SUMNER COUNTY COMMISSION

355 N. Belvedere Drive
Gallatin, Tennessee 37066-5410

Legislative Committee
Jeremy Mansfield, Chairman
David Klein, Vice-Chairman
Robert B. Brown III
Darrell Rogers
Matthew Shoaf
Jamie Teachenor
Merrol Hyde, Commission Chairman

Commissioners

Terry Moss- 1
Terry Wright- 2
Mark Harrison- 3
Dillon Lamberth- 4
Darrell Rogers- 5
David Klein- 6
Danny Sullivan- 7
Baker Ring- 8
Mary Genung- 9
Benjamin A. Harris- 10
Kevin Pomeroy- 11
Deborah Holmes- 12
Terri Boyt- 13
Jamie Teachenor- 14
J. Wes Wynne- 15
Jeremy Mansfield- 16
Robert B Brown III- 17
Don Schmit- 18
Shannon Burgdorf- 19
Merrol Hyde- 20
Jerry F. Becker- 21
Matthew Shoaf- 22
Tim Jones- 23
Chrissi S. Miller- 24

AGENDA
LEGISLATIVE COMMITTEE
5:30 p.m.
March 13, 2023
Jeremy Mansfield, Chairman

1. **Call to Order**
2. **Invocation**
3. **Approval of Agenda**
4. **Approval of minutes of February 13, 2023**
5. **Recognition of the Public**
6. **Report of the Chairman**
7. **Report of the County Mayor**
8. **Old Business**
   a. FEMA Hazard Mitigation Grant Property located at 2268 TN-25 Cottontown, TN 37048
9. **New Business**
   a. Veterans' service report and presentation (attached)
   b. Accepting the bond for the Finance Director
   c. Amending personnel policy for the Sumner County Highway Department (attached)
   d. Accepting the review of the Judicial Magistrate Program (attached)
   e. Resolution authorizing Sumner County, Tennessee to join the State of Tennessee and other local governments in amending the Tennessee State-Subdivision Opioid Abatement Agreement and approving the related settlement agreements (attached)
   f. Resolution to establish an updated OSHA Program Plan (attached)
   g. 2021 Code Resolution (Codes Department) (attached)
   h. Alternative to adopting Chapter 31 Tents, Temporary Special Events and Chapter 56 Explosives and Fireworks of the International Fire Code (attached)
   i. Citizen plaque placement for Shackle Island Volunteer Fire Department

SUMNER COUNTY COMMISSION

355 N. Belvedere Drive
Gallatin, Tennessee 37066-5410

10. Commission Recognition

a. Liberty Creek High School Varsity Cheerleading Team
b. Liberty Creek High School Junior Varsity Cheerleading Team
c. Liberty Creek Middle School Cheerleading Team
d. Hendersonville High School Cheerleading Team
e. Coach Ed Martin
f. Fay Snow- EMS employee retiring
g. Colin Cook

11. Zoning

a. **SCOTTY PARKER STORAGE PUD- REZONING-** Applicant is seeking to rezone property from Rural Residential (RR) to Planned Unit Development (PUD) for the purpose of constructing and operating an automotive storage facility. Subject property is located at 1618 Scotty Parker Road, Gallatin, TN, 37066, is part of Tax Map 104, Parcel 005.01, contains 5.49 acres and is zoned Rural Residential (RR). **First Reading** (see attached)

12. Adjournment

MINUTES
LEGISLATIVE COMMITTEE
JEREMY MANSFIELD, CHAIRMAN
FEBRUARY 13, 2023

Present:
Jeremy Mansfield, Chairman
David Klein, Vice-Chairman
Robert B. Brown III
Merrol N. Hyde, Commission Chairman
Darrell Rogers
Matthew Shoaf
Absent:
Jamie Teachenor

Also Present:
Eric Sitler, Law Director
John C. Isbell, County Mayor
Steve Weiner, Staff Attorney
Merrol Hyde, Commission Chairman
Jennifer Mitchell, minute taker

Chairman Jeremy Mansfield brought the regular scheduled Legislative Committee meeting to order with an invocation on Monday, February 13, 2023, at 5:30 p.m. Chairman Mansfield declared a quorum present to conduct business.

3. Approval of Agenda. Without objection, Chairman Mansfield removed item 9e from the agenda. Upon motion of Comm. Brown, seconded by Comm. Shoaf, the Committee voted unanimously to approve the agenda, as amended.

4. Approval of minutes of January 9, 2023. Upon motion of Comm. Shoaf, seconded by Comm. Klein, the Committee voted unanimously to approve the minutes of January 9, 2023.

5. Recognition of the Public.

Wayne Padgett of 279 Bursby Branch Road, Cottontown spoke to the FEMA properties in Cottontown Community. He asked the Committee to go with the original FEMA plan that would cover 75% of costs, 12.5% by state and 12.5% by the County, to move the post office.

6. Report of the Chairman. No report

7. Report of County Mayor. No report

8. Old Business.

a. FEMA Hazard Mitigation Grant Properties locates at 2265 TN-25 and 2268 TN-25 Cottontown, TN 37048.

Chairman Mansfield moved, seconded by Comm. Klein, to discuss. The motion carried unanimously.

Comm. Klein opened discussion with information he confirmed with Finance Director David Lawing and Grants Administrator Kim Norfleet. He presented a spreadsheet with two scenarios (attached).

Scenario 1: Original plan of demolishing the house at 2268 TN-25 and moving post office to 2320 TN-25 with a permanent foundation would cost the County $179,307.63.

Scenario 2: Stop and leave post office and house where they are would cost the County $165,796.08.

After lengthy discussion, Comm. Shoaf moved, seconded by Chairman Mansfield, to modify scenario 2 to add $6,000.00 to demolish house.

After further discussion, Comm. Shoaf withdrew his original motion, Chairman Mansfield agreed as the seconder.

Comm. Shoaf moved, seconded by Comm. Klein, to approve scenario 2.

Comm. Shoaf moved to rescind his motion, Comm. Klein agreed as the seconder.

Chairman Mansfield moved, seconded by Comm. Shoaf, to proceed with closing out property 1 known as the general store. The motion carried unanimously.

After discussion, Comm. Rogers moved, seconded by Comm. Shoaf, to defer the post office and Draper house property to next month. The motion carried unanimously.

b. A Resolution requesting the Governor of Tennessee and State Attorney General take appropriate action to protect the medical freedom of those serving in the Tennessee Army and Air National Guard and Tennessee State Guard (attached).

Comm. Shoaf moved, seconded by Chairman Mansfield, to discuss. The motion carried unanimously.

Comm. Shoaf gave a brief overview of the resolution presented.

Comm. Shoaf moved, seconded by Chairman Mansfield, to approve the resolution and forward to full Commission. The motion carried unanimously.

9. New Business.

a. Veterans' service report (attached for info only). No action taken

b. 2023 Property Taxpayers Protection Act (attached).

Chairman Mansfield explained this will provide equal standards with counties and cities in being able to collect impact fees to pay for services that are a by product of growth.

Comm. Shoaf moved, seconded by Comm. Klein, to approve the 2023 Property Taxpayers Protection Act and forward to full Commission. The motion carried unanimously.

c. Resolution prohibiting eminent domain from being used to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street (attached).

Chairman Mansfield explained that it would have to be a Public Act if the municipalities are listed. He removed the cities so it can move forward as a Private Act.

Comm. Rogers moved, seconded by Comm. Shoaf, to approve resolution and forward to full Commission. The motion carried unanimously.

d. Potential time change for monthly meeting.

Chairman Mansfield recommended permanently moving meeting time to 5:30 pm.

Comm. Shoaf moved, seconded by Comm. Rogers, to approve meeting time change to 5:30 pm. The motion carried unanimously.

10. Commission Recognition.

a. Beverly Richards Surles – 99th Birthday
b. Liberty Creek High School Varsity Cheerleading Team
c. Liberty Creek High School Junior Varsity Cheerleading Team
d. Liberty Creek Middle School Cheerleading Team

e. Hendersonville High School Cheerleaders – TSSAA 5-PEAT State Champions
f. Beech High School Football Team
g. Kelley M. Bennett – juvenile court retirement
h. Coach Ed Martin

Comm. Shoaf moved, seconded by Comm. Rogers, to group and approve items 10a through 10h. The motion carried unanimously.

11. Zoning.

10. Adjournment. Chairman Mansfield declared the meeting adjourned at 6:34 p.m. upon motion of Comm. Shoaf, and seconded by Comm. Rogers.

Prepared by Jennifer Mitchell

Scenario #1: Go with the original Plan of demolitioning the house at 2268 and moving the Post Office to 2320 with a permanent foundation

	Total Cost	Property #1	Property #2	Property #3	County Share of Expenses 12.50%
Description:		Old General Store	Historic Post Office	First School/ Comm. Center	
Address:		2265 Hwy 25	2268 Hwy 25	2320 Hwy 25	
Acreage:	-	1.0	2.4	1.8	
Acquisition Date:		2/15/22	2/15/22	6/17/19	
Archaeology Report:	$ 1,500.00	$ 750.00	$ 750.00		$ 1,500.00
FEMA Reimbursement:	$ -	$ -	$ -		
Property Appraisal:	$ 1,200.00	$ 600.00	$ 600.00		$ 150.00
FEMA Reimbursement:	$ (1,050.00)	$ (525.00)	$ (525.00)		
Hazardous Material Testing Report:	$ 2,900.00	$ 1,450.00	$ 1,450.00		$ 362.50
FEMA Reimbursement:	$ (2,537.50)	$ (1,268.75)	$ (1,268.75)		
Property Acquisition:	$ 226,376.04	$ 105,000.00	$ 121,376.04	$ 10.00	$ 10.00
Property Acquisition Closing Costs:	$ 3,404.60	$ 1,672.50	$ 1,732.10	$ 32.00	$ 32.00
FEMA Reimbursement:	$ (201,058.06)	$ (93,338.44)	$ (107,719.62)		$ 28,722.58
Building Demolition:	$ 55,845.00	$ 49,845.00	$ 6,000.00	$ 19,800.00	$ 26,780.62
FEMA Reimbursement:	$ (48,864.38)	$ (43,614.38)	$ (5,250.00)		
	$ -				
**FEMA Scope Change Budget Amendment-not possible:	$ 48,059.93	$ 36,765.31	$ 11,294.62		$ 48,059.93
Post Office Relocation:	$ 63,690.00		$ 63,690.00		$ 63,690.00
New Post Office Foundation:	$ 10,000.00		$ 10,000.00		$ 10,000.00
FEMA Reimbursement:	$ -		$ -		
Total FEMA Property Expenses:	**$ 364,915.64**	**$ 159,317.50**	**$ 205,598.14**	**$ 19,842.00**	
Total FEMA Reimbursements:	**$ (205,450.01)**	**$ (101,981.25)**	**$ (103,468.75)**		
Total FEMA Property Costs to Sumner County:	**$ 159,465.63**	**$ 57,336.25**	**$ 102,129.39**		
Grand Total Costs to Sumner County:	**$ 179,307.63**	**$ 57,336.25**	**$ 102,129.39**	**$ 19,842.00**	**$ 179,307.63**

**FEMA Scope Change Budget Amendment-not possible: The maximum reimbursement FEMA will pay under the initial plan is $205,450.00. There is not time to process a request for increase caused by increased property values and demolition costs. Those increases have caused a reimbursement shortfall of $48,059.94 if we proceed with Scenario #1. Scenario #2 will be within budget so there will be no shortfall.

Scenario #2: Stop where we are at and leave the Post Office and House where they are.

	Total Cost	Property #1	Property #2	Property #3	
Description:		Old General Store	Historic Post Office	First School/ Comm. Center	County Share of Expenses
Address:		2265 Hwy 25	2268 Hwy 25	2320 Hwy 25	
Acreage:	-	1.0	2.4	1.8	
Acquisition Date:		2/15/22	2/15/22	6/17/19	12.50%
Archaeology Report:	$ 1,500.00	$ 750.00	$ 750.00		$ 1,500.00
FEMA Reimbursement:	$ -	$ -	$ -		
Property Appraisal:	$ 1,200.00	$ 600.00	$ 600.00		$ 150.00
FEMA Reimbursement:	$ (1,050.00)	$ (525.00)	$ (525.00)		
Hazardous Material Testing Report:	$ 2,900.00	$ 1,450.00	$ 1,450.00		$ 1,631.25
FEMA Reimbursement:	$ (1,268.75)	$ (1,268.75)			
Property Acquisition:	$ 226,376.04	$ 105,000.00	$ 121,376.04	$ 10.00	$ 10.00
Property Acquisition Closing Costs:	$ 3,404.60	$ 1,672.50	$ 1,732.10	$ 32.00	$ 32.00
FEMA Reimbursement:	$ (93,338.44)	$ (93,338.44)			$ 136,442.20
Building Demolition:	$ 49,845.00	$ 49,845.00		$ 19,800.00	$ 26,030.63
FEMA Reimbursement:	$ (43,614.38)	$ (43,614.38)			
FEMA Scope Change Budget Amendment-not necessary:	$ -		$ -		
Post Office Relocation:	$ -				
New Post Office Foundation:	$ -				
FEMA Reimbursement:	$ -		$ -		
Total FEMA Property Expenses:	**$ 285,225.64**	**$ 159,317.50**	**$ 125,908.14**	**$ 19,842.00**	
Total FEMA Reimbursements:	**$ (139,271.56)**	**$ (138,746.56)**	**$ (525.00)**		
Total FEMA Property Costs to Sumner County:	**$ 145,954.08**	**$ 20,570.94**	**$ 125,383.14**		
Grand Total Costs to Sumner County:	**$ 165,796.08**	**$ 20,570.94**	**$ 125,383.14**	**$ 19,842.00**	$ 165,796.08

Color Key

FEMA Reimbursements

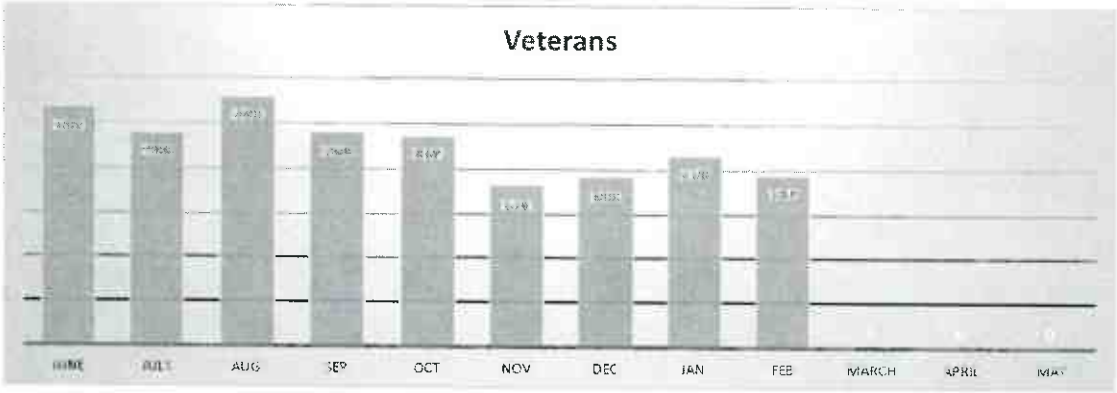
Grand Total Costs to Sumner County

Financial Difference between Scenarios: $ (13,511.56)

Sumner County Veterans Service Office
Monthly Report

Activity Report 2022 - 2023

Office Activity	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	March	April	May
Interviews												
Appointments	61	59	77	68	49	36	37	33	32			
Walk-ins	111	91	105	99	88	61	76	70	73			
Total Inverviews	**172**	**150**	**182**	**167**	**137**	**97**	**113**	**103**	**105**	**0**	**0**	**0**
Letters Mailed Out	4	8	8	14	8	3	3	8	5			
Faxed/ In & Out	55	43	98	45	57	94	21	190	58			
Phone calls Returned	579	455	523	495	497	322	432	444	334			
Emails returned	368	387	415	144	228	207	189	226	250			
Claims filed	117	122	129	111	98	71	78	92	100			
Other claim related activities (forms completed, uploaded, and communication)	1315	1165	1370	1290	1205	928	961	977	982			
Total Office Activities	**2610**	**2330**	**2725**	**2266**	**2230**	**1722**	**1797**	**2040**	**1834**	**0**	**0**	**0**
Outreach	Interviews											
Westmoreland	4	1	3	3	4	3	1	2	1			
Portland	3	7	5	9	11	2	2	3	2			
Hendersonville	4	3	12	9	14	11	4	7	9			
Assisted Living Facility/ Nursing Home	1	0	1	1	1	3	1	3	2			
Veteran In-Home Visits	1	3	6	5	1	2	4	11	5			
VFW Hendersonville	3	3	2	2	1	1	2	1	5			
VFW Westmoreland	0	1	2	2	0	0	0	0	0			
Total Outreach Activities	**16**	**18**	**31**	**31**	**32**	**22**	**14**	**27**	**24**	**0**	**0**	**0**
Other Activity												
Training	2	2	2	6	2	2	8	1	5			
Hours donated by volunteers (in office & outreach)				68	77	44	62	49	48			
DD214 - TN War Records & other states	26	21	18	11	10	12	11	22	13			
National Personal Records Request	3	3	1	3	3	1	3	4	2			
DPRIS	12	11	13	10	8	8	13	13	11			
Total Other Activity	**43**	**37**	**34**	**98**	**100**	**67**	**97**	**89**	**79**	**0**	**0**	**0**
Total Monthly Activity	**2669**	**2385**	**2790**	**2395**	**2362**	**1811**	**1908**	**2156**	**1937**	**0**	**0**	**0**

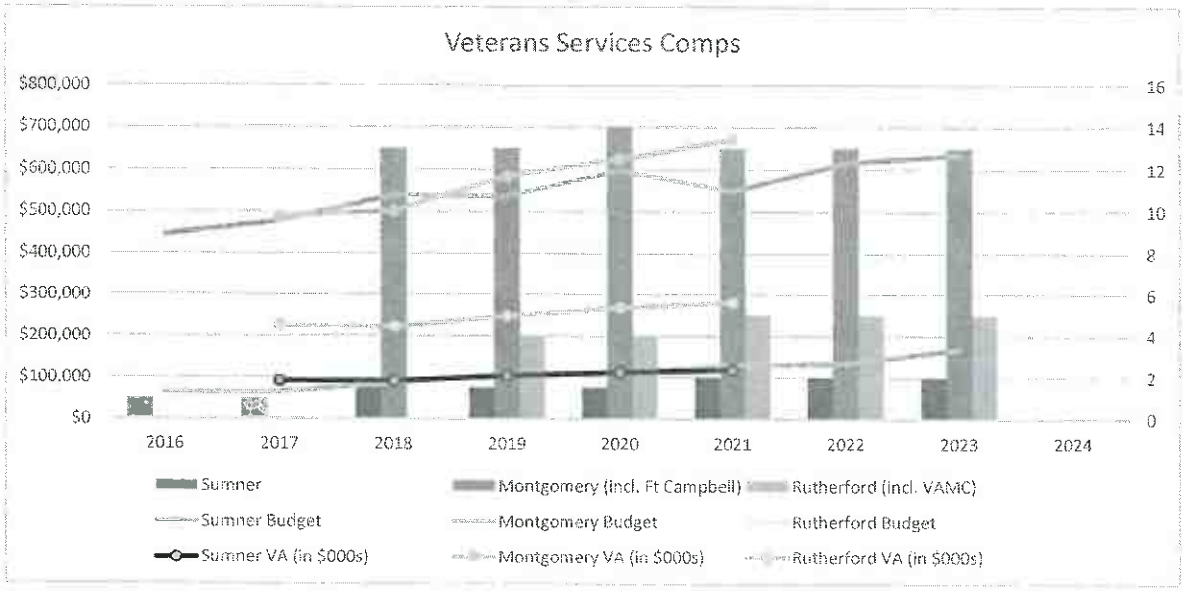


Veterans Services

Budget	2016	2017	2018	2019	2020	2021	2022	2023	2024
Sumner Budget	$63,483	$64,061	$86,603	$107,247	$111,434	$129,584	$133,852	$168,542	
Montgomery Budget	$444,987	$476,373	$537,738	$536,057	$598,316	$547,807	$616,455	$634,833	
Rutherford Budget									

Service Officer FTE								
Sumner	1	1	1.5	1.5	1.5	2	2	2
Montgomery (incl. Ft Campbell)			13	13	14	13	13	13
Rutherford (incl. VAMC)				4	4	5	5	5

Total VA Expenditure (in $000s)					
Sumner VA (in $000s)	$ 91,139	$ 90,802	$104,371	$112,583	$119,278
Montgomery VA (in $000s)	$488,388	$500,939	$583,907	$624,946	$669,878
Rutherford VA (in $000s)	$224,260	$222,005	$248,028	$268,427	$281,216



SUMNER COUNTY HIGHWAY DEPARTMENT

PERSONNEL POLICIES

Effective March 1, 2023

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The Sumner County Highway Department Personnel Policies is not an employment contract and does not create contractual obligations of any kind. The Sumner County Highway Department reserves the rights to change, revise, and/or eliminate Any of the policies and/or benefits described.

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THIS POLICY IS NOT AN EMPLOYMENT CONTRACT AND EMPLOYMENT CAN BE TERMINATED FOR ANY REASON

The following personnel policy shall apply to all employees of the Sumner County Highway Department.

1.) EMPLOYMENT CLASSIFICATIONS

There are three classifications of employees:

Regular Full-Time – An employee whose hours of service average 30 or more hours a week on an annual basis.

Regular Part-Time – An employee whose hours of service average less than 30 hours a week on an annual basis.

Temporary – An employee who is hired for a position that will last 6 months or less.

2.) CONDUCT OF COUNTY EMPLOYEE

Personal appearance will be regarded as an important aspect of your overall effectiveness. All employees are expected to keep themselves well groomed at all times. Shirts will be worn at all times. Shorts are permissible but, no cut offs. It is mandatory that all proper PPE be worn, i.e vest, hats, glasses, etc.

Courtesy must be shown in all contact with the public. This is to be expected regardless of the service, complaint or demand made of the employee. However, if you are subjected to abuse, you should report it to your immediate supervisor or the Superintendent at once.

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3.) PERSONNEL FILES

An individualized personnel file will be maintained on each employee. It is the responsibility of each employee to provide accurate information to the employer. Employees are also responsible for reporting to the employer any changes in the information which they have previously provided. Employees may review the contents of their personnel file upon request pursuant to office policy.

4.) EMPLOYMENT AT WILL

No policy, benefit, or procedure contained in these personnel policies creates an employment contract for any period of time. All employees will be considered employment-at-will. Either the employee or Sumner County Highway Department may terminate employment at any time, with or without reason or notice. No statement or promise by a supervisor, manager, or department head may be interpreted as a change in policy nor will it constitute an agreement made with an employee.

There will be an evaluation period of six (6) months for all employees. During this time the employee will be closely supervised in order to become familiar with duties and responsibilities.

5.) EMPLOYMENT ELIGIBILITY

Upon initial employment, all employees are required to attest that they are lawfully eligible to work in the United States. Employees are further required to provide to the employer copies of documents proving this eligibility.

6.) TIME AND TIME RECORDS

Office hours will vary depending on the work load and season. There is a minimum of thirty minutes, but no longer than an hour where the office employees are totally relieved of all duties for lunch. Each employee shall review and sign their time sheet or card, which shall show sick leave, holiday leave and vacation time taken. MAKE SURE YOU CHECK YOUR TIME RECORD, we strive to be accurate but it is your responsibility to check it.

A time clock is located at the main location of the Highway Department. All employees are required to clock in and out every day that they work. Excessive "Missing the Clock" & requesting "manual punches" will not be tolerated.

Employees will be paid every other Friday except when holidays prohibit, then the employees will be paid on the last working day of the pertaining week.

7.) EMPLOYEE COMPENSATION

All eligible employees shall be paid overtime or given compensatory time (subject to allowable limits) for all hours over forty (40) during the workweek. The workweek will begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday.

Employees who are required to physically work in excess of forty (40) hours per week may receive compensatory time off in lieu of overtime at the discretion of the Road Superintendent. Such compensatory time shall be earned at a rate of one and one-half hours for each hour of employment over forty (40) hours per week. An employee cannot accrue more than 160 hours overtime which is two-hundred-forty (240) hours of compensatory time. This balance must be below this number by June 30th of each year.

The use of compensatory time is subject to approval by the employer. Such approval will not be denied unless undue disruption to the office or department will occur.

Office hours will vary depending on the work load and season. Employees are entitled to a minimum 30-minute break every day for lunch. Each employee shall review and sign their time sheet or card, which shall show sick leave, holiday leave, and vacation time taken.

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8.) PAYROLL DEDUCTIONS

Mandatory deductions are Social Security and Withholding for Federal Income Tax. Other deductions are further explained.

Sumner County offers regular full-time employees and their family optional health, dental & vision insurance plans. If interested in coverage, contact the office personnel concerning rates and effective dates. An employee who is on leave of absence may keep their insurance in effect for up to three months so long as the employee portion of the premium is paid by the employee by the first of each month. After the three months, COBRA may be available.

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1. The county provides accidental dismemberment and term life insurance in the amount of what each employee gross annual salary would be, rounded up to the next $1,000.00; (i.e. annual salary is $13,500.00 your life insurance would be $14,000.00). This benefit is paid for by the county.

2. Uniform service is optional to the employees. Any employee having uniform service is responsible for accounting for his/her uniforms. The payroll deduction for this service depends on the type and number of uniforms that are requested.

   a. Any terminating employee having uniform service is required to bring in all uniforms that are on record as his/hers.

   b. The cost of any terminating employee's uniforms that are not accounted for nor turned in will be calculated and deducted from the terminating employees final payroll check.

3. Additional supplemental insurance (life, accident, cancer, etc.) is offered to regular full-time employees once a year during open enrollment. These can be purchased by employees and the cost for this additional coverage's will be deducted from the payroll checks as a voluntary deduction

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9.) HOLIDAYS

The following paid holidays will be declared official holidays for the office of the Sumner County Highway Department and employees will be excused from work without charge to leave and will be paid at a rate of 10 hours per holiday.

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New Year's Day ----------January 1
Martin Luther King, Jr. Day ----------3rd Monday in January
President's Day ----------3rd Monday in February
Good Friday ----------Friday before Easter
Memorial Day ----------Last Monday in May
Juneteenth----------June 19th
Independence Day ----------July 4
Labor Day----------1st Monday in September
Columbus Day----------2nd Monday in October
Veteran's Day ----------November 11
Thanksgiving Day ----------4th Thursday in November
Friday after Thanksgiving----------4th Friday in November
Christmas Eve ----------December 24
Christmas Day ----------December 25
Election Days----------Decided @County Officials Discretion

When a holiday falls on Friday, the Thursday prior to the holiday is substituted. When a holiday falls on Sunday, the Monday following the holiday is substituted. On the occasions when Christmas Day falls on Monday, the Christmas Eve holiday will be observed on Thursday, proceeding Christmas Day. On those occasions when Christmas falls on Saturday, the Christmas holiday will be observed on the subsequent Monday. These holidays are subject to review and change by the Sumner County Officials Association.

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Every effort will be made to allow all employees off on each designated holiday. If it is necessary for an employee to work on a holiday, he shall be compensated at a rate which is one and one-half times the employee's regular rate of pay for the hours actually worked.

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Sumner County Highway Department employees will be given their Birthday off with pay each calendar year at a pay rate of ten (10) hours. Employees are to take the paid day off on their birthday or

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within 30 days following the birthday.

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10.) PAID ANNUAL LEAVE ACCUMULATION & USE

Regular full-time personnel shall accrue paid annual leave in accordance with the following schedule:

Year of Service	Maximum Annual Accumulation
One – 2	1 week (40 hours)
3 – 4	2 weeks (80 hours)
5 & over	3 weeks (120 hours)

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Eligible employees must be actively employed for six months before a paid annual leave can be earned and taken, the employee shall earn paid annual leave on their anniversary date. No vacation time will be credited to an employee until it has been earned.

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Without prior approval from the superintendent the maximum accumulation of annual leave may not exceed 240 hours. Any exceptions to the annual leave policy will be made only for those personnel who have had a heavy work load throughout the past year (preventing use of annual leave). Employees otherwise eligible to earn paid annual leave do not earn or accrue paid annual leave while out on leave of absence.

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The purpose of paid annual is to provide all regular full-time employees with periods of rest and relaxation away from the work environment. Each employee shall complete a vacation request form. When taking 2 or more days of vacation, this must be approved at least **two (2) weeks in advance** by the employee's supervisor and superintendent. All eligible employees that are on Family and Medical Act Leave that have exhausted all of their accrued sick leave must use any accrued paid annual leave.

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Use of Vacation Time.-Vacation time will not be available for use by an employee until it is accrued. Vacation leave may be used only at times approved in advance by the superintendent. Seniority will be used to determine any leave request conflicts. Vacation can be denied depending on the seasonal work load. No employees may give or loan vacation to another employee. An employee may not carry a negative balance at any point.

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11.) DISPOSITION OF ACCRUED VACATION LEAVE UPON TERMINATION

Upon termination of employment, an employee shall be paid for all accrued but unused annual leave, unless the employee was terminated for gross negligence or resigned to avoid termination for gross negligence.

At the option of the employee, any accrued and unused paid annual leave shall be paid by terminal leave or by a lump sum payment. Terminal leave is that period during which an employee remains on the payroll beyond their last working day until all of their accrued paid annual leave has been exhausted.

During terminal leave, an employee shall not earn additional annual or sick leave, shall not be eligible for use of sick leave and shall not be eligible for any salary increases. If an employee elects terminal leave, the date on which the employee' annual leave is exhausted shall be the official date of termination, but the last date of work shall be the last paid working day.

12.) SICK LEAVE ACCRUAL & USE

Sick leave shall be considered a benefit and privilege, not a right. Regular full-time employees shall accrue sick leave at the rate of one day (10 hours) per month (12 days per year or a total of 120

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hours) for each month of service, which shall be earned after the completion of each month. There is no maximum accumulation of sick leave. Sick leave has no cash value. No employee may give or loan sick leave to another employee.

If an employee is in a paid status for one-half of the month or more, he/she will be credited with one day of sick leave for the month. Otherwise, he/she will not accrue any sick leave time for the month. Employees, otherwise eligible to earn sick leave, do not earn or accrue sick leave while on leave of absence.

General Use of Sick Leave

Sick leave is generally applicable to absences due to illness or injury to an employee, including illness or incapacity to work due to pregnancy and complications. Sick leave can be used for appointments with a licensed doctor, dentist, or recognized practitioners. When appropriate, a partial sick day may be used rather than a full day, a full day constitutes the number of assigned hours. During an illness related to mother, father, wife, husband or children, sick leave may be granted by the superintendent and in accordance with the Family and Medical Leave Act. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and the time changed to sick leave. However, such request must be justified by means of a doctor's statement upon return to work. Sick leave may not be used in advance. Employees must have a minimum of 120 hours of sick time accumulated before it can be used for PTO (paid time off). Any excess of 120 hours may be used up to 3 days towards PTO per year.

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Documentation of Sick Leave

Employees are required to notify the employer as early as possible on the first day of their sick leave absence. An employee who claims sick leave will, after the third consecutive day of illness, be required to furnish a certificate from physician stating the nature of the sickness or injury. The doctor's statement should also provide that said employee has been incapacitated for work for the period of his/her absence, and that he/she is again physically able to perform his/her duties. Abuse and/or misuse of sick leave could result in a doctor's statement being required for any absence due to illness. Evidence of abuse of this benefit will be grounds for dismissal or disciplinary action.

Exhaustion of Sick Leave:

Employees who have used all of their accumulated sick leave will not receive financial compensation for additional days needed due to illness or injury. For any additional time needed, the employee will be considered as on a leave-without-pay-status unless the employee has any accumulated vacation time or compensatory time remaining. The employee may request that additional sick leave be credited against the remaining vacation or compensatory time.

Separation of Employees with Accrued Sick Leave

Upon termination of employment, accumulated sick leave shall not be used as terminal leave, and the employee shall not be entitled to any payment for accumulated sick leave. If a retiring employee is vested in the retirement service any accumulated sick leave will be credited to their service time. (i.e. at the end of 15 years a person retires and he had earned 180 months service time and had 80 sick days accumulated, the service time that his retirement would be based on would be 184 months).

13.) BEREAVEMENT LEAVE

A regular full-time employee will receive up to 3 days of paid leave due to the death of their spouse, parent, child, or sibling and 2 days of paid leave for death of mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, grandchild, or other legal dependent. Up to an additional 3 days of bereavement leave may be granted from accrued but unused sick or vacation leave at the

superintendent's discretion.

14.) FAMILY MEDICAL LEAVE ACT (FMLA)

The FMLA entitles eligible employees to take unpaid, job-protected leave for qualifying family and medical reasons. Generally, an employee is eligible if he/she has worked 1250 hours for Sumner County in the 12-month period prior to requesting leave. Please contact the HR Department to receive information on the FMLA. FMLA leave is based upon a rolling year.

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15.) MATERNITY LEAVE

Pursuant to Tennessee Code Annotated Section 4-21-408, a female employee who has been employed by Sumner County for at least 12 consecutive months as a full-time employee may take up to four months of maternity leave for pregnancy, childbirth, and nursing the infant.

An employee who gives at least three months' advance notice of the date she expects to begin leave, the length of her maternity leave, and her intention to return to full-time employment after maternity leave, shall be restored to her previous or a similar position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of her leave. An employee who is prevented from giving 3 months' notice because of a medical emergency or because she received less than 3 months' notice of the adoption date shall be entitled to the same rights as an employee who gives 3 months' notice.

An employee may utilize accrued but unused sick leave, vacation leave, or compensatory time to remain on a paid status during maternity leave. Any leave taken after those accrued days have expired shall be without pay. FMLA leave and any paid leave an employee utilizes to supplement the unpaid portion of the maternity leave shall all run concurrently with the maternity leave. If an employee chooses to take 4 months' maternity leave, the 4th month may qualify for insurance through COBRA.

16.) JURY AND COURT DUTY

A regular full-time employee who is called for jury duty or subpoenaed to testify as a witness in court will be granted paid leave after he/she provides the superintendent with a copy of the jury summons or subpoena. If an employee is relieved from jury duty or testifying during working hours, the employee must report to work at the Sumner County Highway Department.

17.) OCCUPATIONAL INJURY

The Sumner County Highway Department strives to provide a safe working environment for its employees. In the event an employee is injured or becomes ill arising out of and in the course of employment, the employee will be considered under the Occupational Compensation Plan of Sumner County.

Should an employee become injured by accident or become ill under the provisions of this plan, he/she must immediately report the incident to their supervisor or the superintendent. **Incidents must be reported the same day.** The supervisor/department head should then contact the Risk Management Office. If the injury occurs after normal business hours, a message should be left with the Risk Management Office. An Occupational Injury Report should be completed and immediately sent to the Risk Management Office. If the report is mailed, the original should be delivered to the Risk Management Office within seven (7) days of the injury.

In the event medical attention is needed, contact the Risk Management Office for direction on which treatment facility should be used for on the job injuries. In the event an incident involves a serious injury, please report to the nearest Emergency Room and notify Risk Management of the treatment sought as soon as possible. Except for emergency treatment, Rick Management must give authorization for treatment to the treating facility before the employee receives medical attention.

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18.) MILITARY LEAVE

Sumner County will administer military leaves of absence and returns from leave in accordance with the Uniformed Services Employment and Reemployment Act "USERRA." Employees who are called to service should notify their supervisor or the superintendent.

19.) VOTING LEAVE

An employee may be absent from work to vote while the election polls are open for period of time not to exceed 3 hours and will receive regular compensation during this period. The superintendent may specify the time of day the employee may be absent.

20.) LEAVE WITHOUT PAY

An employee may be granted leave up to 6 months of leave without pay at the discretion of the superintendent. During this period of absence, the employee will not accrue vacation leave, sick leave, or other benefits.

21.) TEMPORARY (SEASONAL) EMPLOYEES

A "seasonal" temporary employee designation will be used for those employees whose regular assigned work schedule is forty (40) hours per week, for a maximum of 39 weeks per employment year. The benefits set out in this manual are intended to apply only to full-time employees, rules and regulations are not intended to establish paid leave of any seasonal employees. The only exception to this is, if the seasonal/temporary employee is working 40 hours a week during a week of a holiday, they will be paid for holiday pay.

22.) DISCRIMINATION STATEMENT

As an equal opportunity employer, employment will be based upon consideration of the qualification of all applicants for employment. Discrimination based upon an applicant's race, color, sex, religion, national origin, age or disability will not be tolerated. An employee will report alleged discriminatory activity to the elected official. If the problem occurs with the elected official, then the employee will report the matter to the HR Department.

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23.) ANTI-HARASSMENT POLICY

Sumner County is committed to maintaining a work environment that is free from discrimination where employees are able to devote their full attention and best efforts to the job. Sumner County will not tolerate any form of harassment of or by any employee (i.e., supervisory or non-supervisory) based on race, sex, religion, color, national origin, age, disability, or any other factor protected by law. The term "harassment" for all purposes includes, but is not limited to, offensive language, jokes, or other verbal, graphic or physical conduct relating to any employee's race, sex religion, color, national origin, age, disability, or other factor protected by law, which would make the reasonable person uncomfortable in the work environment or which could interfere with the person's job performance.

Sexual Harassment. Sexual harassment includes: (a) unwanted physical contact; (b) unwelcome sexual advances or comments or requests for sex or sexual activities linked to ones' employment or advancement, regardless of whether they are based on promises or threats; (c) sexual displays or publications such as calendars, cartoons, or graffiti; (d) other verbal, electronic or physical conduct of a sexual nature that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment; or (e) retaliation for complaints of harassment. Examples of sexual harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding", "teasing", or "practical jokes," jokes about gender specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, electronic communications and physical contact, such as patting, pinching or brushing against another person's body; or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

Other Forms of Harassment: Harassment based on an individual's race, religion, age, national origin, disability, or other protected status is also expressly prohibited. This includes any verbal, written, or physical act in which race, religion, age, national origin, disability, or other protected status is used or implied in a manner that would make a reasonable person uncomfortable in the work environment or that would interfere with the employee's ability to perform the job.

How to Report Harassment: Sumner County cannot resolve matters that are not brought to its attention. Any employee, regardless of position, who has a complaint of or who witnesses harassment at work by anyone, including supervisors, managers, employees or even non-employees, is responsible for immediately reporting it to a supervisor, the superintendent, the HR Department, or appropriate elected official.

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Sumner County will investigate all claims of harassment. Sumner County will meet with the complaining employee to obtain a written account of the harassment, to discuss the results of the investigation, and where appropriate, review the proposed resolution of the matter. If an investigation confirms that harassment has occurred, Sumner County will take appropriate corrective action, up to and including termination.

Anti-Retaliation Policy: Sumner County prohibits attempts or actions of retaliation against employees for having reported possible discrimination or harassment and/or for cooperating with the inspection, investigation and/or proceedings involving complaints of discrimination, harassment and/or safety. Also, you will not be retaliated against for requesting a workplace accommodation or filing any claim

for workers compensation benefits. Any employee who retaliates against another employee in violation of this policy will be subject to disciplinary action, including but not limited to termination.

24) EMPLOYEE CONDUCT

A. PURPOSE

The maintenance of high standards of honesty, integrity, impartiality, and conduct by Sumner County employees is essential to assure the proper performance of Sumner County business and the maintenance of confidence by the public in Sumner County government.

Employees must avoid any action that might result in or create the appearance of using public office for private gain, giving preferential treatment to anyone, impending Sumner County government efficiency or economy, or eroding the public's confidence in Sumner County government's integrity.

B. USE OF TECHNOLOGY RESOURCES

Sumner County's technology resource include but are not limited to computers, software, telephones, facsimile (FAX) and photocopy machines. Sumner County owns and maintains technology resources for the purpose of carrying out Sumner County's business. While Sumner County recognizes that employees may occasionally need to use technology resources for personal reasons all such personal use should be incidental and kept to a minimum. This standard of usage applies to all Sumner County equipment at all times. Repeated or intentional misuse of or damage to Sumner County's technology resources is prohibited. Employees will be required to reimburse the County for any damage caused by intentional misuse or negligence. Information created or stored on Sumner County's technology resources is the property of Sumner County and should not be considered private.

C. COMPUTER AND INTERNET USAGE

Use of a duplicate copy of licensed software is a violation of federal copyright laws and is prohibited by Sumner County. Employees are prohibited from copying county-owned software for their personal use.

Employees shall not change, tamper with, or add to pre-defined network setups and software configurations without the express consent of the responsible department head or elected official.

Employees who are provided portable equipment, whether temporary or permanent, are considered the custodian of that asset and are liable for loss and/or damage caused by negligence.

Employees shall observe established network log-on and log-off guidelines. Each employee is responsible for the documents, messages, and data created or deleted under his/her log-on identification and password.

Electronic mail generated in the course of Sumner County business may be considered a public record under Tennessee law. Therefore, employees should not have the expectation that their e-mail correspondence or files are confidential. Employees shall avoid the use of harassing, offensive, and discriminatory language in electronic mail. Messages addressed to "Everyone" must pertain to Sumner County business and be urgent in nature or of informational use to all employees.

Employee access to and communication on the internet is intended for business purposes only. Any personnel use shall be de minims and infrequent. All information sent or received via the internet shall be considered a matter of public record. Therefore, employees should not have the expectation that their internet activities and messages are confidential.

Employees shall not copy, download, upload, or print illegal material using any Sumner County technology resource.

Where necessary, logon passwords will be assigned by the Systems Administrator. Employees

are not to share their passwords with anyone, including other employees. Divulging your password will be considered a willful breach of security.

D. CELL PHONES:

Cellular phones are considered "listed property" by the Internal Revenue Services. For "listed property", any personnel use is a taxable benefit. Cellular phones are for Sumner County Business use, and any other usage should be de minims.

Over use charges on cellular phones due to personal use will be paid by the employee and if excessive or repetitive, may be grounds for dismissal and will result in the automatic cancellation of cellular phone services.

25.) MISTAKES & ERRORS

All mistakes and/or errors will be reported to the employer immediately before any action is taken to correct the mistake or error. Any errors made by an employee that involves the receiving or disbursing of cash which causes a shortage in funds that cannot be collected by the employee from the person receiving the funds, shall be the responsibility of the employee. The employee shall reimburse the lost funds upon demand of the employer. Failure to reimburse lost funds for any mistakes and/or errors may be grounds for termination.

26.) CONFIDENTIALITY OF OFFICE RECORDS

Any record filed in this office or matter pertaining to this office will not be discussed outside the office. All records are open to the public except those exempted by statute. Any person desiring to review any record not exempted by statute will be allowed to do so in person inside the office. No employee will take any record outside the office or discuss any record outside the office with any person. Improper disclosure of office records may be grounds for termination.

27.) GIFT POLICY

An employee shall not accept cash as a gift or gratuity from a customer or vendor. Small gifts (i.e. candy, cookies, and fruit) may be accepted by an employee and shared with the entire office. The Employer should be notified of any gift received by the office in order to express our appreciation. In a case where an item is in question, the matter should be referred to the Employer.

28.) CONFLICT OF INTEREST

No employee of this office will accept employment or any payment for services from a business or vendor that would receive or provide services to or from this office through that employee. Any questions regarding this policy should be referred to the officeholder or director of finance. Furthermore, no employee will contract work from a business or vendor that would receive or provide services to or from this office through that employee.

29.) FIREARMS AND DANGEROUS INSTRUMENTALITIES

Sumner County, Tennessee, will have a zero tolerance for guns, firearms and dangerous instrumentalities in the workplace.

Any employee who brings a firearm to the workplace or who is found in possession, on County property or in a County vehicle, of any firearm or gun, shall be immediately discharged from employment with Sumner County, Tennessee. This policy excludes those whom are legally authorized to carry firearms, but, a person who is legally licensed to carry a gun personally shall not bring such weapon to work with them.

Persons also using any sort of dangerous instrumentality in a violent manner or to inflict bodily injury to another shall be subjected to the same terms of dismissal.

30.) GOVERNMENT RECORD DESTRUCTION, TAMPERING OR FABRICATION

Tennessee Code Annotated §39-16-504:

1) It is unlawful for any person to:

   a) Knowingly make a false entry in, or false alteration of, a governmental record;

   b) Make, present, or use any record, document or thing with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or

   c) Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, legibility or availability of a governmental record.

A violation of this section is a Class A misdemeanor.

31.) AMENDMENT OF RULES

It is the responsibility of all employees to carry out and comply with the rules and regulations contained in this manual. The employee should be aware that these Rules and Regulations are subject to periodic review and change by the employer. Before relying upon the provisions set out herein, it is the employee's responsibility to check with the employer to see if any changes have occurred.

32.) AMERICAN WITH DISABILITIES ACT (ADA)

The Sumner County Highway Department will not discriminate against a qualified individual with a disability. A qualified individual with a disability is an applicant or employee who can perform the essential functions of the job in question with or without reasonable accommodation. The Sumner County Highway Department will reasonably accommodate qualified applicants and employees with disabilities unless making the accommodation imposes an undue hardship on it. An employee needing accommodation should speak directly with their supervisor or the superintendent.

33.) ELECTRONIC COMMUNICATIONS

Employees of Sumner County have access to a variety of forms of electronic media and services,

including computers, networks, electronic mail, telephones, fax machines, printers, and the Internet. These services are made available to employees in order to help them perform their jobs as efficiently and effectively as possible.

However, all employees should remember the electronic media and services provided by the County are the property of the County and their purpose is to facilitate and support the County. No right of privacy exists in favor of any employee of the County with respect to information placed on the electronic media systems by such employee. All electronic media systems, including but not limited to desktop PCs, laptop PCs, networks, electronic mail, telephone and fax records, printed documents, Internet activity, computer disks and CDs stored in the County's offices are subject to review by the County. Sumner County has the right to review, audit, interrupt, access and discloses messages created, received, or sent over the electronic media systems of the County.

Sumner County or its authorized designee reserves the right to review, at any time, all information contained in these systems (even if previously deleted or archived).

Employees are strictly prohibited from using County time, equipment or technology for personal or entertainment use or for using the voice mail, e-mail or other electronic communications systems in connection with any of the following activities:

- Engaging in illegal, fraudulent, or malicious activities;
- Obtaining, displaying, copying, transmitting or otherwise distributing materials that are defamatory, sexually explicit, discriminatory, or otherwise offensive in nature;
- Sending (uploading) or receiving (downloading) copyrighted materials, trade secrets, proprietary financial information, or other forms of information deemed to be confidential to outside parties or unauthorized internal parties;
- Using another individual's account or identity without explicit authorization;
- Attempting to test, circumvent, or defeat security or auditing systems; or
- Permitting any unauthorized individual to access the electronic media and services of the County

Specifically in regard to the Internet, the user must hold harmless Sumner County for any content or information found on the Internet regardless of whether the user finds the content offensive, incorrect, or incurs damages from relying on the information.

Again, electronic media and services are provided for business use. Limited, occasional, or incidental use of electronic media for non business purposes is understandable. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege. Personal work should not be performed during work hours, and in no event should employees perform personal work on the systems of the County for personal profit.

The various electronic communications systems should never take the place of a personal visit when working in an environment that promotes "team work". Sensitive personnel issues should always be handled in person, especially where disciplinary communication and/or action is concerned.

Any employee who violates this policy or uses electronic communication systems for improper purposes shall be subject to discipline, up to and including termination.

Computer Use and Software: All disks and storage media will be provided by Sumner County. Employees should not bring their own disks in for business use. This policy is to help prevent any opportunity for viruses and other corrupt software to enter the County's systems.

Where necessary, logon passwords will be assigned by the Systems Administrator. Employees are not to share their passwords with anyone, including other employees. Divulging your password will be considered a willful breach of security.

Additionally, the software that is used in Sumner County has been purchased and registered for the benefit of all employees. The copyright law is very clear in regard to illegal duplication of software.

Employees are prohibited from copying software from Sumner County computers and taking it

off the premises for personal gain. Likewise, employees may not bring in any unauthorized outside vendor software to be installed in Sumner County machines. Any unauthorized software brought in will be subject to confiscation and will not be returned. Employees found installing outside software may be subject to immediate disciplinary action.

34.) TERMINATION OF EMPLOYMENT

Deleted: Information concerning insurance and retirement contributions will be available for the terminating employee ¶

1) To resign in good standing, a two (2) week resignation is required to be presented to the Sumner County Highway Department. The last working day will be determined by the discretion of the approving authority and after the review of accumulated annual leave and/or compensatory time.

2) **Termination of employment can be for a good cause or no cause,** but set forth below are several examples of offenses which could result in disciplinary action or termination.

a. Any employee caught drinking or using drugs on the job will be discharged.

b. If you have a temper, don't lose it, cursing each other, throwing things, etc. will not be tolerated and will be an automatic dismissal. Everyone desires respect.

c. Any employee caught stealing or misusing county property will be discharged. You are assigned a vehicle/equipment; it is your responsibility to **keep it clean and in good order**. Excessive questionable repairs will be considered misuse. NO Private Property work on road or in shops will be permitted; this is considered stealing and misuse of county property.

d. Hard hats are demanded to be worn at the Rock Crusher at all times if you are out of your vehicle. Extra hard hats are located in the office at the crusher shop. They are also to be worn while operating equipment that does not have a safety top installed on it.

e. Seat belts must be worn by all employees while riding in or driving a county vehicle (state law as of 1/1/88). The Occupational Compensation Plan may not cover you if you have a wreck and are not wearing your seat belt.

f. Safety glasses (not sunglasses) must be worn during operations of any power tools and equipment. Equipment that has a safety guard, the guard must remain in place.

g. Any employee that is caught with possession of a firearm while on the job, unless commissioned by the law to carry a weapon, will be automatically discharged.

h. Any employee that is caught putting fuel on the ground, in the truck beds for purpose of cleaning them, or violating TDEC/Storm Water Runoff Regulations will be automatically be discharged.

i. Drivers of county vehicles are required by law to notify this office of any traffic violations while driving a Commercial Motor Vehicle CMV, failure to do this can result in termination of employment as a driver. A Motor Vehicle Record report will be requested, from the Tennessee Department of Safety, on a periodic basis (at least annually) on every driver. We will review these and any driver with a poor driving record could be disciplined or discharged. If you drive a county vehicle you must have the proper license. Everyone is required to have a CDL and will be required to have random drug and alcohol testing. For those that drive a vehicle home you can stop if it is on your way home but you cannot use the vehicle for personal use and you shouldn't

be stopping at locations other than a restaurant or store.

j. If you are injured on the job your supervisor and the office must be notified immediately.

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k. Excessive missing the clock or requesting to be manually punched in.

3) Vehicles – Vehicles will be assigned. You are to keep your equipment/vehicle clean and in good working order. Report any maintenance, repairs or malfunctioning to your supervisor and the shop foreman. If your equipment and/or machinery are not operating and there are no other duties for you to do, then you will be asking to go home. Excessive and questionable repairs will be considered misuse and will be grounds for termination.

4) Cell Phones – Will be given out. I receive a detailed bill monthly and I know who is talking and when. If they are abused you will **lose** your phone.

5) Radios –Two way radios are for company use and not for playing.

Deleted: We will be installing a computer program that will show when a mic is keyed up ¶

6) Cleaning up after yourselves – We have a custodian, but he/she is not a maid. Take pride in your work and your work environment.

35.) COBRA

If the employee, the employee's spouse, or the employee's dependents lose group health insurance coverage due to employment termination or any other "qualifying event", any and all may be eligible to elect continuation of group health coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

COBRA entitles employees and their dependents to elect or decline continued group health insurance coverage upon a "qualifying event". Under federal law, a qualifying event is an event that would ordinarily cause an employee, spouse, or dependent to lose group health insurance coverage. Qualifying events include termination of employment, retirement, discharge for poor performance, reduction of work hours, death of a covered employee, divorce or legal separation from a covered employee, losing "dependent child" status, Medicare eligibility, or being called to active duty as a military reservist. Employees discharged for gross misconduct may not be eligible for continuation of benefits.

Employees and dependents are responsible for notifying Sumner County immediately following any qualifying event and upon any change in address of the employee and/or dependents. Employees and dependents that elect continued coverage following a qualifying event will be required to pay 100% of the applicable premium coverage cost.

The covered individual has sixty (60) days to elect coverage from the date of the qualifying event. If the covered individual chooses to continue coverage and pays all premiums, benefits will be continued for 18 months. A covered employee, spouse, or dependent who is disabled (according to the Social Security Administration) at the time of the qualifying event may be eligible to continue coverage for up to 29 months. An employee's covered spouse or dependent may be able to continue coverage up to 36 months in the event the covered employee dies, becomes entitled to Medicare, divorces or legally separates from the spouse, or the dependent child ceases to qualify as a dependent under Sumner County's insurance plan provisions.

In the event of a second qualifying event occurring during the period of coverage for an original event, the period of coverage will be extended to 36 months from the date of the original qualifying event. Employees may obtain additional information about COBRA from the Finance Department

36.) SAFETY

Safety is very important and we want to make sure we are OSHA compliant in every way. In order to do that we must follow the following safety protocols.

Seat Belt- Tennessee's mandatory seat belt law came into effect January 1, 1987. All County vehicles have seat belts and it is policy that anyone riding in a county vehicle's must wear their seat belt. Any equipment that is equipped with a seat belt must wear the seat belt as a safe operation procedure.

PPE - All PPE such as hard hats, bright colored shirts, jackets and or vest, protective glasses, closed toe shoes and any other PPE that you may be asked to wear, must be worn at all times while on the job. Failure to follow these safety guidelines could result in an employee reprimand, but not limited to termination.

Deleted: INSURANCE BENEFITS

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Benefit eligibility is dependent upon a variety of factors, including employee classification. Most benefits require contributions from the employee; however, several are not funded by Sumner County.¶
Individual benefits are determined by plan documents and/or the Sumner County Commission through resolutions or the SIB board.¶
¶
B RETIRED AND DISABLED EMPLOYEES' INSURANCE PLAN¶
To be eligible for coverage as an Early Retiree or Disabled Employee an Employee must meet the eligibility criteria, Retiree or Employee will have to check with HR personal for current requirements.¶

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ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICIES

As indicated by my signature below, I hereby acknowledge receipt of a copy of the Sumner County Highway Department Personnel Policies.

I further acknowledge that:

1) I will read these personnel policies and bring any questions to the superintendent's attention;

2) I understand that I am employee-at-will and that I may be terminated at any time.

3) I accept/reject (choose one) the receipt of compensatory time where available.

_____ _____

Employee Date

_____ _____

Sumner County Highway Department Superintendent Date

A RESOLUTION ACCEPTING THE REVIEW OF THE JUDICIAL MAGISTRATE PROGRAM

WHEREAS, the 2022 annual review of the Sumner County Judicial Magistrate program was held on March 20, 2023, before this body.

NOW, THEREFORE, BE IT RESOLVED that the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of March 2023, that this body does hereby accept the review of the Judicial Magistrate program for the 2022 calendar year: and

BE IT FURTHER RESOLVED that a copy of this report shall be made a part of this record.

PUBLIC NOTICE OF HEARING

HEARING TO EXAMINE AND EVALUATE THE JUDICIAL COMMISSIONER PROGRAM

There will be a Public Hearing by the Sumner County Commission on **Monday, March 20th, 2023 at 7:00 p.m. (local time)** in the County Commission Chambers, Sumner County Administration Building, 355 North Belvedere Drive, Gallatin, Tennessee, to examine and evaluate the program of the judicial commissioners, to determine if such program is being conducted in accordance with law and is contributing to the orderly, effective and fair administration of justice.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING SUMNER COUNTY, TENNESSEE TO JOIN THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS IN AMENDING THE TENNESSEE STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT AND APPROVING THE RELATED SETTLEMENT AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and Sumner County, Tennessee.

WHEREAS, Sumner County has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the "Opioid Litigation");

WHEREAS, Sumner County has previously joined settlements with three pharmaceutical distributors and a manufacturer;

WHEREAS, certain pharmaceutical manufacturers and retail pharmacy chains have proposed settlements that Sumner County finds acceptable and in the best interest of the community;

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112th Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain opioid litigation settlements;

WHEREAS, there is currently proposed legislation that would apply the statutory provisions passed in 2021 to the new manufacturer and retail pharmacy chain settlements;

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have adopted a unified plan for the allocation and use of certain prospective settlement and bankruptcy funds from opioid related litigation ("Settlement Funds");

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the "Tennessee Plan"), attached hereto as "Exhibit A," sets forth the framework of a unified plan for the proposed allocation and use of the Settlement Funds;

WHEREAS, amendments to the Tennessee Plan, attached hereto as "Exhibit B," would extend its terms to the proposed settlements, streamline accounting for certain settlement funds, and address the allocation of certain funds from a manufacturer in bankruptcy; and

WHEREAS, participation in the settlements by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF SUMNER COUNTY, TENNESSEE,

Section 1. That Sumner County finds that the amendments to the Tennessee Plan are in the best interest of Sumner County and its citizens because they would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That Sumner County hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the Sumner County Mayor or the Sumner County Law Director is hereby expressly authorized to execute the amendments to the Tennessee Plan in substantially the form attached as Exhibit "B" and the County Mayor or Law Director is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the Sumner County Mayor or the Sumner County Law Director is hereby expressly authorized to execute any formal agreement and related documents evidencing Sumner County's agreement to the settlement of claims [and litigation] specifically related to Teva Pharmaceutical Industries, Ltd., Allergan Finance, LLC, CVS Health Corporation, Walgreen Co., Walmart, Inc., and any other settlement of opioid-related claims that Tennessee has joined.

[Section 5. That the Sumner County Mayor or the Sumner County Law Director is authorized to take such other action as necessary and appropriate to effectuate Sumner County's participation in the Tennessee Plan and these settlements.]

Section 6. This Resolution is effective upon adoption, the welfare of Sumner County, Tennessee requiring it.

ADOPTED this the _____ day of _____, 2023.

ATTEST: _____

Revised 4/4/2022

RESOLUTION NUMBER _____

RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the (City/County/etc) **Sumner County** hereby updates the Occupational Safety and Health Program Plan for our employees.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED BY THE (Council/Board/City/County/etc)**Sumner County Commission**, that there be and is hereby amended as follows:

TITLE:

This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of **Sumner County**.

PURPOSE:

The **Sumner County Commission** in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

1) Provide a safe and healthful place and condition of employment that includes:
   a) Top Management Commitment and Employee Involvement;
   b) Continually analyze the worksite to identify all hazards and potential hazards;
   c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
   d) Train managers, supervisors, and employees to understand and deal with worksite hazards.

2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices

injurious to employee safety and health.

7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

COVERAGE:

The provisions of the Occupational Safety and Health Program Plan for the employees of (City/County/etc) **Sumner County** shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED:

The Occupational Safety and Health standards adopted by the (City/County/etc) **Sumner County Commission** are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED:

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION:

For the purposes of this resolution, (Name of Official or Title) **Cheryl Lewis-Smith, HR Director** is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN:

Sufficient funds for administering and staffing the Program Plan pursuant to this resolution shall be made available as authorized by the (City/County/etc) **Sumner County Commission**.

SEVERABILITY:

SECTION 2. BE IT FURTHER RESOLVED that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date it shall have

been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the (City/County/etc) **Sumner County** requiring it.

_____ _____

(Executive) (Date)

_____ (Passed First Reading)

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF (City/County/etc) **SUMNER COUNTY**

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of **Sumner County**.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The **Sumner County Commission** in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

a. Provide a safe and healthful place and condition of employment.
b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees□ safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
b. EMPLOYER means the **Sumner County Government** and includes each administrative department, board, commission, division, or other agency of the **Sumner County Government**.
c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY SAFETY DIRECTOR means the person designated by the establishing resolution, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of **Sumner County**.

d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is

appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.

e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as "volunteers" provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:

    1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
    2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of Commissioners, City or Town Council, Board of Governors, etc., whichever may be applicable to the local government, government agency, or utility to which this plan applies.
n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, Mayor, City Manager, General Manager, etc., as may be applicable.

III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
c. Employer shall refrain from an unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employer's place(s) of business. Employer shall assist the

Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.

d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.

f. Employer is entitled to protection of its legally privileged communication.
g. Employer shall inspect all worksites to ensure the provisions of this Program Plan are complied with and carried out.
h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
i. Employer shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety or others or when

a medical examination may be reasonably required for performance of a specific job.

k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

V. ADMINISTRATION

a. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.

1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Director.
3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
9. **The Safety Director shall, in the eventuality that there is a fatality, ensure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**

b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.

1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

a. The application for a variance shall be prepared in writing and shall contain:

   1. A specification of the standard or portion thereof from which the variance is sought.
   2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
   3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
   4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
   5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.

b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.

c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:

   1. The employer
      i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
      ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
      iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.

   2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.

d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and type Recordkeeping Forms in the search box.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if not, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following

receipt of the complaint explaining decisions made and action taken or to be taken.

e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.

f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

a. Safety Director and/or Compliance Inspector(s):

1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.

2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employee's work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids or gases, explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress; and Drowning.
5. Instruct employees on hazards and dangers of confined or enclosed spaces.

   i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.

   ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.

   iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space

shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will ensure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

a. In order to carry out the purposes of this Resolution, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
   1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
   2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.

c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.

d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.

e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.

f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.

g. Advance Notice of Inspections.

   1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
   2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.

h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:

1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.

i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:

1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:

   i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
   ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.

6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:

   1. Issue an abatement order to the head of the worksite.
   2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.

b. Abatement orders shall contain the following information:

   1. The standard, rule, or regulation which was found to violated.
   2. A description of the nature and location of the violation.
   3. A description of what is required to abate or correct the violation.
   4. A reasonable period of time during which the violation must be abated or corrected.

c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:

   1. Oral reprimand.
   2. Written reprimand.
   3. Suspension for three (3) or more working days.
   4. Termination of employment.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (resolution, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

a. Compliance with any other law, statute, resolution, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statue, resolution, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, resolution, or executive order, as applicable, is specifically repealed.

January 12, 2023

Signature: Safety Director, Occupational Safety and Health and Date

APPENDIX - I WORK LOCATIONS
(ORGANIZATIONAL CHART)

{For this section make a list of each work location wherein (City/County/etc) your employees work, such as Street Department, Fire Hall, City Hall, Courthouse, Jail, Sheriff Department, Each School, etc. covered under this Program Plan. Include, the address for the workplace, phone number at that workplace, and number of employees who work there.}

An Example:

Sheriff Department - 45 employees
1234 Main Street
Chattanooga, TN 37415
423-345-6789

East High School - 82 employees
4567 Garden Avenue
Chattanooga, TN 37415
423-222-5555

TOTAL NUMBER OF EMPLOYEES : 127

{Once each work location has been listed, record the total number of employees that the county employees.}

APPENDIX – II NOTICE TO ALL EMPLOYEES

NOTICE TO ALL EMPLOYEES OF **SUMNER COUNTY GOVERNMENT**

The Tennessee Occupational Safety and Health Act of 1972 provides job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to ensure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Human Resource Director **Cheryl Lewis-Smith**.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before **Cheryl Lewis-Smith, HR Director** for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of **Sumner County** is available for inspection by any employee at **the Office of Human Resources** during regular office hours.

_____

Signature: (City/County) MAYOR AND DATE

APPENDIX - III PROGRAM PLAN BUDGET

(Either answer questions 1-11 **or** fill in the statement below)

1. Prorated portion of wages, salaries, etc., for program administration and support.
2. Office space and office supplies.
3. Safety and health educational materials and support for education and training.
4. Safety devices for personnel safety and health.
5. Equipment modifications.
6. Equipment additions (facilities)
7. Protective clothing and equipment (personnel)
8. Safety and health instruments
9. Funding for projects to correct hazardous conditions.
10. Reserve fund for the Program Plan.
11. Contingencies and miscellaneous,

TOTAL ESTIMATED PROGRAM PLAN FUNDING,
ESTIMATE OF TOTAL BUDGET FOR:

OR Use This Statement:

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that (Name of local government) **Sumner County** has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

(1-15) Employees shall report all accidents, injuries, or illnesses directly to the Supervisor as soon as possible, but not later than twenty-four (24) hours after the occurrence. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Safety Director will ensure completion of required reports and records in accordance with Section VIII of the basic plan.

(16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Safety Director and/or record keeper within twenty-four (24) hours of the time the accident or injury occurred or the time of the first report of the illness.

(51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.

(251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours, after the accident. If the accident involves a fatality, inpatient hospitalization, amputation, loss of an eye, loss of consciousness, broken bones, or third degree burns, the Safety Director will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the record keeper.

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing

to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan. This information may be submitted in flow chart form instead of in narrative form if desired. These procedures may be modified in any way to fit local situations as they have been prepared as a guide only.

The four (4) procedures listed above are based upon the size of the work force and relative complexity of the organization. The approximate size of the organization for which each procedure is suggested is indicated in parenthesis in the left hand margin at the beginning, i.e., (1-15), (16-50), (51-250), and (251 Plus), and the figures relate to the total number of employees including the Chief Executive Officer but excluding the governing body (County Court, City Council, Board of Directors, etc.).

Generally, the more simple an accident reporting procedure is, the more effective it is. Please select the one procedure listed above, or prepare a similar procedure or flow chart, which most nearly fits what will be the most effective for your local situation. Note also that the specific information listed for written reports applies to all three of the procedures listed for those organizations with sixteen (16) or more employees.

Organizational Chart / Work Locations

Work Location – Name	Address	Contact Person	Phone #	# Employees
Sumner County Administration Bldg	355 N Belvedere Dr, Gallatin, TN 37066	Cheryl Lewis-Smith	615-451-6091	156
Sumner County Sheriff's Office	117 W Smith St, Gallatin, TN 37066	Eric Craddock	615-452-2616	335
Sumner County EMS	255 Airport Road Gallatin, TN 37066	Greg Miller	615-451-0491	159
Sumner County Highway Dept	1051 Old Hwy 109 Gallatin, TN 37066	Toby Ellis	615-452-2632	51
Sumner County ECC	253 Airport Road Gallatin, TN 37066	Christy Davis	615-451-3838	56
Sumner County Court House	100 Courthouse Gallatin, TN	Mark Smith Kathryn Strong	615-452-4282 615-452-4367	44
Sumner County Health Department	1005 Union School Road, Gallatin, TN 37066	Hal Hendricks	615-206-1100	30
Hendersonville Library	140 Saundersville Road, Hendersonville, TN 37075	Allan Morales	615-824-0656	17
Westmoreland Library	2305 Epperson Springs Rd, Westmoreland, TN 37186	Lauren Rippy	615-644-2026	5
Gallatin Library	123 East Main St. Gallatin, TN 37066	Gabby Cato	615-452-1722	15

Organizational Chart / Work Locations

Portland Library	301 Portland Blvd. Portland, TN 37148	Anita Lamberth	615-325-2279	10
Millersville Library	1174 Louisville Hwy, Goodlettsville, TN 37076	Amy Corbitt	615-448-6959	8
TOTAL				886

Sumner County Government
Office of Human Resources

355 North Belvedere Drive - Suite 101
Gallatin, Tennessee 37066-5410
(615) 451-6023 FAX (615) 451-6052

employeeinjury@sumnercountytn.gov

Below are the steps to follow should an employee become injured while on the job:

1. Immediately report the incident to your supervisor/department head.

2. Complete the Occupational Injury Report and immediately submit it to the Human Resource Office. The report can be hand delivered, faxed to (615)451-6052 or emailed to employeeinjury@sumnercountytn.gov.

3. If medical attention is necessary, contact the Human Resources Office for authorization and referral to the approved medical facility. In the event an incident involves a serious injury, please report to the nearest Emergency Room and notify Human Resources as soon as possible.

***Note: When medical attention is necessary, be reminded that Human Resources must give authorization for treatment to the treating facility before the employee receives medical attention.**

Also, the Occupational Injury report should be completed and received by the Human Resources Office within seven 7 days of the injury. An injury report received after the required 7 days will be denied.

I, _____, acknowledge that I have been briefed on the proper procedures to follow in the event I should suffer a work related injury and I agree to abide by these procedures.

Signed _____ **Date** _____

Department _____

WHAT DO I DO IF INJURED ON THE JOB?

1. IMMEDIATELY REPORT THE INCIDENT TO YOUR SUPERVISOR OR DEPARTMENT HEAD!! INCIDENTS MUST BE REPORTED WITHIN 24 HOURS OF THE INJURY.
2. COMPLETE THE OCCUPATIONAL INJURY REPORT AND IMMEDIATELY DELIVER/FAX TO THE HUMAN RESOURCE OFFICE. **AN INJURY REPORT RECEIVED AFTER THE REQUIRED 7 DAYS WILL BE DENIED.
3. IF MEDICAL TREATMENT IS NECESSARY CONTACT THE HUMAN RESOURCE OFFICE FOR REFERRAL TO THE APPROVED MEDICAL FACILITY:

PHONE # (615)451-6023
FAX # (615)451-6052
BEFORE OR AFTER HOURS # (615)308-6977
INJURY INFORMATION EMAIL: EMPLOYEEINJURY@SUMNERCOUNTYTN.GOV
OFFICE ADDRESS: 355 N. BELVEDERE DR., ROOM 101,
GALLATIN, TENNESSEE 37066

THERE IS NO EXCUSE NOT TO REPORT AN INJURY!!!!!
YOU MUST OBTAIN APPROVAL PRIOR TO TREATMENT

IN THE EVENT OF A SERIOUS INJURY, REPORT TO THE NEAREST EMERGENCY ROOM AND NOTIFY HUMAN RESOURCES AS SOON AS POSSIBLE

NOTE-----ALL FORMS ARE LOCATED ON THE SUMNERCOUNTYTN.GOV WEBSITE UNDER OFFICES THE HUMAN RESOURCES TAB

DON'T FORGET – ALL INJURIES MUST BE REPORTED WITHIN 24 HOURS

THANKS!!!!
HUMAN RESOURCES

Rev. 8/2021

SUMNER COUNTY BUILDING AND CODES DEPARTMENT
Sumner County Administration Building
355 N. Belvedere Drive - Room 208
Gallatin, Tennessee 37066-5410
Telephone 615.452.1467

10/04/22

To: Chairman, Jeremy Mansfield and Sumner County Legislative Committee

From: Marshall Wright, Sumner County Building & Codes Director

Subject: Update of Building Codes.

Dear Chairman, Mansfield and the Legislative Committee

The Sumner County Building & Codes Department obtained its Exemption Status from the State Fire Marshal's Office on or about 06/15/15. The County Codes Department is one of a small group of Tennessee Counties to have been granted this Status. This Exemption (Self Rule) gives the Codes Department a significant degree of autonomy from the State Fire Marshal's Office as long as the Department continues to perform to a certain standard set by the state.

One of the prerequisite to remain an Exempt Jurisdiction in good standing with the SFMO is that our adopted codes must be within (7) seven years of the latest published ICC codes. To remain compliant with the SFMO it is my prayer that the Legislative Committee provide a favorable recommendation to the County Commission to adopt the 2021 Codes as submitted.

Sincerely,

Marshall Wright

Marshall Wright

Building & Codes Director

SUMNER COUNTY BUILDING AND CODES DEPARTMENT
Sumner County Administration Building
355 N. Belvedere Drive - Room 208
Gallatin, Tennessee 37066-5410
Telephone 615.452.1467

10/25/22

To: Chairman, Jeremy Mansfield and the Legislative Committee

From: Marshall Wright, Sumner County Building & Codes Director

Subject: See attached August 7, 2020 letter from Michael Morelli, State Fire Marshal's Office.

Reason: For informational purposes.

Attached for your review is the August 7, 2020 letter from Michael Morelli with the State Fire Marshal's Office of possible consequences of non-compliance. At this time the county's building department is considered compliant until 01/01/24.

Thank you for your consideration.

Sincerely,

Marshall Wright

Marshall Wright

Building & Codes Director

Department of
Commerce &
Insurance

August 7, 2020

Mr. Marshall Wright
Director, Building & Codes
Room 208
355 N. Belvedere Dr.
Gallatin, TN 37066

Pursuant to Tenn. Comp. R & Regs. 0780-02-23-.12(4)(a), which became effective on June 25, 2010, the State Fire Marshal's Office is required to "conduct a review . . . of local government's authorization to conduct building inspections to determine whether the local government is adequately enforcing the adopted building codes and is properly performing inspections." Furthermore Tennessee Comp. Rules & Regulations 0780-02-23-.12 (4)(a)(4)(c)1 requires that you be notified in writing of this review. Please accept this letter as written notice of your review.

We ask that you complete the enclosed review forms and submit them to this office within thirty days of their receipt. Per Tenn. Comp. R & Regs. 0780-02-23-.12 (4)(a)(b) and (c) after we have received and reviewed your documentation, this office may contact you and if selected schedule a time to conduct a on-site visit to review the building permit and inspection process.

According to Tenn. Comp. R & Regs. 0780-02-23-.12 (4)(a)(4)(c)(1-3), after the review is concluded, the state fire marshal will notify you whether there are any areas where you are not adequately enforcing the adopted building codes or properly performing inspections. If there are any such areas, we will recommend corrective action, and you will be required to submit a plan of corrective action within thirty (30) days after receipt of the notification. Within thirty (30) days of receipt of the plan of corrective action, the state fire marshal will either approve or disapprove the plan. If the plan is approved, the state fire marshal may conduct periodic follow-up reviews to ensure compliance. If the plan is not approved, the state fire marshal may remove the local government's authorization to conduct building inspections.

If you have any questions or concerns about this review process, please contact Tim Planer at (615) 532-8361 or at tim.planer@tn.gov

Sincerely,

Michael Morelli
Director, Permits and Licensing Section
Division of Fire Prevention, State Fire Marshal's Office

Fire Prevention/State Fire Marshal's Office • 500 James Robertson Pkwy • 9th
Floor Davy Crockett Tower • Nashville, TN 37243
Tel: 615-741-7170 • Fax: 615-253-4895 • tn.gov/fire

SUMNER COUNTY BUILDING AND CODES DEPARTMENT
Sumner County Administration Building
355 N. Belvedere Drive - Room 208
Gallatin, Tennessee 37066-5410
Telephone 615.452.1467

10/25/22

To: Chairman, Jeremy Mansfield and the Legislative Committee

From: Marshall Wright, Sumner County Building & Codes Director

Subject: February 23, 2022 (ISO Audit)

Reason for letter: For informational purposes only.

Dear Chairman, Mansfield and the Legislative Committee

On July 12 2016 (ISO) an Insurance Service Office Representative executed an on-site audit of the Building & Codes Department. (ISO) is an independent statistical, rating and advisory organization that serves the property/casualty insurance industry. They have evaluated over 8,000 Building Departments in the United States. Their primary function is to collect information on a community's building-code adoption and enforcement services, and then assign a (BCEGS) Building Code Effectiveness Grading Schedule class. After the July 12 2016 audit the county's codes department significantly improved their (BCEGS) classification from the previous audit. On February 23, 2022 we participated in another (ISO) audit but have yet to receive our score. Since then I have spoken with Brian Dew, the on-site (ISO) representative that performed the February 23, 2022 audit. Brian informed me that the County's Building Code Effectiveness Grading classification will decline unless we updates the building codes by the end of the year.

Thank you for your consideration.

Sincerely,

Marshall Wright

Marshall Wright

Building & Codes Director

1000 Bishops Gate Blvd., Suite 300
Mt. Laurel, NJ 08054

tel. 1 800 444-4554

January 7, 2022

Mr. Marshall Wright, Director
Sumner Co
355 North Belvedere Drive, Room 208
Gallatin, TN 37066

RE: Building Code Effectiveness Grading Schedule
Sumner Co, Sumner County, TN

Dear Mr. Wright:

My name is Brian Dew and I represent ISO in our ongoing implementation of the Building Code Effectiveness Grading Schedule (BCEGS®). I am contacting you to begin the process of evaulating your building code enforcement program.

BCEGS was developed through the combined efforts of model building code organizations and the property/casualty insurance industry. The program evaluates a community's building code enforcement - focusing on mitigation of natural hazards. The intent is to encourage code compliant construction thus ultimately reducing catastrophe-related damage and lower insurance costs. The program also includes advisory premium discounts for property insurance written in jurisdictions with effective codes that are well-enforced. Please note that the Building Code Effectiveness Grading Schedule is an insurance underwriting and information rating tool. It is not for the purposes of determining compliance with any state or local law or regulation, nor is it for making property/casualty loss prevention or life safety recommendations.

ISO has a long history of evaluating fire protection, building code enforcement, and commercial properties across the nation. The results of our evaluations are one of many factors used to inform risk-decision making and insurance premium development for properties within your community.

I would like to meet with you in February, 2022. If the timing of this survey conflicts with your schedule, please notify me as soon as possible so that we can arrange a date which is convenient. I have enclosed a questionnaire to aid our discussions. During that meeting, we will review the questionnaire responses as well as supporting documentation.

If you should have any questions, please contact me.

TITLE: A RESOLUTION ADOPTING CERTAIN PROVISIONS OF THE 2021 ICC MODEL CODES AND STANDARDS AS RELATING TO CERTAIN PERMITTING, INSPECTION AND ENFORCEMENT OF BUILDING ACTIVITIES WITHIN SUMNER COUNTY, TENNESSEE, IN THE AFOREMENTIONED CODES WHILE EXCLUDING CERTAIN PORTIONS THEREOF

WHEREAS, Sumner County adopted certain building codes in September of 1992, February of 2002, December of 2007 and June of 2015; and

WHEREAS, it is the desire of Sumner County to update its building codes and standards to adopt for preliminary consideration the following:

#1.(IBC) 2021 INTERNATIONAL BUILDING CODE, **#2.**(IPC) 2021 INTERNATIONAL PLUMBING CODE, **#3.** (IMC) 2021 INTERNATIONAL MECHANICAL CODE, **#4.** (IFGC) 2021 INTERNATIONAL FUEL GAS CODE **#5.** (IRC) 2021 INTERNATIONAL RESIDENTIAL CODE, **#6.** (IFC) 2021 INTERNATIONAL FIRE CODE, CHAPTERS 31 AND 56, **#7.** (IEBC) 2021 INTERNATIONAL EXISTING BUILDING CODE, **#8.** (IECC) 2021 INTERNATIONAL ENERGY CODE CONSERVATION CODE, **#9.** (ISPSC) 2021 INTERNATIONAL SWIMMING POOL AND SPA. In addition to the model codes prescribed above, **#10.** ICC/MBI 1200-2021 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly, **#11.** ICC/MBI 1205-2021 Standard for Off-site Construction: Inspection, **#12.** ICC 400-2022 Standard on the Design and Construction of Log Structures.

#1. (IBC) 2021 INTERNATIONAL BUILDING CODE: amendments, deletions or adopted appendixes.

A) ***Section 109.4 International Building Code: Work commencing before permit issuance*** **(Original Text)** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* may be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

Section 109.4 International Building Code: Work commencing before permit issuance **(Modified Text)** is amended by modifying the language to read: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an administrative fee up to 100% of the building permit fee. No administrative fee will exceed $500 unless preapproved by the County Attorney.

- New Commercial- $500.00
- Remodel Commercial- $300.00
- Residential Remodel not exceeding 2000 sq. feet $300.00
- Residential Remodel exceeding 2000 sq. feet $500.00
- New Residential Homes and New Accessory Structures
  200 sq. feet - 1000 sq. feet $150.00
  1001 sq. feet – 2000 sq. feet $250.00
  2001 sq. feet and over $500.00

Applicable to all Use Groups listed in the ICC Building Value Data Table (BVD)

B) ***Section 109.6(IBC) Refunds*** **(Original Text)** The *building official* is authorized to establish a refund policy.

Section 109.6 (IBC) Refunds **(Modified Text)** is amended by modifying the language to read: The building official is authorized to issue refunds up to $3,000 on a case by case basis whenever the building official and his/her deputy agrees that a refund is justified. Refund requests exceeding $3,000 must be approved by the County Attorney. All refund requests must be submitted in writing providing reason why a refund is warranted.

C) ***Section 111.3(IBC) Temporary Occupancy*** **(Original Text)** The *building official* is authorized to issue a Temporary Certificate of Occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the Temporary Certificate of Occupancy is valid.
Section 111.3 (IBC) Temporary Occupancy **(Modified Text)** is amended by modifying the language to read: The Building Official is authorized to issue a ***Temporary***

Certificate of Occupancy before the entire work covered by the permit is completed provided that such portion or portions shall be occupied safely. Upon request of the owner or authorized representative, the building official or representative may issue a ***Residential or Commercial Temporary Certificate* of Occupancy**. A temporary C.O. for residential or commercial shall not exceed 30 days unless granted a time extension from the building official. All safety issues must be resolved and verified before issuing a ***Temporary Certificate of Occupancy***. Temporary Certificates of Occupancy shall be issued at the discretion of the onsite building inspector after consulting with the building official.

Temporary Residential Certificate of Occupancy - $150.00
Commercial Temporary Certificate of Occupancy - $250.00

It is the responsibility of the owner or his/her authorized representative to eventually attain a Permanent Certificate of Occupancy. Permanent Certificate of Occupancy $ no charge. All final state and local inspections must be approved before the "Permanent Certificate of Occupancy" is released.

*Applicable to all Use Groups listed in the Building Valuation Table (BVD)

D) ***Section 2701.1 (IBC) Electrical* (Original Text)** The provisions of this chapter and NFPA 70 shall govern the design, construction, erection and installation of the electrical components, appliances, equipment and systems used in buildings and structures covered by this code. The International Fire Code, International Property Maintenance Code and NFPA 70 shall govern the alteration, repair, relocation, replacement, and addition of electrical components, appliances, or equipment.
***Chapter 27 (IBC) Electrical* (Modified Text)** Delete: Chapter 27 in its entirety.

Note: Plan reviews, permitting, inspections of any and all electrical components, equipment and systems shall be under the purview of the State Fire Marshal's Office.

#2. (IPC) 2021 INTERNATIONAL PLUMBING CODE: Adopt in its entirety with no amendments, deletions or appendixes.

#3. (IMC) 2021 INTERNATIONAL MECHANICAL CODE: Adopt in its entirety with no amendments, deletions or appendixes.

#4. (IFGC) 2021 INTERNATIONAL FUEL GAS CODE: Adopt in its entirety with no amendments, deletions or appendixes.

#5. (IRC) 2021 INTERNATIONAL RESIDENTIAL CODE: Adopt with the following amendments:

1) ***Section (IRC) R105.2: (2) Work exempt from permits*** **(Original Text)** Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following: ***Item #2 Fences:*** not over 7 feet high.

   Section (IRC) R105.2**: (2) Work exempt from permits (Modified Text)** is amended by modifying ***Item #2 Fences*** to read: Fences not over **eight** feet in height. The height of all fences shall be measured from the finished grade to the top of the individual sections. The finished grade shall not include measurements from the top of a berm. For fences exceeding eight feet in height or swimming pool fence requirements contact the Building and Codes Department. For additional fence requirements that may be found in the Sumner County Zoning Resolutions contact the Sumner County Planning Office.

2) ***Section (IRC) R105.2: (3) Work exempt from permit*** **(Original Text)** Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following: #3 ***Section (IRC) R105.2: (3)*** *Retaining walls* that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supported by a surcharge.

   Section (IRC) R105.2: (3) Work exempt from permit **(Modified Text)** is amended by modifying #3. *Section R105.2.(3)Retaining Walls* to read: Unbalanced retaining walls that are not over 6 feet in height measured from the bottom of the footing to the top of the wall shall be regulated by the Sumner County Engineer.

   Exception: Unbalanced retaining walls that exceed 4 feet in height from the bottom of the footing to the top of the retaining wall that lead to a basement/garage portal. Retaining walls shall be regulated by the Sumner County Engineer.

3) ***Section (IRC) R105.2: (11) Work exempt from permit*** **(Original Text)** Exemption from requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws

or ordinances of this jurisdiction. **Permits shall not be required for the following:** "Replacement of any minor part that does not alter approval of equipment or make such *equipment* unsafe."

Section (IRC) R105.2: (11) Work exempt from permit **(Modified Text)** is amended by adding: HVAC or other mechanical system change-outs whenever there is no change in the utility provider or type of fuel. HVAC or other mechanical systems with no reconfiguration or extension of existing fuel system.

4) ***Section (IRC) R106.1 Submittal documents*** **(Original Text)** Submittal documents consisting of *construction documents,* and other data shall be submitted in two or more sets, or in a *digital format* where allowed by the *building official*, with each application for a *permit*. The *construction documents* shall be prepared by a *registered design professional* where required by the statues of the *jurisdiction* in which the project is to be constructed. Where special conditions exist, the *building official* is authorized to require additional information by a *registered design professional*.

Exception: The building official is authorized to waive the submission of construction documents and other data not required by a registered design professional if it is found that the nature of the work applied is such that reviewing the construction documents is not necessary to obtain compliance with this code.

Section (IRC) R106.1 Submittal documents **(Modified Text)** is amended by modifying the language to read: One full set of construction drawings must be included with the application before the building permit application is considered complete.

Exception: Digital (CAD) drawings may be submitted on ***minimum 11"x 14'paper as part of the application documents***. (CAD) drawings must be legible, shall have a floor plan providing the total square footage under roof and how much of the total square footage under roof will be conditioned. The floor plan must identify the use of all rooms with the dimensions including height and shall clearly detail all ingress/egress and emergency egress requirements. Digital drawings shall have a detailed foundation sheet. Homes having crawl spaces must provide a schematic drawing of crawl space if crawl space is conditioned. Digital drawings may only be submitted for residential buildings only and will not be accepted electronically unless requested by the department.

Exception: Hand drafted construction drawings may be accepted for detached structures when in the opinion of the plan reviewer enough information has been provided.

Exception: Where special conditions exist, the building official is authorized to require additional details or other documents to be prepared by a registered design professional. The building official is authorized to waive the submission of construction documents and other data not required by a registered design professional if it is found that the nature of work applied is such that the reviewing of the construction documents is not necessary to obtain compliance with this code.

5) ***Section (IRC) R109.1.6 Final Inspections: shall also include R109.1.6.2*** **(Original Text)** Final inspection shall be made after the permitted work is complete and prior to occupancy.

   Section (IRC) R109.1.6 **(Modified Text)** ***Final Inspections:*** Final Inspections shall also include: Grading and sodding or grading, seeding and straw, a minimum distance of fifty feet around dwellings shall be graded and sodded or graded, seeded and straw. Dwellings with property lines nearer than fifty feet shall cease the grading and sodding, seeding and straw at the property line. Grading shall be so designed to remove storm water away from the foundation without discharging on neighboring property.

   Grading and sodding or grading, seeding and straw shall be completed and inspected prior to the Certificate of Occupancy being released. Issuing a Temporary Certificate of Occupancy may be considered prior to grading and sodding or grading, seeding and straw whenever in the opinion of the building inspector inclement weather would make this unreasonable. In the case of inclement weather a letter of request for a Temporary Certificate of Occupancy must be submitted between the owner and contractor giving a timeline and who is responsible for completing the work. All trip hazards and other life safety concerns must be mitigated before a Temporary Certificate of Occupancy can be issued.

6) ***Section (IRC) R309.5 Fire Sprinklers*** **(Original Text)** Private garages shall be protected by fire sprinklers where the garage wall has been designed based on Table R302.1(2),Note: Sprinklers in garages shall be connected to an automatic sprinkler system that complies with P2904. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 GPM/ft. Garage doors shall not be considered obstructions with respect to sprinkler placement.

   Section (IRC) R309.5 Fire Sprinklers **(Modified Text)** is deleted in its entirety.

7) ***Section (IRC) R313.2 Automatic Fire Sprinkler Systems*** **(Original Text)** One and Two-family dwellings automatic sprinkler systems: An automatic sprinkler system shall be installed in one-and two-family dwellings.

   Exception: An automatic sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with a sprinkler system.

Section (IRC) R313.2 **(Modified Text)** is deleted in its entirety.

8) ***Section (IRC) P2904 Dwelling Unit Fire Sprinkler System*** **(Original Text)** Section P2904.1 General. The design and installation of residential fire sprinkler systems shall be in accordance with **NFPA 13D** or **Section P2904**, which shall be considered to be equivalent to **NFPA 13D**. Partial residential sprinkler systems shall be permitted to be installed only in buildings not required to be equipped with a residential sprinkler system. **Section P2904** shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall provide domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system. A backflow preventer shall not be required to separate a sprinkler system from the water distribution system, provided that the sprinkler system complies with all of the following:

1. The system complies with the **NFPA 13D** or **Section P2904.**
2. The piping material complies with **Section P2906.**
3. The system does not contain antifreeze.
4. The system does not have a fire department connection.

Section (IRC) P2904 Dwelling Unit Fire Sprinkler System Change **(Modified Text)** Section P2904 is deleted.

9) ***Section (IRC) R313 Automatic Fire Sprinkler Systems*** **(Original Text) Section R313.1** ***Townhouse automatic sprinkler system:*** An automatic sprinkler system shall be installed in townhouses.

Exception: An automatic sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic sprinkler system installed.

Section (IRC) R313.1 **(Modified Text)** Section R313.1 is deleted

10) ***Section (IRC) R309.3 Flood hazard areas*** and ***Section R322 Flood- Resistant construction*** **(Original Text)** ***Section R309.3*** Garages and carports located in the flood hazard areas as established by Table R301.2 shall be constructed in accordance with Section R322

Section (IRC) R322 Flood-Resistant Construction (extensive).

Section (IRC) R309.3 Flood hazard areas and ***Section R322 Flood- Resistant construction*** **(Modified Text)** No change

Note! Chapter 10 of the Sumner County Zoning Resolution shall also govern development in a Special Flood Hazard Area.

11) ***Section (IRC) R405.2.3 Drainage system*** **(Original Text)** In other than Group I soils, a sump shall be provided to drain the porous layer and footings. The sump shall be not less than 24 inches in diameter or 20 inches square, shall extend not less than 24 inches below the bottom of the *basement* floor and shall be capable of positive gravity or mechanical drainage to remove any accumulated water. The drainage system shall discharge into an *approved* sewer system or to daylight.

Section (IRC) R405.2.3 Drainage system **(Modified Text)** is amended by adding: A crawlspace sump system also known as a positive drain shall be located at the lower grade of the crawlspace area. Discharge piping shall be a minimum 2" inside dimension schedule 40 PVC. The discharge piping shall extend to the exterior of the building and beyond until it reaches daylight by gravity flow. If the topography of the property makes a positive flow to daylight unreasonable then a sump system may discharge into a sub-surface rock or sand pit designed using accepted engineer practices. The sub-surface rock or sand pit must be located a minimum of 10 feet from the exterior foundation of the building. The installation of a crawl space sump pump shall be recognized as an acceptable alternative.

12) ***Section (IRC) R507 Exterior Decks Section R507.10.4 Exterior Guards*** **(Original Text)** Other *guards* shall be in accordance with either manufacturer's instructions or accepted engineering principles.

Section (IRC) R507.10.4 Exterior Guards **(Modified Text)** is amended by adding: Cable guards shall have individual turnbuckles or other tensioning mechanism for each cable guard and shall be a maximum of 3" apart. Cable guards shall be stainless steel or vinyl coated. Cable guards shall be able to withstand 200 pound vertical load and shall be installed in accordance with manufacturer's instructions or accepted engineering practices.

13) ***Delete (IRC) Part VIII Electrical.***

14) ***Section (IRC) R602.7.5 Supports for headers*** **(Original Text)** Headers shall be supported on each end with one or more jack studs or with *approved* framing anchors in accordance with **Table R602.7 (1)** or **R602.7 (2)**. The full height stud adjacent to each end of the header shall be end nailed to each end of the header with four-16d nails (3.5 inches x 0.135 inches) in accordance with **Table R602.3(1)**. The minimum number of full-height studs at each end of a header shall be in accordance with **Table R602.7.5**.

Addendum to Section (IRC) R602.7.5 Supports for headers **(Modified Text)** ***is amended by adding:*** Portal openings for garages shall be framed with a minimum of two cripple/jack studs and a minimum of two full height studs on both sides of the portal opening supporting headers. Each portal opening shall have its own dedicated header. Hinged doors that are located on a garage portal opening wall shall also have its own dedicated header. All full height (king studs) shall run from bottom plate to top plate with all components attached according to the fastening tables located in chapter six of the International Residential Code.

Walls having garage portal openings shall be constructed using minimum 2"X 6" nominal lumber on maximum 16" centers. Exterior walls consisting of garage portal openings and not supporting an additional story or bonus room above may be constructed of minimal 2"x 4" nominal lumber on maximum 16" centers but not exceeding 9 feet in height.

15) ***Section (IRC) R905.2.8.5 Drip edge:*** **(Original Text)** A drip edge shall be provided at eaves and rake edges of shingle roofs. Adjacent segments of drip edge shall be overlapped not less than 2 inches (51mm). Drip edges shall extend not less than ¼ inch (6.4 mm) below the roof sheathing and extend up back onto the *roof deck* not less than 2 inches (51 mm). Drip edges shall be mechanically fastened to the *roof deck* at not more than 12 inches (305 mm) o.c. with fasteners as specified in **Section (IRC) R905.2.5**. *Underlayment* shall be installed over the drip edge along eaves and under the drip edge along rake edges.
Addendum to Section (IRC) 905.2.8.5 Drip edge **(Modified Text):** ***Exception:*** Aluminum and other fascia materials having a built in drip edge shall ***not*** be recognized as an accepted alternative to the drip edge requirements in **Section R905.2.8.5**

Exception: Aluminum and other fascia materials having a built in drip edge shall be recognized as an acceptable alternative to drip edge requirements in R905.2.8.5 when tested and approved by an Independent Testing Agency. In the absence of a recognized and accepted test method, the building official shall approve the testing procedures. Test shall be performed by an approved agency at no cost to the jurisdiction.

16) ***Section (IRC) 905.1.2 Ice Barriers:*** shall be referred to as ***905.1.2.1*** **(Original Text)** In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in **Table R301.2**, an ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shingles and wood shakes. The ice barrier shall consist of not fewer than two layers of underlayment cemented together, or a self-adhering polymer-modified bitumen sheet shall be used in place of normal *underlayment* and extend from the lowest edges of all roof surfaces to a point not less than 24 inches inside the exterior wall line of the building. On roofs with slope equal to or greater than 8 units vertical in 12 units horizontal (67 percent slope), the ice barrier shall also be applied not less than 36 inches (914mm) measured along the roof slope from the eave edge of the building.

Exception: Detached *accessary structures* not containing conditioned floor area.

Addendum to Section 905.1.2 Ice Barriers **(Modified Text)**: There is empirical evidence of ice forming along eaves causing water damage in Sumner County, therefore ice barriers are required as prescribed in **Section R905.1.2.**

*** Due to the physical hazards Sumner County Inspectors do not specifically perform shingle, shingle underlayment, ice barrier or drip edge inspections. It shall be the sole responsibility of the permit holder and or contractor to verify that such roofing components have been installed according to code and the manufacturer's installation instructions.**

17) ***Section (IRC) P2603.5 Freezing*** **(Original Text)** In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2 of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than **12 inches (305 mm)** deep and not less than **6 inches (152mm)** below the frost line.

Section (IRC) P2603.5 Freezing **(Modified Text)** is amended by modifying the language to read: In localities having a winter design temperature of 32°F (0°) or lower as shown in Table R301.2 of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in *attics* or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than ***(18) inches (305mm) deep*** and not less than **6 inches** below the frost line.

18) ***Section(IRC) P2801.6 Required Pan*** **(Original Text)** Where a storage tank-type water heater or a hot water storage tank is installed in a location where water leakage from the tank will cause damage, the tank shall be installed in a pan constructed of one of the following:

1. Galvanized steel or aluminum of not less than 0.0236 inch (0.6010 mm) in thickness.
2. Plastic not less than 0.036 inch (0.9mm) in thickness.
3. Other *approved* materials.

A plastic pan beneath a gas-fired water heater shall be constructed of material having a flame spread index of 25 or less and a *smoke-developed index* of 450 or less when tested in accordance with **ASTM E84** or **UL 723**.

Section (IRC) P2801.6 Required Pan **(Modified Text)** is amended by adding: No pan is required where water heaters are installed in a crawl space or in a basement without living space. Water heater relief valve piping shall terminate 6 to 10 inches above the floor or crawl space.

19) ***Section P2903.4 Thermal Expansion Control*** **(Original Text)** A means for controlling increased pressure caused by thermal expansion shall be installed where required in accordance with Sections P2903.4.1 and P2903.4.2.

Section P2903.4 Thermal Expansion Control **(Modified Text)** is amended by modifying the language to read: Tanks commonly referred to as Hot Water Expansion Tanks shall be installed on all hot water tanks.

Exception: Thermal expansion tanks are not required on tank-less hot water heaters.

Thermal Expansion Control tanks shall be installed according to the Manufacturers Installation Instructions.

20) ***Section(IRC) P2903.5 Water hammer*** **(Original Text)** The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer's instructions. Water-hammer arrestors shall conform to ASSE 1010."

Section (IRC) P2903.5 Water hammer **(Modified Text)** shall be amended by adding: Water hammer arrestors shall be installed at all washing machines, dishwashers and stand-alone ice makers. Water-hammer arrestors shall conform to ASSE-1010.

21) ***Section (IRC) P2903.9.1 Service valve*** **(Original Text)** Each *dwelling unit* shall be provided with an accessible main shutoff valve near the entrance of the water service. The valve shall be of a full-open type having nominal restriction to flow, with provision for drainage such as a bleed orifice or installation of a separate drain valve. Additionally, the water service shall be valved at the curb or *lot line* in accordance with local requirements.
Section (IRC) P2903.9.1 Service valve **(Modified Text)** is amended by modifying the language to read: A main shut-off valve on the water service line shall be installed for each dwelling unit within a building and shall be accessible in the living portion of the dwelling unit or attached garage. The valve shall be of the full opened type having nominal restrictions to flow, with provisions for drainage such as a bleed orifice or installation of a separate drain valve. Additionally, the water service shall be valved at the curb or property line in accordance with local requirements.

22) ***Section (IRC) G2417.1.1 (406) Inspection, Testing and Purging*** **(Original Text)** Inspection shall consist of visual examination, during or after manufacture, fabrication, assembly or *pressure tests.*

Section (IRC) G2417.1.1 (406) Inspections **(Modified Text)** is amended by deleting it in its entirety and replacing it with: On completion of the installation, alteration, repair or replacement of gas piping, and prior to the use thereof, the building department shall be notified that the gas piping is ready for inspection.

Rough fuel - gas inspection shall be made after the gas piping authorized by the permit has been installed and before such piping is covered up or concealed or a fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material and installation meets the requirements of this chapter. It shall also include an air pressure test at which time the gas piping shall stand a pressure of not less than 30 pounds per square inch gauge (68.9 kPa gauge) and shall hold this pressure for a length of time of no less than twenty (20) minutes, with no perceptible drop pressure. The test shall be made using air pressure only. Necessary apparatus for conducting test shall be furnished by the permit holder.

Gas Meter Release Inspection: Gas meter release inspection shall be conducted when all fuel gas appliances are connected to the gas pipe system or plugged with a cast iron plug. All appliance venting shall be in place at the time of the meter release inspection. A shut-off valve in the off position with no appliance connected, shall not be an acceptable termination of the building gas pipe.

Final Inspection: Final inspection shall be made after piping authorized by the permit has been installed and after all portions thereof which are to be covered or concealed and after all fixtures, venting, appliances, shut-off valves, and cast iron plugs have been installed.

23) ***Section(IRC) G 2417.4.1 Test pressure*** **(Original Text)***:* The test pressure to be used shall not be less than 1 ½ times the proposed maximum working pressure, but less than 3 psig (20kPa gauge), irrespective of design pressure. Where test pressure exceeds 125 psig (862kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.
Section (IRC) G 2417.4.1 Test pressure **(Modified Text)** is amended by adding: Air pressure test shall be made after gas piping authorized by the permit has been installed and before such piping has been covered up or concealed or a fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material and installation meets the requirements of this chapter. It shall also include an air pressure test at which time the gas piping shall stand a pressure of not less than 30 pounds per square inch gauge (68.9 kPa gauge) and shall hold this pressure for a length of time no less than twenty (20) minute, with no perceptible drop in pressure. The test shall be made using air pressure only. Necessary apparatus for conducting the test shall be furnished by the permit holder.

24) ***Section Energy N1102.4.1.2 (R402.4.1.1) Testing*** **(Original Text):** The *building* or *dwelling unit* shall be tested for air leakage. The maximum air leakage rate for any *building* or *dwelling*

unit under any compliance path shall not exceed 5.0 air changes per hour or 0.28 cubic feet per minute (CFM) per square foot [0.0079 $m^3/(s\ x\ m^2)$] of dwelling unit enclosure area. Testing shall be conducted in accordance with **ANSI/RESNET/ICC 380, ASTM E779** or **ASTM E1827** and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the *code official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope* have been sealed.

Section (IRC) Energy N1102.4.1.2 (R402.4.1.2) Testing **(Modified Text)** ***2021 Section N1102.4.1.2 (R404.4.1.2) Testing the Building Thermal Envelope (Mandatory) is replaced*** with ***2009 Section N1102.4.2.2 (R402.4.2.2) Visual inspection optional.***

25) ***Section (IRC) Energy N1103.3.5 Duct testing*** **(Original Text):** Ducts shall be pressure tested in accordance with **ANSI/ RESNET/ICC 380** or **ASTM E1554** to determine air leakage by one of the following methods:

1. **Rough- in test:** Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure if installed at the time of the test. Registers shall be taped or otherwise sealed during test.
2. **Post-construction test:** Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacture's air handler enclosure. Registers shall be taped or otherwise sealed during test.
3. **Exception:** A duct air-leakage test shall not be required for ducts serving heating, cooling or ventilation systems that are not integrated with ducts serving heating or cooling systems.

Section Energy N1103.3.5 Duct Testing: **(Modified Text)**: ***2021 Section N1103.3.5 (R403.3.5) Duct leakage test (Mandatory) and Section N1103.3.6 (R403.3.6) Duct leakage test are optional.***

26) ***Energy Table N1102.1.2 (R402.1.2) and Table N1102.1.3 (R403.1.3)***

Remove: 2021 Maximum Assembly U-Factors and Fenestration Requirement Table N1102.1.2 (R402.1.2) and replace with 2009 Equivalent U-Factor Table N1102.1.2

Remove: 2021 Insulation Minimum R-Values and Fenestration Requirements by Component Table N1102.1.3) and replace with 2009 Insulation and Fenestration Requirements by Component Table N1102.1

27) ***Part VIII Electrical Sections 34-43*** is deleted in its entirety and replacing it with the following language: Plan reviews, permitting, inspections of any and all electrical components, equipment and systems shall be under the prevue of the State Fire Marshal's Office.

#6. (IFC) 2021 INTERNATIONAL FIRE CODE: Only the portions of the IFC listed below are proposed for adoption:

1) Chapter 31 Tents, Temporary Special Event Structures and other Membrane Structures
2) Chapter 56 Explosives and Fireworks

Section 3101.1 Chapter 31 Scope (IFC) Tents, Temporary Special Event Structures and Other Membrane Structures

***Section 3101.1 Scope* (Original Text):** Tents, temporary special event structures and membrane structures shall comply with this chapter. The provisions of Section 3103 are applicable only to temporary tents and membrane structures. The provisions of Sections 3104 and 3106 are applicable to temporary and permanent tents and structures. The provisions of Section 3105 are applicable to outdoor assembly events. Other temporary structures shall comply with the International Building Code.

***Approval Required (IFC)3103.2* (Original Text states in part):** Tents and membrane structures having an area in excess of 400 square feet ($37m^2$) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the code official.

***Addendum to (IFC) Section 3103.2 Approval required shall further read* (Modified Text):** Permit fees for tents, temporary special events structures and other membrane structures shall be calculated by taking the overall square footage of structure and multiplying it by the dollar figure listed in the ICC BVD Table Use Group U/VB then multiplying the derivative by 0.004. All temporary structures in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a Zoning Letter of Compliance from the Developmental Department, a Building Permit and Use & Occupancy Permit from the Building & Codes Department. See exceptions listed in Section 3103.2

Chapter 56 (IFC) Explosives and Fireworks

Adopt Section 5601.1 Scope Chapter 56 Explosives and Fireworks

Section 5601.1 Scope (Original Text states in part): The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and fireworks and small ammunition. (Extensive)

***Section 5601.2 Permit Required* (Original Text):** Permits shall be required as set forth in section 105.5 and regulated in accordance with this section.

Addendum to (IFC) Section 5601.2 Permit required shall further read: It is unlawful for any person to sell or offer for sale in the unincorporated portions of Sumner County any item of fireworks or other explosives without first having secured a permit from the State Fire Marshal's Office, a Zoning Letter of Approval or Temporary Use Permit from the Zoning Board of Appeals and a Use and Occupancy Permit from the Sumner County Building & Codes Department.

- Permits are non-transferable.
- A permit to sell fireworks to the general public is valid only from June 20th through July 11th or December 18th through January 8th.
- The fee for public or private displays using Special Display (1.3) Fireworks is $250.00
- Any special event displays, including but not limited to, displays by schools, wedding groups, businesses, civic clubs or individuals that desire to have a 1.3G Special display or 1.4G Consumer Fireworks display must obtain a permit to use fireworks by paying a $200.00 permit fee and obtaining a Temporary Use Permit from the Sumner County Zoning Board of Appeals. This permit is allowed anytime of the year and is not limited by the time restrictions set forth in other provisions.
- Applicants shall pay $500.00 cleanup deposit per location, which shall be refunded after the firework season or used by the County to clean up the retail fireworks site if needed.

#7. (IEBC) 2021 INTERNATIONAL EXISTING BUILDING CODE: Adopt in its entirety with no amendments, deletions or appendixes.

#8. (IECC) 2021 INTERNATIONAL ENERGY CONSERVATION CODE: Adopt in its entirety but excluding Chapter 4/(RE)

#9. (ISPSC) 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE: Adopt in its entirety with the exception of:

The term ***Spa*** is to be deleted in ***Section 105. PERMITS***

The term ***Spa*** is to be deleted in ***Section 110 INSPECTIONS***

Section 307.2.2 Materials and structural design: is amended by adding 307.2.2.1.1 Minimum distance from adjacent building foundations. In-ground or semi in-ground pools shall be a minimum distance of 10 feet from any permanent building foundation or any attached elevated deck exceeding 36 inches above grade.

Exception: In-ground or semi in-ground pools shall be permitted to be within 10 feet from a structural foundation or any attached elevated deck exceeding 36 inches above grade if approved by a Tennessee Licensed Engineer. The engineer report shall be part of the pool permit application documents.

#10. ICC/MBI 1200-2021 Standard Off-Site Construction Section 101.1 Purpose: The purpose of this standard is to provide minimum requirements to safeguard public health, safety and general welfare and to address societal and industry challenges for the inspections and regulatory compliance of off-site construction. This standard is intended for adoptions by government agencies and organizations for use in conjunction with model codes to achieve uniformity in the inspection and regulatory compliance of off-site construction.

Adopt: ICC/MBI 1200-2021 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly in its entirety.

#11. ICC/MBI 1205-2021 Standard Off-Site Construction *Section 101.1 Purpose:* The purpose of this standard is to provide minimum requirements to safeguard public health, safety and general welfare and to address societal and industry challenges for the inspections and regulatory compliance of off-site construction. This standard is intended for adoption by government agencies and organizations for use in conjunction with model codes to achieve uniformity in the inspection and regulatory compliance of off-site construction.

Adopt: ICC/MBI 1205-2021 Standard for Off-site Construction: Inspection and Regulatory Compliance in its entirety.

#12. *Section 10101 Scope:* This standard establishes the minimum requirements for log structures to safeguard the public health, safety and welfare through structural, thermal and settling provisions. This standard is intended for adoption by local governmental agencies and organizations adopting model codes to achieve uniformity in technical design criteria in building codes and other regulations.

Adopt: ICC 400-2022 Standard on the Design and Construction of Log Structures in its entirety.

STATE OF TENNESSEE
Sumner County

JUNE 15, 2015

Date

Board of County Commissioners

RESOLUTION

No. 1506-02

TITLE **A RESOLUTION ADOPTING FOR PRELIMINARY CONSIDERATION THE PROVISIONS OF THE 2009 AND 2015 INTERNATIONAL RESIDENTIAL CODES AND THE 2015 INTERNATIONAL BUILDING CODES RELATING TO CERTAIN INSPECTION ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS WITHIN SUMNER COUNTY, TENNESSEE, IN THE AFOREMENTIONED CODES WHILE EXCLUDING CERTAIN PORTIONS THEREOF**

WHEREAS, Sumner County adopted certain building codes in September of 1992, February of 2002, and December of 2007; and

WHEREAS, it is the desire of Sumner County to update its building codes and to adopt for preliminary consideration the following:

2009 International Residential Codes, Chapter 11 (Energy Efficiency) **only**; and

2015 International Residential Codes
excluding the following:

Section R309.5	Fire Sprinklers
Section R313	Automatic Fire Sprinkler Systems
Section R326	Swimming Pools, Spas and Hot Tubs
Section R404.4	Retaining Walls
Chapter 11	Energy Efficiency
Section P2904	Dwelling Unit Fire Sprinkler Systems
Part VIII	Electrical; and

All Referenced Standards contained in the above-excluded section(s), part(s), and/or chapter(s) are **not** adopted.

All Referenced Standards contained in the section(s), part(s), and/or chapter(s) **not** excluded above **are** hereby adopted.

No appendices to the *2015 International Residential Code* are adopted <u>except</u>:

Appendix M **Home Day Care – R-3 Occupancy; and**

***2015 International Building Codes*; and**
***2015 International Fuel Gas Code*; and**
***2015 International Mechanical Code*; and**
***2015 International Plumbing Code*; and**
2015 International Swimming Pool and Spa Code, Sections 305 (Barrier Requirements), 306 (Decks), and 310 (Suction Entrapment Avoidance) **only**

WHEREAS, the purpose of adopting these codes is to facilitate proper inspection activities by Sumner County relating to construction and maintenance of buildings within Sumner County and for the public's safety, health, and general welfare; and

WHEREAS, TENN. CODE ANN. § 5-20-102 enables the governing body of any county to adopt such building codes; and

WHEREAS, under TENN. CODE ANN. § 5-20-102(b)(2), all codes suggested for adoption shall be made available for public inspection at the Sumner County Clerk's Office and the Sumner County Building and Codes Department from June 15th, 2015 to October 1st, 2015, which is a period not less than ninety (90) days prior to the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of June, 2015, that:

Section one: This body does formally adopt for preliminary consideration the following building codes and incorporates them by reference as if they were laid out herein verbatim for use in Sumner County and mandates compliance therewith:

> ***2009 International Residential Codes***, Chapter 11 (Energy Efficiency) **only**; and
>
> ***2015 International Residential Codes***
> **excluding** the following:
>
> | | |
> |---|---|
> | Section R309.5 | Fire Sprinklers |
> | Section R313 | Automatic Fire Sprinkler Systems |
> | Section R326 | Swimming Pools, Spas and Hot Tubs |
> | Section R404.4 | Retaining Walls |
> | Chapter 11 | Energy Efficiency |
> | Section P2904 | Dwelling Unit Fire Sprinkler Systems |
> | Part VIII | Electrical; and |
>
> All Referenced Standards contained in the above-excluded section(s), part(s), and/or chapter(s) are **not** adopted.

All Referenced Standards contained in the section(s), part(s), and/or chapter(s) **not** excluded above **are** hereby adopted.

No appendices to the *2015 International Residential Code* are adopted <u>except</u>:
Appendix M **Home Day Care – R-3 Occupancy; and**

***2015 International Building Codes*; and**
***2015 International Fuel Gas Code*; and**
***2015 International Mechanical Code*; and**
***2015 International Plumbing Code*; and**
2015 International Swimming Pool and Spa Code, Sections 305 (Barrier Requirements), 306 (Decks), and 310 (Suction Entrapment Avoidance) **only**

Section two: The penalty for violation of the aforementioned codes is set forth in TENN. CODE ANN. §§ 5-20-101 *et seq.*

Section three: It shall be the responsibility of the Sumner County Building Commissioner and/or his or her designee to oversee administration of the codes and compliance therewith.

Section four: Under TENN. CODE ANN. §§ 5-20-102(b)(1) and (b)(2), a copy of the code, which was previously incorporated into this resolution by reference as if it were laid out herein verbatim, shall be filed in the Sumner County Clerk's Office for public use, inspection, and examination for ninety (90) days prior to the adoption of this resolution.

Section five: Under TENN. CODE ANN. § 5-20-102(c), this resolution shall be published in a newspaper having general circulation in Sumner County prior to it becoming effective.

BE IT FURTHER RESOLVED that this resolution shall be passed again by this body and become effective on October 1st, 2015 or as soon thereafter as this body deems appropriate; and

BE IT FURTHER RESOLVED that this matter shall be considered and have an adequate public hearing prior to final passage.

Anthony Holt
COUNTY EXECUTIVE

CERTIFICATION OF ACTION

Bill Ker
COUNTY CLERK

6/16/2015
DATE

Ayes 22 Nays 1 Abs 0

APPROVED: ☑ **REJECTED:** ☐

STATE OF TENNESSEE
Sumner County

DECEMBER 17, 2007
Date

STATE OF TENNESSEE, SUMNER COUNTY
I, the undersigned, County clerk, do hereby certify that the foregoing is a true and correct copy of the original instrument filed in this office.
Given under my hand and the seal of office
This 28th day of April 20 10
SUMNER COUNTY CLERK

Board of County Commissioners

RESOLUTION

No. 0712-07

TITLE

A RESOLUTION ADOPTING PROVISIONS OF THE 2006 INTERNATIONAL RESIDENTIAL CODES AND 2006 INTERNATIONAL BUILDING CODES, RELATING TO CERTAIN INSPECTION ACTIVITIES OF SUMNER COUNTY AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES BUT EXCLUDING CERTAIN PORTIONS

WHEREAS, Sumner County adopted certain building codes in September, 1992 and February 2002; and

WHEREAS, it is the desire of Sumner County, Tennessee to update its building codes and to adopt,

The 2006 International Residential Codes, excluding the following parts, or appendixes:
Part V - Mechanical
Part VI - Fuel Gas
Part VII - Plumbing
Part VII - Electrical
Appendixes A, B, C, D, F, G, H, I, J, K, N, O, &Q

The 2006 International Building Codes, excluding the following appendixes:
Appendixes C, D, E, F, G, H, I, J, &K; and

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by Sumner County relating to construction and to maintenance of buildings within said county and relating to public safety, health and general welfare; and

WHEREAS, pursuant to §5-20-102 of the Tennessee Code Annotated, all codes to be adopted were made available to the public for inspection at the Office of the County Clerk from August 1, 2007 the present time.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Legislative Body meeting in regular session on this 17th day of December, 2007 that:

Section One: This body does formally adopt the usage and compliance in Sumner County of the following building codes, by reference, as though they were copied herein fully:

The 2006 International Residential Codes,
excluding the following parts, or appendixes:
Part V - Mechanical
Part VI - Fuel Gas
Part VII Plumbing
Part VII Electrical
Appendixes A, B, C, D, F, G, H, I, J, K, N,
O &Q

The 2006 International Building Codes,
excluding the following appendixes:
Appendixes C, D, E, F, G, H, I, J, & K; and

Section Two: The penalty for violation of said codes is that set forth by Section 5-20-101 et seq.

Section Three: The administration and compliance of the codes shall be the responsibility of the County Building Commissioner and/or his designee.

Section Four: Pursuant to Tennessee Code Annotated §5-20-102(b), at least three (3) copies of the building code which is herein incorporated herein by reference shall be filed in the Office of the County Clerk for public use, inspection and examination.

BE IT FURTHER RESOLVED that pursuant to Tennessee Code Annotated §5-20-102(c), this resolution shall be published in a newspaper having a general circulation in the County prior to implementation of the resolution.

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 31st, 2007.

CERTIFICATION OF ACTION

COUNTY CLERK

COUNTY EXECUTIVE

12/20/07
DATE

Ayes 23 Nays 0 Abs 0

APPROVED: ☐ **REJECTED:** ☐

STATE OF TENNESSEE
Sumner County

SEPTEMBER 21, 1992
Date

Board of County Commissioners

RESOLUTION

No. 9209-03

TITLE

A RESOLUTION ADOPTING CERTAIN PROVISIONS OF THE STANDARD BUILDING CODE - 1991 EDITION AND THE CABO - ONE AND TWO FAMILY DWELLING CODE - 1989 EDITION RELATING TO CERTAIN INSPECTION ACTIVITIES OF SUMNER COUNTY AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES

WHEREAS, it is the desire of Sumner County, Tennessee to adopt, in all respects, the Standard Building Code - 1991 Edition and the CABO - One and Two Family Dwelling Code - 1989 Edition; and

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by Sumner County relating to construction and to maintenance of buildings within said county and relating to public safety, health and general welfare; and

WHEREAS, pursuant to Section 5-20-102 of the Tennessee Code Annotated from May 19, 1992 to September 21, 1992 all codes to be adopted, were made available to the public for inspection at the Office of the County Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Legislative Body meeting in regular session on this 21st day of September, 1992 that:

Section One: This body does formally adopt the usage and compliance in Sumner County of the following building codes, by reference, as though they were copied herein fully:

Standard Building Code - 1991 Edition
CABO - One and Two Family Dwelling Code - 1989 Edition

Section Two: The penalty for violation of said codes is that set forth by Section 5-20-101 et. seq.

Section Three: The administration and compliance of the codes shall be the responsibility of the County Building Commissioner and/or his designee.

Section Five: Pursuant to Tennessee Code Annotated Section 5-20-102(b), at least three (3) copies of the building code which is herein incorporated herein by reference shall be fixed in the Office of the County Clerk for public use, inspection and examination.

STATE OF TENNESSEE, SUMNER COUNTY
I, the undersigned County Clerk, do hereby certify that this is a true and correct copy of the original instrument filed in this office. Given under my hand and the seal of office

This 23 day of February 2022
Bill Kemp, Clerk by Jennifer Mitchell, DC
SUMNER COUNTY CLERK

Section Six: The County Building Commissioner and/or his designee shall begin enforcement only of those provisions in the Standard Building Code and CABO that relate to foundation inspections, frame inspections and final inspections.

BE IT FURTHER RESOLVED that pursuant to Tennessee Code Annotated Section 5-20-102(c), this resolution shall be published in a newspaper having a general circulation in the County prior to implementation of the resolution.

BE IT FURTHER RESOLVED that this resolution shall become effective as of January 1, 1993.

STATE OF TENNESSEE, SUMNER COUNTY

I, the undersigned County Clerk, do hereby certify that this is a true and correct copy of the original instrument filed in this office. Given under my hand and the seal of office

This 23 **day of** February 20 22

Bill Kemp, Clerk by Jenny Mitchell, DC

SUMNER COUNTY CLERK

CERTIFICATION OF ACTION

William L. Kemp

COUNTY CLERK

Rachel Brown

COUNTY EXECUTIVE

Sept. 23 - 1992

DATE

APPROVED: ☑ REJECTED: ☐

Sumner County Government

Building Department

APPLICATION FOR SEASONAL RETAILER FIREWORKS PERMIT

Name of Seasonal Retail Fireworks Business: _____

Mailing Address: _____ Phone _____

Email: _____

Name of property owner: _____

Mailing Address: _____ Phone _____

Responsible Person in charge (On site): _____

Mailing Address: _____ Phone _____

Tent Address: _____

Tent Size: _____X_____=_____ Total square feet.

The following information must be submitted along with this application for approval:

	A site plan showing dimensions of the lot, dimensions and location of the tent or stand, all adjacent structures within two hundred (200) feet of the outside perimeter of the tent or stand, and number and location of the parking spaces. A Letter of Zoning Compliance (Suite 202)
	A Current and Valid State Fire Marshal Permit
	Documentation of Monthly or Quarterly Sales Tax Returns Filed
	Documentation of Bodily Injury/Property Damage Liability Insurance of $1,000,000.00/Unlimited Dollars for Minors, showing Sumner County Government as the Beneficiary
	Flame Resistance Letter from the Tent Manufacturer or a third party inspection service
	Driveway permit or letter of exemption
	Electrical Permit

The list below summarizes the County's regulations and should not be relied upon as a substitute for the complete Sumner County Fireworks Ordinance or pertinent State and Local Building Codes.

1. Only 1.4 G Class "C" consumer fireworks maybe sold.
2. Such use shall only be permitted on lots where adequate- off street-parking -can be provided and where adjoining use will not be effected.
3. Fireworks tents or stands shall not be closer than fifty (50) feet from any accessory structure or within two hundred (200) feet of any fuel source, residence or business. ***Exception:*** Fireworks tents or stands previously located in the Planning Regions shall not be closer than fifty (50) feet from any accessory structure or within one hundred twenty five (125) feet from any fuel source, residence or business.
4. Twenty (20) feet setback from extreme outer edge of lane traveled to tent.
5. Temporary signage must comply with the Sumner County Zoning Resolution.
6. All stands and tents must set back a minimum of fort (40) feet from any public right- of - way.

7. An inspected and currently tagged fire extinguisher with a minimum 2A rating and one pressurized water type fire extinguisher must be present and conspicuously located for tents not exceeding 2,000 square feet. An additional 2A rated fire extinguisher and pressurized water type fire extinguisher must also be present and conspicuously located whenever the temporary structure exceeds 2,000 square feet.
8. Tents sizes exceeding Three Thousand (3,000) square feet must place a minimum of two (2) -10 pound, A-B-C type working fire extinguishers on each standing pole or shall be sprinkled.
9. No Smoking within(50) feet of any area in which fireworks are sold --"FIREWORKS NO SMOKING" sign must be posted in letters not less than 4" high at each entrance or as required by the inspector.
10. Per State law all persons must be 16 years or older to purchase fireworks- post an advisory of age minimum to handle or purchase firework.
11. It is Unlawful to sell any fireworks to an intoxicated or seemingly irresponsible person.
12. Firework sales permits shall be two thousand dollars ($2,000) for summer sales term and one thousand dollars ($1,000) for winter sales term. Clean-up deposit fee $500.00

Anticipated Sales Dates

A permit to sell fireworks to the general public is valid only from June 20 through July 5 or December 18 through January 2nd. **Please check the box(es) to indicate when you intend to sell fireworks this year and provide the date you anticipate will be the first day of sales for that season.** (For example, if you intend to sell during the June 20 through July 5 season and to begin sales on June 22, please check the box for June 20 through July 5 and write "June 22" on the line.) Said tents or stands must be removed and property clean no later than seven (7) days after July 4th or January 1st.

- ☐ June 20 - July 5; anticipated first day of sales: _____
- ☐ December 18 - January 2; anticipated first day of sales: _____

By signing below, I agree to abide by **all** rules and regulations of Sumner County Government. I understand that with regard to any violation of the County Fireworks Ordinance, that each day the violation exists constitutes a separate offense. If convicted of more than one (1) violation of the Sumner County Fireworks Ordinance, I understand that I, or the company I own, or may work for, may be banned from selling fireworks with the County for a time period not to exceed two (2) years. This application when approved shall also serve as the Seasonal Retailer Fireworks Permit.

_____ _____

Authorized Signature Date Building Official or Fire Marshal Approval Date

ITEMS TO BE PLACED

ON THE

LEGISLATIVE COMMITTEE AGENDA

DATE OF MEETING: **March 13, 2023**

TO: **Eric Sitler**

FROM: **Development Services Department**

SUBJECT: **SCOTTY PARKER STORAGE PUD - REZONING**
(First Reading)

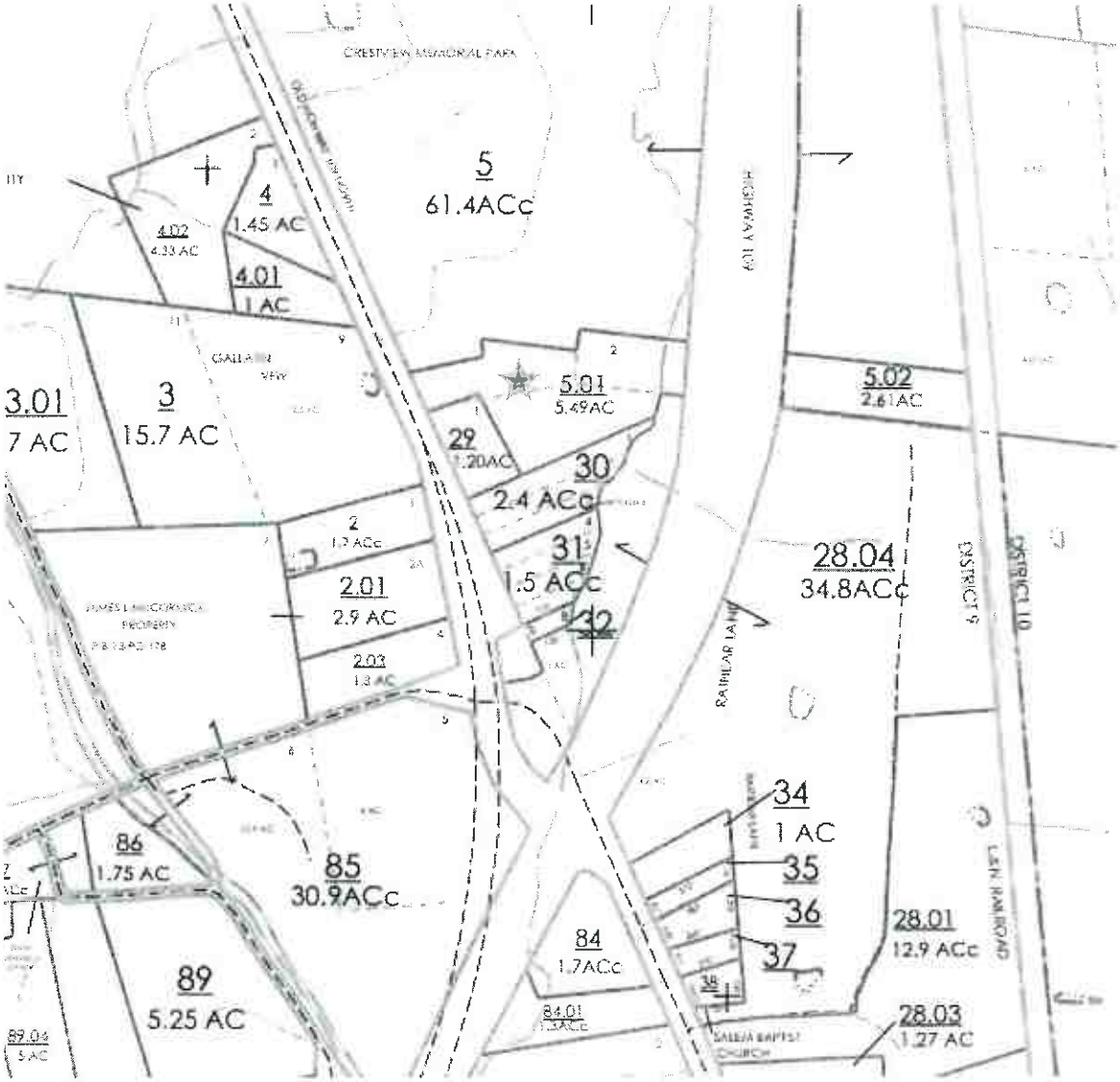
SCOTTY PARKER STORAGE PUD – REZONING – Jason Herrell, represented by GreenLID Design – 7th Commission Voting District (Danny Sullivan) – Applicant is seeking to rezone property from Rural Residential (RR) to Planned Unit Development (PUD) for the purpose of constructing and operating an automotive storage facility. Subject property is located at **1618 Scotty Parker Road, Gallatin, TN, 37066,** is part of Tax Map 104, Parcel 005.01, contains 5.49 acres and is zoned Rural Residential (RR).

The Sumner County Regional Planning Commission forwarded a POSITIVE recommendation related to this item on February 28, 2023.

CC: Jennifer

PUBLIC NOTICE

THE SUMNER COUNTY BOARD OF COUNTY COMMMISSIONERS WILL HOLD A PUBLIC HEARING ON **APRIL 17, 2023 AT 7:00 P. M.** IN THE BETHEL BROWN COMMISSION CHAMBERS OF THE SUMNER COUNTY ADMINISTRATION BUILDING, LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE.

SCOTTY PARKER STORAGE PUD – REZONING – Jason Herrell, represented by GreenLID Design – 7th Commission Voting District (Danny Sullivan) – Applicant is seeking to rezone property from Rural Residential (RR) to Planned Unit Development (PUD) for the purpose of constructing and operating an automotive storage facility. Subject property is located at **1618 Scotty Parker Road, Gallatin, TN, 37066**, is part of Tax Map 104, Parcel 005.01, contains 5.49 acres and is zoned Rural Residential (RR).

A COPY OF THIS NOTICE IS ON FILE AT THE SUMNER COUNTY DEVELOPMENT SERVICES DEPARTMENT IN THE SUMNER COUNTY ADMINISTRATION BUILDING LOCATED AT 355 NORTH BELVEDERE DRIVE, GALLATIN, TENNESSEE. ANYONE HAVING ANY INTEREST OR DESIRING TO ASK QUESTIONS CONCERNING THIS REQUEST IS INVITED TO JOIN THIS MEETING OR CALL 615-451-6097.