal building	U-0.093	U-0.093	U-0.093	U-0.093	U-0.084	U-0.084	U-0.084	U-0.084	U-0.069	U-0.069	U-0.069	U-0.069	U-0.057	U-0.057	U-0.057	U-0.057
Metal framed	U-0.124	U-0.124	U-0.124	U-0.064	U-0.084	U-0.064	U-0.064	U-0.064	U-0.064	U-0.064	U-0.064	U-0.057	U-0.064	U-0.052	U-0.064	U-0.037
Wood framed and other	U-0.089	U-0.089	U-0.089	U-0.089	U-0.089	U-0.089	U-0.089	U-0.064	U-0.064	U-0.051	U-0.051	U-0.051	U-0.051	U-0.051	U-0.036	U-0.036
Walls, Below Grade																
Below-grade wall[a]	C-1.140	C-1.140	C-1.140	C-1.140	C-1.140	C-1.140	C-1.140	C-0.119	C-0.119	C-0.119	C-0.119	C-0.119	C-0.119	C-0.092	C-0.119	C-0.075
Floors																
Mass	U-0.322	U-0.322	U-0.107	U-0.087	U-0.107	U-0.087	U-0.087	U-0.074	U-0.074	U-0.064	U-0.064	U-0.057	U-0.064	U-0.051	U-0.057	U-0.051
Joist/Framing	U-0.282	U-0.282	U-0.052	U-0.052	—	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033	U-0.033
Slab-on-Grade Floors																
Unheated slabs	F-0.730	F-0.730	F-0.730	F-0.730	F-0.730	F-0.730	F-0.730	F-0.540	F-0.730	F-0.540	F-0.540	F-0.520	F-0.520	F-0.520	F-0.520	F-0.510
Heated slabs	F-1.020	F-1.020	F-1.020	F-1.020	F-0.900	F-0.900	—	F-0.860	F-0.860	F-0.860	F-0.860	F-0.688	F-0.830	F-0.688	F-0.688	F-0.688

a. When heated slabs are placed below-grade, below grade walls must meet the *F*-factor requirements for perimeter insulation according to the heated slab-on-grade construction.

TABLE 502.2(1)
BUILDING ENVELOPE REQUIREMENTS - OPAQUE ASSEMBLIES

CLIMATE ZONE	1		2		3		4 EXCEPT MARINE		5 AND MARINE 4		6		7		8	
	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R	All other	Group R
Roofs																
Insulation entirely above deck	R-15ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-20ci	R-25ci	R-25ci	R-25ci	R-25ci
Metal buildings (with R-5 thermal blocks[a, b])	R-19	R-19	R-13 + R-13	R-13 + R-13	R-13 + R-13	R-19	R-13 + R-13	R-19	R-13 + R-13	R-19	R-13 + R-19	R-19	R-13 + R-19	R-19 + R-10	R-11 + R-19	R-19 + R-10
Attic and other	R-30	R-38	R-38	R-38	R-38	R-38	R-38	R-38	R- 38	R-38	R-38	R-38	R-38	R-38	R-49	R-49
Walls, Above Grade																
Mass	NR	R-5.7ci	R-5.7ci	R-7.6ci	R-7.6ci	R-9.5ci	R-9.5ci[c]	R-11.4ci	R-11.4ci	R-13.3 ci	R-13.3ci	R-15.2ci	R-15.2ci	R-15.2ci	R-25ci	R-25ci
Metal building[b]	R-16	R-16	R-16	R-16	R-19	R-19	R-19	R-19	R-13 + R-5.6ci	R-13 + R-5.6ci	R-13 + R-5.6ci	R-13 + R-5.6ci	R-19 + R-5.6ci	R-19 + R-5.6ci	R-19 + R-5.6ci	R-19 + R-5.6ci
Metal framed	R-13	R-13	R-13	R-13+ 7.5ci	R-13 + R-3.8ci	R-13 + R-7.5ci	R-13 + 7.5	R-13 + R-7.5ci	R-13 + R-7.5 ci	R-13 + R-7.5ci	R-13 + R-7.5ci	R-13 + R-7.5ci	R-13 + R-7.5ci	R-13 + R-15.6ci	R-13 + R-7.5 ci	R-13 + R-18.8ci
Wood framed and other	R-13	R-13	R-13	R-13	R-13	R-13	R-13	R-13+ R-3.8ci	R-13 + R-3.8ci	R-13 + 3.8	R-13 + 7.5	R-13 + R-7.5	R-13+ R-7.5ci	R-13 +7.5ci	R-13 + R-15.6ci	R-13 + 15.6ci
Walls, Below Grade																
Below grade wall[d]	NR	NR	NR	NR	NR	NR	NR	R-7.5ci	R-7.5ci	R-7.5ci	NR R-7.5ci	R-7.5ci	R-7.5ci	R-10ci	R-7.5ci	R-12.5ci
Floors																
Mass	NR	NR	R-6.3ci	R-8.3ci	R-6.3ci	R-8.3ci	R-10ci	R-10.4ci	R-10ci	R-12.5ci	R-12.5ci	R-14.6ci	R-15ci	R-16.7ci	R-15ci	R-16.7ci
Joist/framing Steel/(wood)	NR	NR	R-19	R-30	R-19	R-30	R-30	R-30	R-30	R-30	R-30	R-30[e]	R-30	R-30[e]	R-30[e]	R-30[e]
Slab-on-Grade Floors																
Unheated slabs	NR	NR	NR	NR	NR	NR	NR	R-10 for 24 in. below	NR	R-10 for 24 in. below	R-10 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-20 for 24 in. below
Heated slabs	R-7.5 for 12 in. below	R-7.5 for 12 in. below	R-7.5 for 12 in. below	R-7.5 for 12 in. below	R-10 for 24 in. below	R-10 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-15 for 24 in. below	R-20 for 48 in. below	R-20 for 24 in. below	R-20 for 48 in. below	R-20 for 48 in. below	R-20 for 48 in. below
Opaque doors																
Swinging	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.70	U – 0.50	U –0.50	U – 0.50	U – 0.50	U – 0.50
Roll-up or sliding	U – 1.45	U – 1.45	U – 1.45	U – 1.45	U – 1.45	U – 1.45	U –0.50	U – 0.50	U –0.50	U – 0.50	U – 0.50	U – 0.50	U – 0.50	U – 0.50	U – 0.50	U – 0.50

For SI: 1 inch = 25.4 mm.

ci = Continuous insulation. NR = No requirement.

a. When using *R*-value compliance method, a thermal spacer block is required, otherwise use the *U*-factor compliance method. [see Tables 502.1.2 and 502.2(2)].

b. Assembly descriptions can be found in Table 502.2(2).

c. R-5.7 ci is allowed to be substituted with concrete block walls complying with ASTM C 90, ungrouted or partially grouted at 32 inches or less on center vertically and 48 inches or less on center horizontally, with ungrouted cores filled with material having a maximum thermal conductivity of 0.44 Btu-in./h-f^2 F.

d. When heated slabs are placed below grade, below-grade walls must meet the exterior insulation requirements for perimeter insulation according to the heated slab-on-grade construction.

e. Steel floor joist systems shall to be R-38.

TABLE 502.3
BUILDING ENVELOPE REQUIREMENTS: FENESTRATION

CLIMATE ZONE	1	2	3	4 EXCEPT MARINE	5 AND MARINE 4	6	7	8
Vertical fenestration (40% maximum of above-grade wall)								
***U*-factor**								
Framing materials other than metal with or without metal reinforcement or cladding								
U-factor	1.20	0.75	0.65	0.40	0.35	0.35	0.35	0.35
Metal framing with or without thermal break								
Curtain wall/storefront *U*-factor	1.0	0.70	0.60	0.50	0.45	0.45	0.40	0.40
Entrance door *U*-factor	1.20	1.10	0.90	0.85	0.80	0.80	0.80	0.80
All other *U*-factor[a]	1.20	0.75	0.65	0.55	0.55	0.55	0.45	0.45
SHGC-all frame types								
SHGC: PF < 0.25	0.25	0.25	0.25	0.40	0.40	0.40	0.45	0.45
SHGC: 0.25 ≤ PF < 0.5	0.33	0.33	0.33	NR	NR	NR	NR	NR
SHGC: PF ≥ 0.5	0.40	0.40	0.40	NR	NR	NR	NR	NR
Skylights (3% maximum)								
U-factor	0.75	0.75	0.65	0.60	0.60	0.60	0.60	0.60
SHGC	0.35	0.35	0.35	0.40	0.40	0.40	NR	NR

NR = No requirement.
PF = Projection factor (see Section 502.3.2).

2009 I-Code Update: ***International Energy Conservation Code***® published by International Code Council®, Inc. ▪ 4051 West Flossmoor Road ▪ Country Club Hills, IL 60478 ▪ U.S.A. ▪ Phone 1-888-ICC-SAFE (422-7233) ▪ Fax (708) 799-2651 ▪ http://www.iccsafe.org/training ▪ Copyright January 2009

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