

**RESOLUTION TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL ENERGY
CONSERVATION CODE WITH AMENDMENTS, AND AMENDMENT TO THE 2018
RESIDENTIAL CODE**

WHEREAS, the Montgomery County Board of Commissioners has determined that it is in the best interest of the citizens of this county to adopt the 2018 Codes relating to energy, in order to remain compliant with Tennessee Code Annotated (T.C.A.) § 68-120-101-(b)(5)(A); and amended; and

WHEREAS, on July 1, 2023, Public Chapter 312 became effective directly, among other things, that exempt jurisdictions cannot be more stringent than the currently adopted state energy code language; and

WHEREAS, the existing code for Montgomery County, Tennessee was adopted in Resolution 20-10-6 must be amended to comply with all applicable State requirements now existing.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of Commissioners assembled in Regular Session on this 8th day of January 2024, that Resolution 20-10-6 is hereby amended to comply with now existing state law and Resolution 20-10-6 adopting the 2018 Editions is hereby amended and that to that extent any existing Resolutions to the contrary are hereby repealed in that respect only.

BE IT FURTHER RESOLVED that :

1. Unless otherwise provided by applicable law or the provisions of this chapter, the required minimum codes and standards for the construction of one (1) and two (2) family dwellings, townhouses, and additions thereto of thirty (30) square feet or more of interior space in the State of Tennessee shall be those prescribed in the following publications:
 - a. International Residential Code (IRC), 2018 edition which was adopted by Resolution 20-10-6, amended as follows:
 - i. Section N1102.4.1.2 (R402.4.1.2) Testing is replaced with Section N1102.4.2.1 Testing Option and Section N1102.4.2.2 Visual Inspection from 2009 IRC.
 - ii. Section N1103.3.3 (R403.3.3) Duct Testing (Mandatory) and Section N1103.3.4 (R403.3.4) Duct Leakage (Prescriptive) are optional.
 - iii. Table N1102.1.2 (R402.1.2) Insulation and Fenestration Requirement by Component and Table N1102.1.4 (R402.1.4) Equivalent U-Factors from 2018 ONE AND TWO FAMILY DWELLINGS AND TOWNHOUSES CHAPTER 0780-02-23 (Rule 0780-02-23-.02, continued) December, 2022 (Revised) 3 IRC are replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U-Factor from 2009 IRC.

- iv. Section N1102.4.4 (R402.4.4) Rooms Containing Fuel-Burning Appliances is deleted in its entirety.
 - v. Table N1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "l": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 3 when a Fenestration U-Factor of .50 or lower is used, a Skylight U-Factor of .65 or lower is used, a Glazed Fenestration SHGC of .30 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."
 - vi. Table N1102.1 Insulation and Fenestration Requirements by Component in the 2009 edition is adopted and amended by adding the following as footnote "m": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 4 when a Fenestration U-Factor of .35 or lower is used, a Skylight U-Factor of .60 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."
- b. International Energy Conservation Code (IECC), 2018 edition is adopted, as published by the ICC, except that:
 - i. Section R402.4.1.2 Testing is deleted and replaced with Section 402.4.2.1 Testing Option and Section 402.4.2.2 Visual Inspection Option from 2009 IECC.
 - ii. Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.
 - iii. Table 402.1.2 Insulation and Fenestration Requirements by Component and Table R402.1.4 Equivalent U-Factors are deleted and replaced with Table 402.1.1 Insulation and Fenestration Requirements by Component and Table 402.1.3 Equivalent U-Factors 2009 IECC. (2) Paragraph (1) of this rule shall not be construed as adopting any provision of the cited publications which establishes:
 - (a) Any provision superseded by law;
 - (b) An optional or recommended, rather than mandatory, standard or practice; or
 - (c) Any agency, procedure, fees, or penalties for administration or enforcement purposes inconsistent with these rules.
2. Paragraph 1 of this rule shall not be construed as adopting any provision of the cited publications which establishes:
 - a. Any provision superseded by law; (b) An optional or recommended, rather than mandatory, standard or practice; or
 - b. Any agency, procedure, fees, or penalties for administration or enforcement purposes inconsistent with these rules.
 3. The provisions of the cited publications adopted by reference in paragraph (1) shall govern the manner in which:

- a. The codes and standards are applied to construction of one (1) and two (2) family dwellings, townhouses, and additions thereto of thirty (30) or more square feet of interior space as defined in this chapter;
- b. Occupancies and types of construction are classified for the purpose of determining minimum requirements of the codes and standards;
- c. The specific requirements of the codes and standards may be modified to permit the use of alternate materials or methods of construction.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its passage on the 8th day of January 2024, public welfare requiring it.

Duly passed and approved the 8th day of January, 2024.

Sponsor 
Rod Streeter, Building Commissioner

Commissioner 
John Gannon

Approved 
Wes Golden, County Mayor

Attested  CD in behalf of Teresa Cottrell
Teresa Cottrell, County Clerk

