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# Building Regulations

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Building Regulations

## Building Permit Fee

### Private Acts of 2005 Chapter 16

**SECTION 1.** Where the Madison County legislative body has appointed a county building commissioner in accordance with Tennessee Code Annotated, Section 13-7-110, the building commissioner is authorized and directed to collect a building permit fee as set by resolution of the county legislative body for each building permit issued. The building commissioner shall collect the fee from the person, firm, or corporation to whom the building permit is issued and shall immediately remit the fee to the county trustee for general fund purposes.

**SECTION 2.** Chapter 166 of the Private Acts of 1963 is hereby repealed.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Madison County at the next regular meeting of the legislative body occurring more than thirty (30) days after the approval of this act by the governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

**SECTION 4.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

Passed: March 17, 2005.

### Private Acts of 1973 Chapter 116

**SECTION 1.** That Madison County is hereby authorized and empowered in all unincorporated areas in said County to prevent the erection, maintenance or occupancy of buildings, structures or premises dangerous to persons or property and to remove them when erected without their consent; to regulate the manner of building buildings, structures, signs, or parts thereof, whether of a permanent or temporary nature; to regulate the construction, repair and maintenance of stove pipes, flues, gas pipes and other like works in all buildings, and on all premises, for the purpose of preventing fires and the spread thereof; to regulate and prohibit the accumulation of junk cars, abandoned appliances and other debris; to regulate business of electricians and electrical work, and to enforce efficiency [sic] in the same, and to that end to pass all regulations necessary to carry out and enforce the powers hereby delegated; to regulate waterworks and water systems whether publicly or privately owned; to regulate the disposition of sewage and waste so as to preserve the public health; to regulate and control plumbers and plumbing works, and to enforce the efficiency of the same, and to that end to pass all regulations necessary to carry out and enforce the powers hereby delegated.

As amended by: Private Acts of 1981 Chapter 94

**SECTION 2.** For the purpose of enforcement of such regulations, Madison County is hereby empowered to create the offices of Building Commissioner, Electrical Inspector and Plumbing Inspector; to provide for the appointment of such inspectors, and to fix their duties and compensation, and if it chooses, to contract with incorporated cities and towns in such county, or any agency thereof, for the services of such City Inspectors having special skill in the inspection of buildings, electrical, plumbing and water works under such conditions as may be agreed upon between the public officials of such county and cities, to the end that City Inspectors may be made ex-officio or otherwise county inspectors.

**SECTION 3.** All regulations adopted pursuant to the authority hereby conferred shall affect only the unincorporated areas of said county, and shall not be held to abrogate or abolish any general or special Act of the General Assembly authorizing incorporated cities or towns to regulate such works, nor to affect any regulations enacted in any incorporated cities or towns lawfully enacted touching the subject matter of this Act.

**SECTION 4.** The regulations herein provided for shall be adopted by the Madison County Quarterly County Court by resolution, and may be adopted at any regular or special meeting of such Quarterly County Court. In order to carry out the provisions of this Act, the Madison County Quarterly County Court is hereby authorized and empowered to appropriate monies to carry out the provisions of this Act, and to provide for the compensation of the inspectors and other offices [sic] whose duty it shall be to enforce the provisions thereof.

**SECTION 5.** Any person, firm or corporation violating any of the provisions of this Act, or of any of the

regulations established pursuant to the authority hereof, shall be guilty of a misdemeanor, and shall be fined not less than One Dollar (\$1.00) nor more than Fifty Dollars (\$50.00), for each offense; and each day that any violation of any such provision or regulations shall continue shall be deemed a separate offense.

**SECTION 6.** In case any building or structure, works or instrumentality is or is proposed to be erected, constructed, reconstructed, altered, maintained or used, or any land is or is proposed to be used in violation of the provisions of this Act or of any regulation or provisions enacted or adopted by the Madison County Quarterly Court under the authority granted by this Act, such body, the county attorney, the county inspector of such works or any other officer or board of the county, in addition to other remedies provided by law may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction reconstruction, alteration maintenance, or use.

**SECTION 7.** Neither this Act, nor any regulation promulgated hereunder, shall modify, alter or repeal or in any way affect the applicability to said County of any of the provisions of Chapter 25 and 48, Title 53, Tennessee Code Annotated, and the provisions of same are incorporated herein by reference.

**SECTION 8.** This Act shall have no effect unless the same shall be approved by a twothirds (2/3) vote of the Quarterly County Court of Madison County, such approval to be within one hundred twenty (120) days after the passage of this Act. The action of the Quarterly County Court shall be proclaimed by the presiding officer of such governing body and shall be certified by him to the Secretary of State.

**SECTION 9.** This Act, for the purpose of action thereon by the Quarterly County Court as provided in Section 8, shall take effect from and after its passage, and for all other purposes shall take effect from and after its approval by the Quarterly County Court as above provided, the public welfare requiring it.

Passed: May 1, 1973.

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