

**ORDINANCE NUMBER 21-08-01**

**AN ORDINANCE AMENDING TITLE 12 CHAPTER 3 OF THE TOWN OF ATOKA, TENNESSEE MUNICIPAL CODE OF ORDINANCES RELATED TO THE BUILDING CODE. ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE**

**WHEREAS**, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use or maintenance of mechanical systems in the Town of Atoka, Tennessee and providing for the issuance of permits and collection of fees; therefore, and

**WHEREAS**, the State of Tennessee requires municipalities that adopt codes to remain within seven (7) years of the most recently published code, thereby requiring the Town to update its 2012 codes and

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:**

**Section 1.** That a certain document, one (1) copy of which are on file in the office of the Town Recorder of Town of Atoka, Tennessee, being marked and designated as the *International Mechanical Code*, 2018 edition, including Appendix Chapters (none), as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the Town of Atoka in the State of Tennessee regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Town Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

**Section 101.1.** Insert: Town of Atoka

**Section 106.5.2.** Insert: The fee schedule specified in Sections 106.5.2 shall be as periodically set by the Town of Atoka Board of Mayor and Alderman.

**Section 106.5.3** Insert: Shall be deleted in its entirety.

**Section 108.4.** Insert: "Misdemeanor" a maximum of "fifty dollars" (\$50.00) shall be specified; all references to imprisonment are deleted.

**Section 3.** That Ordinance No. 2016-03-05 of Town of Atoka, Tennessee referencing the 2012 International Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Atoka, Tennessee Mayor and Board of Alderman hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

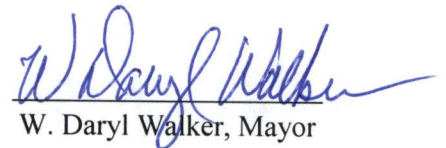
**Section 5.** That nothing in this legislation or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**Section 6.** That the Town Recorder is hereby ordered and directed to cause this legislation to be published.

**Section 7.** This ordinance shall take effect from and after its passage, the welfare of the town requiring it.

**PASSED** on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 13th day of June 2021.

**PASSED** on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 10th day of August 2021.

  
W. Daryl Walker, Mayor

ATTEST:

  
Town Recorder