



Metro Codes

E—News For Neighborhoods

Metropolitan Government of Nashville and Davidson County

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Changes at Metro Environmental Court New Court Referee Named

On October 31, 2007 a new chapter began in Metro's Environmental Court. Referee Jim Todd held his first docket as the newly appointed court referee to hear Environmental court cases.

The Environmental Court hears cases from a number of Metro departments, including:

- Codes
- Health
- Parks
- Metro Historic Zoning

Two dockets are held to accommodate the volume of cases being heard. Normally, Health Sanitation cases, Animal Control cases, Parks and Water Services cases are heard during the 1:00 p.m. docket. Codes & Building Safety department cases

are heard during the 2:00 p.m. docket.

Referee Todd is a graduate of Vanderbilt University, and holds a JD degree from Memphis State. From 1993 to 2005 he served as an Assistant District Attorney. Since that time, he has operated his own private law practice.

In October of 2006, Mr. Todd was appointed to the Sexually Oriented Business Review Board where he was later appointed board chairman in November of that year. He resigned from the board to assume his new post as Environmental Court Referee in October of this year.

Mr. Todd takes over the post as referee from Ed Ryan, who had held the

post since 2003. Many innovations to the environmental court process were introduced under Referee Ryan's tenure; to



Jim Todd, Environmental Court Referee

include stream-lining the docket call process, stepped up assessment of fines and strict prosecution of repeat offenders. Referee Ryan was also sensitive to the concerns of neighborhoods. He met with a number of Nashville's neighborhood organization representatives and he actively encouraged neighborhood participation in his court.

NOTE:

Defendants should arrive in court at least 15 minutes before the start of their hearing time. The hearing date and time are printed on the citation or warrant. Failure to appear or answer when the docket is called could result in a default judgment and fines.

Environmental Court Facts

Location—Court Room 5D
A.A. Birch Building
200 2nd Avenue South

Court Times—Citation
Docket 1:00 p.m.
Warrant Docket 2:30 p.m.

Court Cost—\$87.75 for first hearing. Additional fees accrue each time the case is heard.

Fines—Up to \$50.00 per incident or \$50.00 per day per violation.

Metro Attorneys assigned to Environmental Court

Susan Jones
Doug Sloan

Landlord Registration in Full Swing

Property owners started receiving registration forms for the Landlord Registration Program with their annual tax bill in October.

T.C.A. title 66, Chapter 26-101 requires owners of residential rental property to register their rental units with Metro Codes. There is a \$10.00 fee to register. The fee covers as many residential properties that an individual (landlord) owns.

Property owners who live in their own property that is being occupied by family members or friend who are not being charged do not have to register. However, if the property should be rented in the future, then it must be registered as a rental unit.

Property owners who live in their property and are not renting any portion of the dwelling (owner occupied unit) are not required to register. We have received a

www.nashville.gov/codes

few registrations from owner occupied dwellings which have had to be returned. Also, persons who

Working with the Tax assessors office, the forms were distributed to over 107,000 owners of property in Davidson County.



Residential Landlord Registration

Effective July 1, 2007, Tennessee Code Annotated Title 66, Chapter 28-101 requires each landlord of one (1) or more dwelling units to furnish contact information with the agency or department of local government that is responsible for enforcing building codes in the jurisdiction where the dwelling units are located.

The Department of Codes & Building Safety is the agency responsible for collecting all registration information. This contact information is only used in the event the Codes Department has to contact the owner to correct any Codes violation at their rental property. All landlords should contact the Codes Department as soon as possible to register. Owners can register using this form, or you may use the expanded form that can be found on our web sight at www.nashville.gov/codes. There is a \$10.00 fee required with each registration. Only one fee is required to register all of your residential rental properties.

The Codes Department has set up a web page that gives complete details about this new requirement as well as a link to the registration form. Owners of rental property or their agents should complete the form and mail it with the required \$10.00 registration fee to: Department of Codes & Building Safety For more information you may also call our office at
 ATTN: Landlord Registration Program (615) 862-6590.
 800 2nd Avenue, South
 Nashville, TN 37210

MAYOR CALLS FOR UPDATE TO SIDEWALKS AND BIKEWAYS PLAN

Mayor Karl Dean has directed the Public Works and Planning departments to update the Strategic Plan for Sidewalks and Bikeways in Davidson County.

The planning process is expected to begin next week and will take about five months to complete. It will include receiving community input through a series of public meetings to begin after the start of next year.

A key component of updating the plan is reviewing the Sidewalk Priority Index (SPI), which establishes the order for new sidewalk construction and improvements based on proximity to neighborhoods, schools, libraries, parks and other facilities that create pedestrian traffic.

“Nashville has made great strides in past years to accommodate walkers and cyclists,” Dean said. “It’s important that we continue that momentum, but I want to make sure that decisions are made based on the most current information.

“Nashville needs to be a city for families and having adequate access to sidewalks and bikeways provides both

safety and recreational space. An updated plan will ensure that areas with the greatest need are made a priority.”

The strategic plan provides:

- Recommended pedestrian and bicycle networks
 - Design standards for constructing sidewalks and bikeways
 - Criteria for establishing priorities for new construction and improvements
 - Recommended changes to relevant ordinances and regulations
 - Public education and enforcement recommendations
- An assessment of the funding mechanism

The original plan was completed in March 2003 based on Nashville’s land use at the time. Since then, 118 miles of sidewalks have been completed with another 29 miles under construction or planned, and 81 miles of bikeways have been completed with an additional 63 miles being designed or under construction.

2007 Metro Codes Golf Tournament Sets Record

The community has again stepped up to the tee box and donates a record \$24,000 through the 11th Annual Metro Codes Charity Golf Tournament. All proceeds are donated to Easter Seal Camp on Old Hickory Lake, Miriam's Promise and the Harris-Hillman School through the Metro Employee's Consolidated Charities Campaign (MECCC).

This year 128 golfers and over 100 sponsors made it possible for us to surpass last years donation by \$4,000. Everyone involved in putting the tournament together, both inside and outside the department, always looks forward to challenging ourselves each year to do all we can to all we can to help these charitable groups.

On behalf of the charities we want to thank all our golfers, sponsors, volunteers inside and outside the Codes Department for their dedication to the con-

tinued success of the Annual Metro Codes Charity Golf Tournament, and for making it a source of support which they can depend upon in our community. On behalf of the Codes Department thanks to each of you for opening up your hearts in such a generous manner to benefit our community.

We are already looking ahead to

making next year's tournament an even greater success.



Everyone enjoyed the hospitality of the Ted Rhodes Golf Course



Terry Cobb, Director of Codes & Building Safety assists Jim Winchester, of Mid-South Electrical & Mechanical in handing out door prizes



Four of the 128 golfers prepare to tee-off

Rental Inspection District Program Urbandale-Nations

To learn more about this new program, visit our web page at : www.nashville.gov/codes

The Department of Codes & Building Safety began the first of it's Rental Inspection District inspections this month in the Urbandale-Nations area. Under this program, specific geographic areas have been selected based on a set of criteria which applies to residential rental property within the district. These criteria include:

- Age of the dwellings
- Percentage of rental units in the defined area
- High percentage of dilapidated dwellings or dwellings likely to become dilapidated
- High number of Codes violations

Owners who own property in the Urbandale-Nations area should have received a notice from Codes to register their property. If the owner has already regis-

tered their property(s) with Codes as required by the Landlord Registration program, they only need to indicate the address(s) of their rental units and check the box that indicates their contact information is already on file with Codes, then sign, date and return the form. If the property is not a residential rental property, no action is required.

Our inspectors will be making a visual inspection of every parcel within the district looking for Codes violations. If you own a rental property and you receive an abate notice from us, please make the corrections within the prescribed time period. Failure to do so will result in a mandatory, annual inspection of your rental unit. Also, if you have not registered, you must do so immediately or you could be subject to a citation or warrant to environmental court.



A larger, printable version of this map is available by going to the Codes & Building Safety web page at www.nashville.gov/codes.

Plumbing Systems and Fixtures Preventing Scalds and Burns

In the United States, more than 112,000 people enter the emergency room at the hospital per year with scald burns. Of these, six percent or 6,700 have to be hospitalized. Almost 3,000 of these scald burns come from tap water in the home. The two high risk groups are children under the age of five and adults over the age of 65. It only takes one second to get a serious third degree burn from water that is 156 degrees Fahrenheit. If instant coffee granules melt in your tap water, it's set too hot and could cause serious burns to you or someone in your family.

Safe Water Temperatures

Water at temperatures between 124 and 130 degrees Fahrenheit is hot enough to do laundry, dishes and other household cleaning tasks without causing a major threat to you and your family. However, water heaters often are installed at somewhere between 140 and 150 degrees. A word of caution - water heater thermostats are not very reliable. Many are marked "low-medium-high" and who knows what that is? Those that have numbers shouldn't be relied upon either.

Turn on just the hot water at your sink or bathtub. Let the water run for three to five minutes. Then check the water temperature with a meat or candy thermometer. If the water is 130 degrees or higher, the thermostat on the water heater should be turned down. Wait one day for the water to reach the new temperature and then check the temperature at the same faucet again. Repeat the process until your water temperature is between 124 and 130 degrees Fahrenheit.

Precautions When Bathing a Child

Another way to prevent scald injuries is to **change behavior** when it involves children. Run cold water into a bathtub first and then add hot water to adjust the temperature. Before placing a child into the tub, measure the temperature of the water. It should not exceed 102 degrees.

Take the phone off the hook while bathing the child. This will help maintain necessary continuous supervision of the child who is in the bathtub. Clearly mark the hot water setting on single valve units and turn the valve to the cold setting after

filling the tub. This will reduce the risk of unintentionally introducing hot water into the tub.

Keep toys out of the bathtub. Placing toys in the tub while bathing the child establishes the bathtub/bathroom as a "play area." Give the child a washcloth to hold and face the child away from the faucet handles. This will take their attention away from the faucets and reduce the risk of them turning on the hot water during the bathing activity. As the child matures, teach them that the bathroom is a place for specific activities and not a play area. Establish designated "play areas" in the home and teach the child that these are the places to play rather than the bathroom or other areas of risk.

Regulate the Water Temperature

Install a tempering valve (pressure/temperature regulating) in the water line, which leads to the bathroom from the water heater. Set the temperature at 120 degrees. This valve has the potential of eliminating the risk of tap water scald burn injuries.

These provisions first made their way into the CABO and SPC (organizations which develop building codes and standards used world-wide) Codes between 1985 and 1989. Prior to this, shower valves and tub/shower valves were not required to limit temperatures. With this in mind, if your home was built prior to 1990, you and your family may not be protected by an anti-scalding device and extreme caution is urged.

If you live in an apartment, ask the building's maintenance department to lower the hot water temperature. Like single-family homes, if your apartment was built prior to 1990, it is likely that you do not have these safety devices. If your building maintenance staff has questions, please feel free to ask them to call Metro Codes and Building Safety.

Quick Tips

- *Set water temp to < 130 degrees F*
- *Keep toys out of the bathtub*
- *If possible, position faucets at least 36" above bathtub*
- *Never leave a child unattended in the bathtub*

Fire Safety Keep Your Means of Egress Clear

The Property Standards Code requires that there be “a safe, continuous, and unobstructed means of egress shall be provided from any point in a building or structure to the public way, in accordance with the requirements of the building code and fire code as adopted by the metropolitan government.”

In 2006, fire departments responded to 412,500 home fires in the United States, which claimed the lives of 2,580 people (not including firefighters) and injured another 12,925, not including firefighters (Karter 2007)

The winter season is “Fire” season and we all need to be aware of possible safety hazards in our homes and in our workplace. Something we are seeing more of are what our inspectors are calling “Pathway” houses. These are dwelling units which have piles of stuff stacked up all throughout the dwelling. In some

cases, the piles go from floor to ceiling. Often the only way to navigate through the dwelling is to walk sideways around the many piles of clothes, newspapers, books, boxes, etc.

This is a very dangerous situation, especially if the occupants are elderly or there are young children in the home. In an emergency, time is critical and a few minutes or seconds can mean the difference between escaping a fire and being trapped.

One of the keys to fire safety is to “Learn Not To Burn.” You can do that by following just a few simple steps.

1. Have a fire escape plan and practice that plan often, especially if you have young children.
2. Establish a meeting place for family members or employees to meet once outside in case of fire.
3. Make sure your home has working smoke detectors. Change the battery every year and check their function monthly.
4. Make sure egress points like windows and doors are not blocked by furniture, appliances or other items which would prevent their use in an emergency.
5. Dispose of excess items, especially old papers, boxes, and other combustible materials.
6. Only store flammable materials in approved containers. Then store the containers according to the manufacturer's recommendations.
7. Properly dispose of used oil, kerosene, gasoline and other flammable materials.

Metro Social Services Leads Distribution of Thanksgiving Baskets

Metropolitan Social Services is working with community partners to provide Thanksgiving baskets for Nashville's families in need. Tennessee Titan Linebacker David Thornton will help distribute baskets at the Northeast Family Resource Center to wish families a Happy Thanksgiving.

Thanks to the generosity of its sponsors, 300 families will receive Thanksgiving baskets with turkeys and all the trimmings to brighten their holiday meal. The families have been selected based on economic need.

On November 20, 2007, the baskets will be transported by motorcade to a central location for delivery. The Thanksgiving baskets will be distributed from Napier Community Center, McGruder Family Resource Center and Northeast Family Resource Center to the 300 families which have been selected.

Event Sponsors

Secure Horizons
AmeriChoice
92-Q Cumulus Broadcast
Alpha Kappa Alpha (Upsilon Psi Omega)
Dr. Harvey Bowles
Consolidated Riders
Metro Social Services
National Black Police Officers Association

– Nashville Chapter
National Pan-Hellenic Council – Nashville
O'Neill Properties
Phatkaps
Fellowship Bible Church
Keeling Investment Properties
Dr. Harvey Latimer
Lee Chapel A.M.E. Church

Lil Cee's Restaurant
Meharry's SISTER Program
Service Employees International Union
Smith Brother Funeral Home
Sylvan Street Baptist Church
Tennessee Biker Coalition
TSU – Alpha Psi Alpha
TSU – School of Social Work

The Condemnation Process What It Means For Neighborhoods

Codes can take a number of actions to correct a housing violation. If the structure only needs minor, cosmetic repairs, these can be addressed with an abate notice, just like the ones we use for junk, trash and debris in yards.

However, if the structure has more serious deficiencies or if there are life-safety violations involved, we are able to take more strict measures to abate the violations. One of the most drastic measures we can take is to condemn the property. This is the action we are most often asked to take when there is a problem house in the neighborhood. We get requests on a regular basis to come out to inspect houses that are being used for criminal activity, usually for the sale, distribution or use of illegal substances, better known as the local "Crack House." Many people believe that these kinds of problems can be eliminated if Codes would just come in and condemn the house. Unfortunately, there are a lot of factors and actions which must take place before this can be accomplished.

First, the structure must be in a serious state of disrepair. The fact that illegal activity is occurring or that the house is vacant does not by itself qualify the structure for condemnation. While it is true that illegal activity often occurs in vacant, dilapidated structures, it is also likely to occur in houses that do not have any major codes violations. In that case, we can only abate the minor violations, but we cannot condemn the structure.

If the structure is vacant and secured, but is not in a deteriorated state and the yard area is being maintained, we cannot condemn the structure, even if it is boarded up.

Another issue is access. In order to condemn a structure, we usually need to have access to the interior to do a detailed interior inspection. Unless the structure has obvious structural failures we can observe from the outside (holes in or missing roof, severe fire damage, collapsed walls, etc) we may not be able to justify a condemnation recommendation.

Neighbors should aggressively report illegal activity to the police. With sufficient incidents of criminal activity, the police can obtain a court order to vacate the property.

Is a property is condemned, a title search must first be done to



verify ownership information and any other interested parties. Then we must schedule and hold an administrative hearing with the owner(s). It is only after this hearing that we then issue a formal order to either repair, demolish, or vacate and close the structure.

All of these actions are time consuming and can take months to complete. Neighbors will have to have patience as Codes pursues a condemnation action.

CODES CONDEMNATION ACTIONS OPTIONS

Code Repair

Property has serious exterior and/or interior violations. Property may be worthy of condemnation. However, the repairs necessary to bring the property up to the minimum standards required can be done for less than 50% of the value of the building.

Code Demo

Property has extensive damage or deterioration, multiple life safety violations and is usually structurally unsafe, may be severely fire damaged or has suffered a major structural failure. Cost to repair exceeds 50% of the structures value.

Vacate and Close

This property has major damage or dilapidation as a Code Repair, but the repairs are such that the building cannot be occupied until the repairs are completed. This action may be required when there are serious life safety violations present, or were there is an imminent danger to the occupants.

Employee Highlights



Frank Jordan, III is a Property Standards Inspector I assigned to the “Red Team” which is under the direct supervision of Ronnie Mitchell.

Frank has been employed with Metro for over 35 years. He began his career as a housing inspector. He later spent two years in the zoning division as a zoning examiner. Frank returned to the Property Standards division in 2001.

His territory includes 12th Avenue North in North Nashville, to West Nashville, including Bellevue to the County line.

Currently, Frank is certified with the International Codes Council as a Residential Building Inspector and a Property Maintenance Inspector. He also holds certifications for Residential Electrical, Gas / Mechanical Inspector.

Frank has been married for over 30 years and has three children and seven grand children. He enjoys all things electronic and is known to spend Sunday's watching his favorite pastime, professional football.

Renters Rights Important Things You Need To Know

Many citizens of Davidson County are renters. Unlike the average homeowner, renters often cannot make repairs to their rental units. They must rely on their landlord or the landlords agent to keep the property maintained.

Codes is often called to inspect rental units where conditions range from minor inconveniences to being substandard and unfit to live in. If you are a renter and you find yourself in this situation, there are some important things to remember:

- First, unless your lease allows it, do not withhold rent payments because repairs are not being made unless you have the advice of an attorney.
- You cannot be retaliated against if you report violations to Codes. It's recommended that you make a reasonable effort to inform your landlord of the situation before calling us.
- Keep a record of your requests to have repairs done. If verbal requests do not work, submit your request in writing.
- There are some things the landlord is not required to provide. Check your lease carefully! While some form of heat is mandatory, air conditioning is not.
- In order for us to address any potential violations, we must be given access to the rental unit.

Department of Codes & Building Safety

Metro Office Building
800 2nd Ave., South
Nashville, TN 37210
615-862-6590 / Fax 862-6593

Mayor—Karl F. Dean

Director—Terrance Cobb
Assistant Director—Bill Penn

Office Hours: Mon-Fri / 7:30-4:00



Green Building Quote of the month

"We have not inherited the Earth from our ancestors; we have borrowed it from our grandchildren."

-- Author Unknown



For information regarding accessibility, please contact Manley Biggers at (615) 862-6521 or fax (615) 862-6499. He can also be reached at manley.biggers@nashville.gov



PASS IT ON!

Pass the word about our newsletter! We would be honored if you would share our newsletter with your colleagues and co-workers. If anyone would like to sign up to receive it themselves, they just need to send us their email, and we will be happy to “Pass It On” to them.

Terry Cobb and **Bill Penn** welcome your feedback on our e-newsletter. Please send your comments to

Bill Penn,

Assistant Director, Property Standards Div , 862-6590