

ORDINANCE 26-01

AN ORDINANCE AMENDING OAKLAND MUNICIPAL CODE TITLE 2, ADDING CHAPTER 3; CREATING A CONSTRUCTION BOARD OF APPEALS FOR THE TOWN OF OAKLAND, TENNESSEE, AND ESTABLISHING ITS POWERS AND DUTIES

WHEREAS, the Town of Oakland, Tennessee, has adopted building and construction codes to ensure the safety, health, and welfare of its residents; and

WHEREAS, the 2021 International Building Code (IBC), as adopted by the Town, provides for the establishment of a board of appeals to hear and decide appeals of orders, decisions, or determinations made by the Building Official; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Oakland deem it necessary and appropriate to establish a Construction Board of Appeals to carry out these purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF OAKLAND, TENNESSEE, AS FOLLOWS:

Section 1. Creation of the Construction Board of Appeals

There is hereby created a board to be known as the *Town of Oakland Construction Board of Appeals* (hereinafter referred to as the "Construction Board").

Section 2. Purpose and Authority

The purpose of the Construction Board is to hear and decide appeals of orders, decisions, or determinations made by the Building Official or other code enforcement officers relative to the application and interpretation of the adopted construction codes of the Town of Oakland.

The Construction Board shall have authority as outlined in this ordinance and in accordance with Section 113 of the International Building Code, as adopted and amended by the Town.

Section 3. Membership

(a) **Composition** — The Construction Board shall consist of **five (5)** members appointed by the mayor and confirmed by the Board of Aldermen. The Building Official shall be an ex officio member of the Construction Board but shall not have a vote on any matter before the Construction Board. Members shall not be required to be residents of the Town of Oakland but shall work regularly within the town and be generally familiar with the Town's building codes and requirements.

(b) **Qualifications** — Members shall be qualified by experience and training to pass judgment upon matters pertaining to building construction and shall not be employees of the Town. Appointments shall, where possible, include representatives from the following fields:

1. Registered design professional (architect or engineer)
2. Building contractor

3. Electrical, plumbing, or mechanical trade representative
4. Member-at-large with demonstrated knowledge of building practices

(c) **Terms** — Members shall serve staggered three-year terms. The initial appointments shall be for one (1), two (2), and three (3) years, respectively, to provide staggered expiration dates.

(d) **Vacancies** — Vacancies shall be filled in the same manner as the original appointment for the unexpired term.

(e) **Removal** — Members may be removed by the Board of Mayor and Aldermen after a 15-day written notice.

Section 4. Officers

The Construction Board shall annually elect a Chairperson and Vice Chairperson from among its members. The Building Official or designee shall serve as **Secretary** to the Construction Board but shall have **no vote**. All other members will be voting members. Members must **recuse themselves** from any case where they have a financial or personal interest, under **TCA § 12-4-101**.

Section 5. Meetings and Procedures

(a) The Construction Board shall meet upon notice from the Chairperson or Secretary within **thirty (30) days** of the filing of an appeal.

(b) A quorum shall consist of **three (3)** members.

(c) All meetings shall be open to the public, and minutes shall be kept as a public record. All meetings shall have a 5-day notice in advance in a local paper and on the town website.

(d) The Board may adopt rules of procedure consistent with this ordinance and applicable law.

Section 6. Powers and Duties

The Construction Board shall have the following powers:

1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by the Building Official in the enforcement of the construction codes.
2. To determine the suitability of alternate materials, methods of construction, and to provide reasonable interpretations of the codes.
3. To recommend to the Board of Mayor and Aldermen amendments to the technical codes or administrative procedures as deemed necessary.

Section 7. Appeals Procedure

(a) Any person aggrieved by a decision of the Building Official may appeal to the Construction Board within **twenty (20) days** from the date of the decision, order, or determination.

(b) Appeals shall be filed in writing with the Building Official, stating the specific grounds for the appeal.

(c) The filing of an appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Official certifies in writing to the Board Chair that such a stay would cause imminent danger to life or property, in which event all necessary proceedings deemed by the building official as necessary to avoid such imminent danger shall not be stayed.

Section 8. Decisions

The Board shall render all decisions and findings in writing, with copies provided to the appellant and the Building Official. A majority vote of the members present shall be required to modify or reverse a decision of the Building Official. The decision of the Board shall be final, subject to judicial review as provided by Tennessee law.

Section 9. Severability

If any section, clause, or provision of this ordinance shall be declared invalid or unconstitutional, such declaration shall not affect the remaining portions.

Section 10. Effective Date

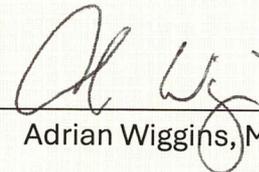
This ordinance shall take effect immediately upon its passage, the public welfare requiring it.

Be it ordained by the Board of Mayor and Aldermen of the Town of Oakland, Tennessee, this 19th day of February, 2026

Passed on First Reading: January 15, 2026

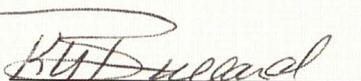
Public Hearing held on: February 19, 2026

Passed on Second Reading: February 19, 2026



Adrian Wiggins, Mayor

ATTEST:



Yvonne Bullard, Town Recorder