

Background of the Legislation:

This legislation was brought forth by House Speaker Cameron Sexton, Rep. Kevin Vaughan and Senator John Stevens to increase attainable housing options mainly in urban areas throughout Tennessee. Local municipalities have the options of “opting in” to allow this design option to be available in their community.

Summary of Public Chapter 820:

- Amends Title 68 - Health, Safety and Environmental Protection
- Chapter 120 - Building Regulations
- Part 1 - General Provisions

[§ 68-120-101. Statewide Building Construction Safety Standards — Promulgation — Applicability](#) by adding additional language after (a)10 to include the following:

1. Require that the state fire marshal, in promulgating rules establishing minimum statewide building construction safety standards, **not prohibit less than six stories of Group R-2 occupancy, as defined in the building code adopted by the department of commerce and insurance, division of fire prevention, to be served by a single exit if:**
 - The building **has not more than six stories above grade plane;**
 - The building **does not contain more than four dwelling units on any floor;**
 - An **exterior stairway or interior exit stairway** is provided;
 - A **corridor separates each dwelling unit entry or exit door from the door to an interior exit stairway**, including any related exit passageway on each floor, and the dwelling unit doors do not open directly into an interior exit stairway, but may open directly into an exterior stairway;
 - There **is no more than 20 feet of travel to the exit stairway** from the entry/exit door of any dwelling unit;
 - Travel distance measured in accordance with the building code adopted by the department of commerce and insurance, division of fire prevention, **does not exceed 125 feet;**
 - Other **occupancies in the same building do not have access to the Group R-2 occupancy portion of the building or with the single-exit stairway.** For purposes of this
 - parking garages and occupied roofs accessory to the Group R-2 occupancy may have access to the exit stairway;

- The exit serving the Group R-2 occupancy does not discharge through any other occupancy, including an accessory parking garage; and
 - There are no openings within 10 feet of unprotected openings into the stairway other than required exit doors having a one-hour, fire-resistive rating; and
 - Authorize a local government to adopt the exception set out in (1) above by resolution or ordinance, and the exception becomes operative on the date of adoption of the resolution or ordinance;
2. A local government may adopt the exception set out in this subdivision (a)(11) by resolution or ordinance, and the exception becomes operative on the date of adoption of the resolution or ordinance.

Note there are also additional changes to Utility Services:

- When the owner of real property applies for utility service from a utility system for residential or commercial development on the owner's property and the utility has an existing utility line or system immediately adjacent to the real property, prohibit the utility system from requiring the owner to construct or pay for the construction of any offsite utility improvements as a condition for service or permit issuance;
- If a utility system determines that offsite utility improvements must be constructed to provide the utility service requested and to maintain the utility's current level of service and capacity to serve its existing customers, require the utility system to require the owner to construct or pay for the construction of such offsite utility improvements;
- Authorize the utility system to require the owner to upgrade the offsite utility improvements required pursuant to (4) above to increase the utility system's capacity to serve future customers, but only pursuant to a cost-sharing arrangement between the owner and the utility system;
- Establish that a utility system has 60 days from the date on which a building permit is requested from the local government or state fire marshal to make the determinations in (4) and (5) above;
- If the owner and the utility system are unable to agree upon the amount of the cost-sharing arrangement described in (5) above, authorize the owner to request the Tennessee board of utility regulation to determine the cost-sharing amount;
- Define, for purposes of the bill, an "offsite utility improvement" as any utility improvement or utility extension beyond the boundary of the real property being developed by the owner; and
- Authorize the Tennessee board of utility regulation to review and conduct informal hearings of cost-sharing amounts pursuant to the (3)-(9), above.