

ORDINANCE NO. 65

AN ORDINANCE ADOPTING THE 2006 *INTERNATIONAL BUILDING CODE* AS AMENDED AS THE BUILDING CODE OF THE TOWN OF ANNETTA SOUTH; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY; AUTHORIZING PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Annetta South City Council desires to adopt the 2006 International Building Code with amendments recommended by the North Central Texas Council of Governments and other amendments in order to better provide for the safety of its residents and their property; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ANNETTA SOUTH, TEXAS:

Section 1: The International Building Code, 2006 Edition, together with Appendix I of such Code, as adopted by the International Code Council, Inc., in cooperation with the International Conference of Building Officials, a copy of which is on file in the office of the Town Secretary, as herein amended, is hereby adopted by reference and designated as the Building Code of the Town of Annetta South, the same as though such Code, Appendix and amendments were copied at length herein.”

Section 2: The International Building Code, 2006 Edition is hereby amended as follows:

*****Section 101.1, change to read as follows:**

101.1 Title. These regulations shall be known as the Building Code of the Town of Annetta South, hereinafter referred to as "this code."

*****Section 101.2, change exception to 101.2 to read as follows:**

Exception: Detached one- and two-family dwellings and multiple single-family dwellings that are constructed on individual parcels (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

****Section 101.4; change to read as follows:**

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any

reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

****Section 101.4.1; change to read as follows:**

101.4.1 Electrical. The provisions of NFPA 70 (the National Electrical Code), shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any references herein to the ICC International Electrical Code shall refer to NFPA 70 National Electrical Code.

****Section 101.4.5; Delete**

****Section 102.6; change to read as follows:**

102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change, except as is specifically covered in this code, the Town's substandard building regulations, or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

****Section 105.2; modify items #1, 2, 4, 6, 10 and add items #14 & 15: change to read to read as follows:**

1. Provided they meet all other local, state and federal requirements, one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, are exempt from building permits provided the floor area does not exceed 200 square feet.
2. Replacement of up to four eight-foot sections of fence.
4. Retaining walls which are not over 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding class I, II or III-A liquids. (Retaining walls placed in succession shall be considered one wall if, upon drawing a line from the bottom of the footing of the lower wall at a 45-degree angle up and towards the higher wall. The line intersects the higher wall or any material retained by the wall at any point.) Retaining walls 3 feet or taller must be designed by an engineer licensed to practice in the State of Texas.
6. Sidewalks and other flatwork less than 200 SF in area not located within the public right-of-way or more than 30 inches (762 mm) above grade, and not over any basement or story below, and are not part of an accessible route or intended for public use.
10. (Deleted)

14. Roof repairs on group R, division 3 and their accessory structures. For the purpose of this section, roof repairs shall include the repair and replacement of the material above, but not including, the decking material, lathing boards or sheathing boards. The building official may revoke this exception during periods of federal or state disaster relief efforts; in which case a building permit and contractor registration is required prior to commencement of roofing repair/replacement activities.

15. Freestanding satellite dishes not exceeding one meter in diameter that do not exceed 12 feet in height.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

****Section 105.7; change to read as follows:**

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project. A permit card which has been issued by the department of building inspection shall also be kept on the site in a prominent location and remain visible to the building official and/or his designee until the completion of the project.

****Section 106.4.1; add section to read as follows:**

106.4.1 Final as-built grading surveys. A final “as-built” grading & drainage survey must be provided to the building inspector prior to final inspection approval on all new construction (commercial and residential), swimming pools, and other features which may affect the Town’s engineered drainage designs. The grading and drainage survey must be prepared by a licensed surveyor and must include site elevations, finish-floor elevations, site features (i.e. trees, sod, A/C units, accessory buildings, etc.), drainage arrows, building foot print(s) and fence locations. The survey must also include a written statement by a licensed surveyor certifying that the final grading of the individual site conforms to the engineered drainage and grading plans approved by the Public Works Department for the particular lot/subdivision. The Building Inspection Department will not issue an approval of the feature/lot/subdivision until this survey and corresponding certification have been received and approved by the Building Official or his designee.

****Section 109.3; change section to read as follows:**

109.3 Required Inspections. The building official, upon notification, shall make the inspections set forth in the following sections.

109.3.1 Footing and foundation inspection. To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with approved

nationally recognized standards, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

109.3.2 Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

109.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification, when required, shall be submitted to the building official.

109.3.4 Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

109.3.5 Steel and structural framework. Reinforcing steel or structural framework of any part of any building or structure, including those items of Section 109.3.1 and 109.3.2, shall not be covered or concealed without first obtaining the approval of the building official.

109.3.6 Fire-resistive penetrations. Protection of joints and penetrations in fire-resistance-rated-assemblies shall not be concealed from view until inspected and approved

109.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with the Energy Code and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

109.3.8 Other inspections. In addition to the inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the department of building safety.

109.3.9 Special Inspections. For special inspections, see Section 1704.

109.3.10 Final inspection. To be made after finish grading and after wall work required by the building permit is completed. The Final Inspection shall take place when the building is completed and ready for occupancy.

109.3.11 Storm Water Pollution Inspection. During the course of construction, every inspection mentioned in section 109.3.1 through 109.3.10 shall also include a storm water pollution control inspection in accordance with section 1803.3.1. Construction sites

failing to provide and/or maintain adequate storm water pollution controls may be disapproved regardless of the condition of the primary inspection.

****Section 109.4; change section to read as follows:**

109.4 Inspection Agencies. At the discretion of the building official, reports from approved inspection agencies may be accepted with prior written approval. If approved by the building official, inspection agencies must satisfy the requirements as to qualifications and reliability.

****Section 109.6.1; add section to read as follows:**

109.6.1 Covered or concealed work. Any work covered or concealed without inspection shall be considered to constitute an unsafe structure and subject to the corrective provisions of Section 115. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

****Section 110; change entire section to read as follows:**

110.1 Use and occupancy. Except for one and two family dwellings and their accessory buildings, no building or structure within the Town shall be used; subjected to change in occupancy classification, use or character of use; occupied or reoccupied unless the building official has issued a certificate of occupancy. In the event that any building or structure is leased or subleased in separate lease-units, each lease-unit must have a certificate of occupancy issued to such separate lease-unit. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall remain visible at all times the building is occupied. No utility service shall be supplied to any building or separate lease unit until the building official has notified the supplier in writing after review, inspection, and approving the certificate of occupancy applicant.

Exception: The building official may release utility services for a temporary period of time upon written request by the applicant for the purposes of cleaning and showing prospective rental properties.

110.1.1 Responsible party. Any person, firm or corporation who violates any portion of this section by using or occupying a building or structure without obtaining a certificate of occupancy shall be guilty of a misdemeanor and fined in accordance with this code and the Ordinances of the City of Annetta South, Texas. Both the tenant and the landlord shall be deemed guilty of violation in the event of use or occupancy of leased premises without a certificate of occupancy.

110.1.2 Authority to remove utilities. In order to further compel compliance with this section, the building official may order that no utility, including water and/or electrical, be provided to the building, or portion thereof, which is occupied or used without a

certificate of occupancy. In the event that a leased portion of any building is in violation of the ordinance, the utility provided to the entire building may be discontinued upon order of the building official until the violation is abated. However, in the event that the portion of the lease portion of the building which is in violation of the ordinance is separately metered for water, then the building official's order to stop utilities shall apply only to that meter which controls the services provided to the portion of the building in violation of this section. The utility department shall give full force and effect to the order of the building official.

****Section 110.3; Amend section 110.4 to read as follows:**

110.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely and all sanitary and life-safety requirements are installed and completed. The building official shall set a time period not to exceed 60 days in which the temporary certificate of occupancy is valid. The fire marshal or his designee shall also approve all temporary occupancies.

Exception: Group R, Division 3 and their associated accessory Group U Occupancies.

****Section 110.4; Amend section 110.4 to read as follows:**

110.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance, regulation, or law, or any provisions of the building codes adopted by the Town of Annetta South. The building official is also authorized to, in writing, suspend or revoke a certificate of occupancy when it is determined that a building is used or occupied for activities that are not in compliance with the zoning ordinance of the Town or used to house activities that are in violation of other local, state, and/or federal laws.

****Section 113; Modify sections 113.1, 113.2, and 113.3 to read as follows:**

SECTION 113 - VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, convert or demolish, equip, use, occupy or maintain any building, structure or equipment or cause or permit the same to be done in violation of this code.

113.1.1 Unsafe buildings. Failure to correct an unsafe building as provided for in Sections 109.6.1 or 115, shall constitute a violation of this code.

113.1.2 Occupancy violations. Whenever any site, building, structure or equipment therein regulated by this code or any other code is being used contrary to the provisions

of this code or any other code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the site, building, structure, or portion thereof, or equipment comply with the requirements of this code.

113.1.3 Failure to comply with notice. Failure to comply with a notice shall be considered a violation of this code.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. Citations for violations of this code may be issued without requiring the issuance of a notice. When a notice is issued, it is not necessary to reissue a notice prior to issuance of any further citations for the same violation.

113.3 Prosecution of violation. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

****Section 115; Replace entire section to read as follows:**

SECTION 115 - UNSAFE BUILDINGS, STRUCTURES OR EQUIPMENT

115.1 Unsafe buildings. All buildings, structures or equipment regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in this code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in

accordance with the procedures set forth in this code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation. This may include ordering the disconnection of water and/or electrical utilities.

A vacant structure that is not secured against entry shall be deemed unsafe. Materials used to secure a structure, which deteriorate or increase in susceptibility to fire hazard over time, shall be replaced or treated to eliminate the increase of the hazard.

Any work covered or concealed without inspection shall be considered to constitute an unsafe structure. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

115.2 Dangerous Demolition. The Building Official may order the cessation of the wrecking or demolition of any building or structure within the Town when the same is being accomplished in a reckless or careless manner or in such a manner so as to endanger life and property. When such work has been ordered stopped by the Building Official, same shall not be resumed until said official is satisfied that adequate precautions have been or will be taken for protection for life and property. To continue such work without the expressed approval of the Building Official shall constitute a violation of this ordinance, and each day that such work continues shall constitute a separate offense.

****Section 202; add/replace definitions as follows:**

AMBULATORY HEALTH CARE FACILITY. A health care facility that provides outpatient services to more than five (5) patients that may be temporarily rendered incapable of self-preservation under an emergency condition with no overnight stays. This includes, but is not limited to, out-patient surgery centers, dental clinics providing sedation treatments, dialysis centers, plastic surgery centers and similar occupancies as determined by the Building Official, that use anesthesia, gas, drugs, or other medical treatments which may render patients temporarily incapable of taking action for self-preservation without the assistance of others.

ATTIC. The space between the ceiling beams of the top story and the roof rafters. The installation of decking, other than the minimum decking required for equipment access and maintenance, shall be considered another floor.

HIGH-RISE BUILDING. A building having any floor used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

CHANGE OF OCCUPANCY. A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code. The

definition shall also apply to usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other codes and ordinances of this jurisdiction.

CODE OFFICIAL. Where ever the term code official is used in this code it shall mean the Building Official.

ELECTRICAL CODE. Electrical Code shall mean NFPA 70, the National Electrical Code, as adopted by this jurisdiction. For the purpose of this code, all references to NFPA 70 and/or the ICC Electrical Code shall be assumed to mean the Electrical Code as defined herein.

ENERGY CODE. Energy Code shall mean the International Energy Code as adopted by this jurisdiction.

FIRE PREVENTION CODE (FIRE CODE). Fire Prevention Code, or Fire Code, shall mean the International Fire Code as adopted by this jurisdiction.

FUEL GAS CODE. Fuel Gas code shall mean the International Fuel Gas Code as adopted by this jurisdiction.

HIGH-RISE BUILDING. A building having any floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

MECHANICAL CODE. Mechanical Code shall mean the International Mechanical Code as adopted by this jurisdiction.

OCCUPIABLE SPACE. A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes or in which occupants are engaged at labor, and which is equipped with means of egress and light and ventilation facilities meeting the requirements of this code. Any space that could be assumed to be occupiable shall not be exempt to the requirements of this code by designing the space without means of egress, light or ventilation.

PLUMBING CODE. Plumbing Code shall mean the International Plumbing Code in conjunction with the International Fuel Gas Code as adopted by this jurisdiction.

RESIDENTIAL CODE. Residential Code shall mean the International Residential Code as adopted by this jurisdiction.

*****Section 303.1; change to read as follows:**

303.1 Assembly Group A. {1st sentence to remain unchanged}. Assembly areas which are accessory to Group E occupancies are not required to be separated per Table 508.3.3;

however, are considered Group E occupancies only for the application of Table 503.
{remainder of section to remain unchanged)

*****Section 304.1; add or modify the following to the list of occupancies:**

Clinic-outpatient treatment that does not render an occupant(s) unconscious or incapable of self-preservation (refer to sec. 419)

Fire stations without sleeping areas (fire stations with sleeping areas shall be considered a B/R-2 mixed occupancy)

Police stations with detention facilities for 5 or less

Professional services (architects, attorneys, engineers, etc., including dentists and physicians offices that do not conduct activities which may render an occupant(s) unconscious or incapable of self-preservation. Refer to sec. 419)

****Section 306.2; modify wording follow listing for “Beverages” to read as follows:**

Beverages (includes alcoholic beverages)

Section 306.3; delete reference to beverage occupancy

****Section 307.1, item #9 and 11; changed to read as follows:**

9. Refrigeration systems where the chemicals involved are in the piping, connected tanks, or overflow tanks directly connected as part of the operational system. Extra storage tanks, not directly connected as part of the operational system, are not considered part of the refrigeration system.

11. Stationary batteries utilized for facility emergency power, uninterrupted power supply or telecommunication facilities provided that the batteries are provided with safety venting caps and ventilation is provided in accordance with the International Mechanical Code and are separated as required by Table 508.2.

**** Section 308.2; add a new use under I-1 as follows:**

State of Texas, Type A Assisted Living

**** ** Section 308.3; change to read as follows and add two (2) new uses under I-2 as follows:**

This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:

State of Texas, Type B Assisted Living

State of Texas, Special Care Facility

(remainder of section to remain unchanged)

****Section 310.1, Group R-2; amend last paragraph to read as follows:**

Congregate living facilities with 16 5 or fewer occupants are permitted to comply with the construction requirements for group R-3.

****Section 310.1, Group R-3; amend section to read as follows:**

Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units.

Adult facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours

Congregate living facilities with five or fewer persons.

This use shall also include townhouses where single-family dwelling units are constructed in a group of three or more attached units in which each unit is located on an individual lot, extends from foundation to roof, and has open space on at least two sides.

Adult and child care facilities that are within a single-family home are permitted to comply with the International Residential Code.

**** Section 403.1; changed to read as follows:**

403.1 Applicability. The provisions of this section shall apply to buildings having any occupied floors located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

**** Section 403.1, exception #3: changed to read as follows:**

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, stores, storage rooms, and similarly enclosed areas.

****Section 403.2, exception #2; delete.**

*****Section 404.1.1; change definition of "Atrium" as follows:**

ATRIUM. An opening connecting three or more stories . . . {Balance remains unchanged}

*****Section 406.1.4; add item #4 to read as follows:**

4. A separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3048 mm).

*****Section 406.6.1; add a second paragraph to read as follows:**

This occupancy shall include garages involved in servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement and other such non-major repair.

****Section 421; add new sec. 421 to read as follows:**

Section 421 Ambulatory Health Care Occupancies

421.1 Ambulatory Health Care. The requirements of this section shall apply to health care facilities that do not provide overnight stays that are not otherwise a part of an I-2 Occupancy and provide outpatient services or treatment to more than five (5) patients that may be temporarily rendered incapable of self-preservation under an emergency condition. This includes, but is not limited to, out-patient surgery centers, dental clinics providing sedation treatments, dialysis centers, plastic surgery centers and similar occupancies, that use anesthesia, gas, drugs, or other medical treatments which may render patients temporarily incapable of taking action for self-preservation without the assistance of others. Ambulatory health care occupancies meeting the requirements of this section may be classified as a B Occupancy.

421.2 Multiple Occupancies. Ambulatory health care facilities which are not a part of an I-2 Occupancy shall be separated from adjacent occupancies or tenants by construction having a fire resistance rating of not less than 1 hour and constructed in accordance with sec 706.5.

421.3 Fire Protection. Ambulatory health care facilities shall be protected by an automatic sprinkler system per Section 903.3.1.1. Only the ambulatory health care occupancy need be sprinkled when located within multi-tenant buildings not otherwise required to be sprinkled by other sections of this code.

421.4 Fire Detection and Alarm Systems. Fire detection and alarm systems shall meet the requirements of Section 907.2.6.

421.5 Means of Egress. Except as stated below, the means of egress in ambulatory health care occupancies shall be in accordance with Chapter 10 for I-2 Occupancies.

421.5.1 Corridor Width. Corridors within ambulatory health care facilities shall meet the same requirements as found in Section 1016. Corridors in areas requiring bed movement shall be seventy-two inches wide.

421.5.2 Corridor Construction. Corridors within ambulatory health care centers shall meet the provisions of Section 407.3.

Exception: Ambulatory health care centers with an occupant load of 10 or less

421.6 Electrical, Plumbing and Mechanical Systems. Electrical, plumbing and mechanical systems within ambulatory health care centers shall meet the respective requirements of an I-2 occupancy.

*****Section 503.1; add a second paragraph to read as follows:**

An occupancy, including those on occupied roofs, shall not be located above the story or height set forth in Table 503 except as modified hereafter. For non-separated mixed uses, in accordance with Section 302.3.1, no occupancy shall be located above the story or height of the most restrictive non-separated occupancy.

****Section 503.1.4 and 503.1.5; added to read as follows:**

503.1.4 Yards. When yards are provided for determination of Exterior Wall rating, Exterior Opening Protection or increase in allowable area calculations, under this code or any previous code, they shall be maintained clear and unobstructed in accordance with their original approval, unless permitted to be removed or reduced by this code.

503.1.5 Fire protection systems. Any existing fire extinguishing system or fire alarm system, whether installed voluntarily or as a requirement of any previous code, shall be maintained and kept operational as required in the Fire Code. Such systems shall not be removed unless permitted to be removed or reduced by this code and the Fire Code.

****Section 506.2.2; add a sentence to read as follows:**

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot wide pathway from the street or approved fire lane must be provided. (See International Fire Code for hose lay measurement pathway requirements.)

****Section 507.2; delete**

*****Section 508.3; add exception #3 to read as follows:**

3. Unless a fire wall is required to separate different construction types, Assembly uses accessory to Group E do not require the separation of Section 508.3.3. However, for the purpose of calculating height, area, construction type and ratios may be considered as

separated uses. This non-separation benefit shall not apply when determining the fire area separations of Chapter 9.

****Section 508.3.2; add additional paragraph to read as follows:**

When using this option the most restrictive requirement of all the non-separated occupancy types shall apply:

- i. The occupancy with the most restrictive height, area and permitted increases shall apply to all occupancies.
- ii. When fire protection systems are required by the most restrictive occupancy, it shall apply to all occupancies.
- iii. The occupancy with the most restrictive exit provisions shall apply to all occupancies.
- iv. The occupancy with the most restrictive construction type, fire wall rating, fire barrier rating, fire partition rating, etc. shall apply to all occupancies.
- v. Most restrictive is applicable on an item by item basis. One (1) occupancy may be most restrictive for sprinklers, while another occupancy is most restrictive for area and height, while another occupancy is most restrictive for exits.

****Table 601; Amend footnote “c” as follows:**

c. Except in Group F-1, H, M, and S-1 occupancies, fire protection of structural roof members, including roof framing and decking, shall not be required where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant treated wood members shall be allowed to be used for such unprotected members.

*****Table 602; replace footnote b with the following:**

b. Group R-3 and Group U when used as accessory to Group R-3, as applicable in 101.2 shall meet the requirements of the International Residential Code. Group R-2 and Group U carport, as applicable in 406.1.4, exception 4 shall be required to have a fire-resistance rating where fire separation distance is 10 feet or less.

****Section 603.1; add an item 1.4 to read as follows:**

1.4. Double stud framing may be used to strengthen metal stud door framing.

****Section 704.2; change items 1 and 2 to read as follows:**

704.2 Projections. (main paragraph to remain unchanged)

1. A point one-third (1/3) the distance to the property line from an assumed vertical plane located where unprotected openings are permitted to be twenty-five (25) percent or more in accordance with Section 704.8.

2. More than twelve (12) inches (305 mm) into areas where unprotected openings are prohibited.

****Section 704.2.3; changed to read as follows:**

704.2.3 Combustible projections. Combustible projections located where unprotected openings are not permitted or where protected openings are required to be less than twenty-five (25) percent in accordance with Section 704.8 shall be of at least one-hour fire-resistive-rated construction, Type IV construction, fire-retardant treated wood, or as required by Section 1406.3.

Exception: Type V construction shall be allowed for R-3 occupancies.

****Section 704.5 Replace text with the following:**

704.5 Fire-resistance ratings. Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602. Fire-resistance ratings of all walls required to be fire rated per Table 601 and/or Table 602 shall be rated for exposure to fire from both sides.

**** 704.8.2; modify section as follows:**

704.8.2 First Story. {Modify first sentence to read} In occupancies other than Group H, unlimited unprotected openings are permitted in the exterior walls of the first story above grade facing a street that have a fire separation distance of no less than 30 feet or facing an unoccupied space. {remainder unchanged}.

****Section 705.1; add second paragraph to read as follows:**

Fire Walls shall be installed at the time of new construction, shall not wait for tenant layout locations, and shall be structurally independent as specified below

****Section 705.11; change the exception to read as follows:**

Exception: For other than hazardous exhaust ducts, penetrations by ducts and air transfer openings of . . . {remainder of exception unchanged}.

****Section 707.14.1; modify exception #4 to read as follows:**

4. In other than Group I-3, and buildings having occupied floors located more than 55 feet above the lowest level of fire department access {remainder of exception unchanged}

****Section 716.5.2; add exception #4 to read as follows:**

4. In the duct penetration of the separation between the private garage and its

residence when constructed in accordance with Section 406.1.4, exception #2.

****Section 716.5.3.1; modify exception #2.1 to read as follows:**

2.1 Bathroom and toilet room exhaust openings are installed with steel exhaust subducts, having a wall thickness of at least 0.019 inch (0.48 mm); and

*****Section 901.6.1.1 Standpipe Testing; add section to read as follows:**

901.6.1.1 Standpipe Testing. Building owners/managers must utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, the following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the contractor shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's. Contact the Fire Marshal for additional information.
5. Upon successful completion of standpipe test, the contractor shall place a blue tag (as per "Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, Chapter 34. State Fire Marshal, Subchapter G. Fire Sprinkler Rules, 28 TAC § 34.720. Inspection, Test and Maintenance Service (ITM) Tag") at the bottom of each standpipe riser in the building. An example of this tag is located at the end of this SOP. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The contractor shall follow the procedures as required by "Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, Chapter 34. State Fire Marshal, Subchapter G. Fire Sprinkler Rules, 28 TAC" with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing, including the required notification of the local Authority Having Jurisdiction (Fire Marshal).

7. Additionally, records of the testing shall be maintained by the owner and contractor, as required by the State Rules mentioned above and NFPA 25.

8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

9. Contact the Fire Marshal for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this fire fighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official.

(Reason: Increases the reliability of the fire protection system and re-emphasizes the requirements of NFPA 25.)

**** Section 903.1.2; change to read as follows:**

903.1.2 Residential systems. Unless specifically allowed by this code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions, commonly referred to as "trade-offs," permitted by other requirements of this code.

In addition, residential sprinkler systems installed in accordance with NFPA 13R must include attic sprinkler protection.

****Section 903.2; delete the exception.**

**** Section 903.2.7; changed to read as follows:**

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1, R-2 and R-4 fire area as specified in Sections 903.2.7.1, 903.2.7.2.

903.2.7.1 Group R-1 and R-2. An automatic sprinkler system shall be provided throughout buildings with a Group R-1 or R-2 fire area.

Exceptions:

1. Where no portion of the R-1 Occupancy is located higher than the first story, or in a basement, and contains less than twenty (8) guest rooms.
2. Where no portion of the R-2 Occupancy is located higher than the first story, or in a basement, and contains less than eight (8) dwelling units.
3. Where no portion of the R-2 Occupancy is located higher than the 2nd story, or in a basement, and contains four or less dwelling units.
4. Where the R-2 Occupancy is used as a convent, dormitory or monastery and contains less than twenty (20) occupants.

5. Where the R-2 Occupancy is used as a fraternity or sorority and has an occupant load of ten (10) or less.

A residential sprinkler system installed in accordance with Section 903.3.1.2 (NFPA 13R) may be permitted in buildings, or portions thereof, of Group R-1 and R-2 in accordance with the limitations of Section 903.1.2.

**** Section 903.2.7.2; changed to read as follows:**

903.2.7.2 Group R-4. An automatic sprinkler system shall be provided throughout all buildings with a Group R-4 fire area with five (5) or more occupants.

Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or Section 903.3.1.3 shall be allowed in Group R-4 facilities in accordance with the limitations of Section 903.1.2.

****Section 903.2.8.1; change section to read as follows:**

903.2.8.1 Repair Garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown:

1. Buildings, including basements, containing a repair garage with a fire area exceeding 5,000 square feet.
2. Buildings with a repair garage servicing vehicles parked in the basement.

****Section 903.2.8.3; change to read as follows:**

903.2.8.3. Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier wall installed between every storage compartment.

****Replace section 903.2.10 to read as follows:**

[F] 903.2.10 All occupancies except groups R-3 and U. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.10.1 through 903.2.10.1.3

****Section 903.2.10; amend 903.2.10.3 and add 903.2.10.4 and 903.2.10.5 as follows:**

903.2.10.3 Buildings more than 35 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code, that is located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access.

Exception:

Open parking structures in compliance with Section 406.3.

903.2.10.4 High-Piled Combustible Storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 23 to determine if those provisions apply.

903.2.10.5 Spray Booths and Rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

****Section 903.3.1.1.1; change to read as follows:**

903.3.1.1.1 Exempt locations. When approved by the code official, automatic sprinklers shall not be required in the following rooms or areas where such . . . {bulk of section unchanged} . . . because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.
3. Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

****Section 903.3.1.2; change to read as follows:**

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R. However, for the purposes of exceptions or reductions permitted by other requirements of this code, see section 903.1.2.

****Section 903.3.5; add a second paragraph to read as follows:**

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi safety factor.

****Add Section 903.6.2 to read as follows:**

903.6 Spray booths and rooms. New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with IFC Section 1504.

****Section 905.2; change to read as follows:**

905.2 Installation standards. Standpipe system shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm.

****Section 905.3.2; delete exceptions #1 and #2.**

*****Add Section 905.3.8: Building Area.**

905.3.8: Building Area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

****Section 905.4, item #5; change to read as follows:**

4. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either . . . (remainder of paragraph unchanged) . . .

****Section 905.9; add a second paragraph after the exceptions to read as follows:**

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

****Add section 907.1.3 to read as follows:**

907.1.3 Design standards. All alarm systems new or replacement serving 50 or more alarm actuating devices shall be addressable fire detection systems. Alarm systems serving more than 75 smoke detectors or more than 200 total alarm activating devices shall be analog intelligent addressable fire detection systems.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30 percent of the building. When cumulative building remodel or expansion exceeds 50 percent of the building must comply within 18 months of permit application.

****Section 907.2.1 change to read as follows:**

907.2.1 Group A. A manual fire alarm system shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or

below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**** Section 907.2.3; change to read as follows:**

907.2.3 Group E. A manual fire alarm system shall be installed in group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in group E day care occupancies. Unless separated by a minimum of 100 feet open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

**** Section 907.2.3; change exception #1 and add exception #1.1 to read as follows:**

1. Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.

1.1. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2 1/2 or less years of age, see section 907.2.6.)

**** Section 907.2.12; change to read as follows:**

907.2.12 High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communications system in accordance with section 907.2.12.2.

**** Section 907.2.12, exception #3; change to read as follows:**

3. Buildings with an occupancy in group A-5 when used for open air seating; however, this exception does not apply to accessory uses including, but not limited to, sky boxes, restaurants and similarly enclosed areas.

**** Add Section 907.6.1 to read as follows:**

907.6.1 Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class "A" Style D; SLC - Class "A" Style 6; NAC - Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

**** Section 907.8.2; change to read as follows:**

907.8.2 High-rise buildings. In buildings that have floors located more than 55 feet (16,764 mm) above the . . . (remainder of section unchanged).

**** Section 910.1; Amend exception 2 to read as follows:**

2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas.

*****Section 910.2.4; Add Section 910.2.4 Group H, to read as follows:**

910.2.4 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

*****Table 910.3; Change the title of the first row of the table to read as follows:**

[F] TABLE 910.3

REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (feet)	MINIMUM DRAFT CURTAIN DEPTH (feet)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (square feet)	VENT-AREA TO-FLOOR -AREA RATIOc	MAXIMUM SPACING OF VENT CENTERS (feet)	MAXIMUM DISTANCE TO VENTS FROM WALL OR DRAFT CURTAINS (feet)
Group F-1, H and S-1	—	0.2 □ Hd but 4	50,000	1:100	120	60
(Balance of table remains unchanged)						

*****Section 910.3.2.2; Add second paragraph to read as follows:**

The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees (F) (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

*****Section 913; add section to read as follows:**

SECTION 913
FIRE PUMP ROOM

913.1 General. Where provided, fire pumps shall be installed in a room designed and constructed in accordance with this section, Section 913 of the International Fire Code and NFPA 20.

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1 of the International Fire Code.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1 of the International Fire Code.

*****Section 1004.1.1; Delete exception as follows:**

1004.1.1 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish a use based on a listed use that most nearly resembles the intended use.

**** Section 1008.1; Delete last sentence of the first paragraph and replace with the following:**

1008.1 Doors. {previous section unchanged} Where additional doors are provided, and in the opinion of the building official could be assumed by occupants to be for egress purposes, they shall conform to the requirements of this section.

**** Section 1008.1.3.4; delete 1st paragraph and replace with the following:**

1008.1.3.4 Access-controlled egress doors. The entrance doors in a means of egress in all buildings and tenant spaces are permitted to be equipped with approved entrance and egress access control systems when provided with an approved smoke detection system installed throughout the building or lease space. Egress access control systems must be installed in accordance with all of the following criteria and shall be made retroactive in existing buildings within one year upon the fire marshal's annual fire inspection; or shall be made retroactive and included in the work of any subsequent building permits to alter, expand or remodel. An approved smoke detection system is not required when the building or tenant space is equipped with an automatic sprinkler system: {Remainder of section is unchanged}

**** Section 1008.1.8.3; add the following to the beginning of the first sentence:**

1008.1.8.3 Locks and latches. When approved by the building official {remainder of section unchanged}

**** Section 1017.5; change to read as follows:**

1017.5 Corridor continuity. Fire-resistance-rated corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms.
(Exception unchanged; add exception #2 to read as follows:)

2. When the corridor is not required to be fire-resistance-rated, it is permitted to pass through open office/business spaces provided the exit path is clearly marked through to office/business area to the point of exit.

****Section 1020.1.7; change to read as follows:**

1020.1.7 Smokeproof enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves a storey where the floor surface is located more than 55 feet (16,764 mm) above the lowest level of fire . . . {remainder of section unchanged}.

**** Section 1023.3; add sentence to end of paragraph to read as follows:**

{paragraph to remain unchanged} Openings shall be provided with a means to restrict the entry and freezing of precipitation without reducing the required opening area. Landings, floor levels, and walls adjacent to the required openings shall be weatherproofed and equipped with a storm drainage system as approved by the building official.

**** Section 1023.4; changed to read as follows:**

1023.4 Side yards. The openings required by section 1023.3 adjoining exterior exit ramps or stairways shall be immediately adjacent to yards, courts or public ways; the remaining sides are permitted to be enclosed by the exterior walls of the building.

**** Section 1023.4.1; add section as follows:**

1023.4.1 Any stairway at the end of an open ended corridor that is pulled into the building shall be considered an exterior stair if in compliance with all of the following provisions:

1. When using switchback stairs, such that the outside edge of the outside landing is no more than 5 feet inside the exterior walls as determined by the building official.
2. When using straight run stairs, individually or in conjunction with a switchback stair, such that the bottom riser is no more than 5 foot inside the exterior walls as determined by the building official.

**** Section 1025.1; changed to read as follows:**

1025.1 General. Occupancies in Group A shall comply with this section.

**** Section 1026.1; delete exception #1 and #2**

****Section 1101.2; add an exception to read as follows:**

Exception: Buildings regulated under State Law and built in accordance with State certified plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this Chapter.

****Section 1104.4; change exception #2 to read as follows:**

2. In Group A, I, R and S occupancies, and Group R occupancies containing two or less stories, levels that do not contain accessible elements or other spaces required by Section 1107 or 1108 are not required to be served by an accessible route from an accessible level.

****Section 1109.2.1; change to read as follows:**

1109.2.1 Unisex toilet and bathing rooms. In assembly and mercantile occupancies, an accessible unisex toilet room shall be provided where an aggregate of six or more male or female water closets are provided. In buildings of mixed occupancy, only those water closets . . . {remainder of section unchanged}.

**** Section 1210.2, exception #2; changed to read as follows:**

2. Toilet rooms that are accessed only through a private office, not for common or public use and which have not more than one water closet; provided that walls around urinals comply with the minimum surrounding material specified by Section 419.3 of the Plumbing Code.

**** Section 1405.2; add a second paragraph to read as follows:**

All wood or other products exposed to the weather shall be painted or treated with an approved treatment, or shall possess a natural or inherent protection method.

****Table 1505.1; replace footnotes b and c with the following:**

b. All individual replacement shingles or shakes shall be in compliance with the rating required by this table.

c. Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of projected roof area. When exceeding 120 sq. ft of projected roof area, buildings of U occupancies may use non-rated non-combustible roof coverings.

**** Section 1505.7; delete.**

**** Add sections 1507.8.1.1.1--1507.8.1.1.2:**

1507.8.1.1.1 Wood shingle prohibition. It shall be in violation of this chapter to use any wood shingles as part of the construction material on structures classified as multifamily (including duplexes) or commercial buildings.

1507.8.1.1.2 All single-family dwellings using wood shingles or shakes shall be factory pressure treated with a fire-retardant chemical to meet class C fire-resistant requirements of the National Fire Protection Association.

**** Section 1507.10.1; add an exception to read as follows:**

Exception: Engineered roofs designed to provide adequate drainage after the long-time deflection from dead loads or designed to support maximum loads, including possible ponding of water from any source, including snow, due to deflection, may have a design slope of a minimum of one-eighth unit vertical in 12 units horizontal (1-percent slope).

**** Section 1510.3; add an item #4 to read as follows:**

4. It has not been demonstrated that the roof structure is sufficient to sustain the weight of the additional dead load of the new roofing.

**** Section 1510.4; modify section as follows:**

1510.4 Roof recovering. Where the application of a new roof covering creates a combustible concealed space, the entire existing surface shall be covered with gypsum board, mineral fiber, glass fiber or other approved materials securely fastened in place.

****Sections 1510.7, 1510.8 and 1510.9; added to read as follows:**

1510.7 Maintain existing provisions. When reroofing, or repairing existing roofing, the installer is required to insure the following items are maintained:

1. Existing roof drains and drainage systems are maintained clear and unobstructed. When in the opinion of the Building Official the existing drainage system appears inadequate, the system shall be re-evaluated and when necessary required to comply with the provisions for new construction.

2. Fire-retardant requirements are maintained.

1510.8 Attic space. Construction of a sloped or flat roof over an existing roof in a manner that creates an attic or a concealed space shall require the removal of any existing roofing material, composed of tar, asphalt or roof insulation, from the newly created attic space.

1510.9 Inspections. When a permit is required, a final inspection and approval shall be obtained from the Building Official when the re-roofing or installation of new roof is complete.

****Section 1610.2; add a paragraph to read as follows:**

Wood retaining walls supporting a surcharge of more than two (2) feet in height shall be prohibited.

****Section 1612.1; changed to read as follows:**

1612.1 General. Within flood hazard areas as established in other Town ordinances Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads in accordance with applicable provisions adopted by the Department of Public Works. For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply.

At the discretion of the Director of Public Works, or his authorized representative, any or all of the provisions of this section may be used.

**** Section 1612.3; delete.**

**** Section 1704.14; changed to read as follows:**

1704.14 Special inspections for smoke control. Smoke control systems shall be tested by a special inspector in accordance with this section, Section 909.18, and as directed by the Fire Chief.

**** Section 1803.3.1; add section to read as follows:**

1803.3.1 Lot drainage. All lots in which construction has been authorized are subject to the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) storm water protection program implemented by the Texas Commission of Environmental Quality (TCEQ). Sites shall be adequately protected against surface water runoff with appropriate erosion control methods. Protection methods may include, but are not limited to the use of silt fences, erosion control blankets, or other approved means. Construction sites are subject to storm water pollution inspections at any time during normal business hours.

**** Section 1802.7; added to read as follows:**

1802.7 Minimum distance of swimming pools from foundations. Swimming pools may not be closer to a building foundation than one horizontal foot at finish grade for every vertical foot of swimming pool depth.

Exception: Systems designed by an engineer registered in the State of Texas.

**** Section 1803.7; added to read as follows:**

1803.7 Hazards. Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from

the building official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

****Add Section 2308.2.3 to read as follows:**

2308.2.3 Application to engineered design. When accepted by the Building Official, any portion of this section is permitted to apply to buildings that are otherwise outside the limitations of this section provided that:

1. The resulting design will comply with the requirements specified in Chapter 16;
2. The load limitations of various elements of this section are not exceeded; and
3. The portions of this section which will apply are identified by an engineer in the construction documents.

****Section 2901.1; add a sentence to read as follows:**

The provisions of this Chapter are meant to work in coordination with the provisions of Chapter 4 of the International Plumbing Code. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

**** Section 2902.1; change to read as follows and add subsections:**

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an approved location.

Exception: A drinking fountain need not be provided in a drinking or dining establishment.

2. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 2902.2.
3. Group E Occupancies: Shall be provided with fixtures as shown in Table 2902.1.
4. Group R Occupancies: Shall be provided with fixtures as shown in Table 2902.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 2902.1. Types of occupancies not shown in Table 2902.1 shall be considered individually by the code official. The number of

occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.

****Section 2902.6; add an exception to read as follows:**

2902.6 Finish material. Finish materials shall comply with Section 1210.

**** Section 2903; add new section to read as follows:**

2903 Access to toilet facilities in food service establishments. Food service establishments that provide for the on-premises consumption of food shall be equipped with separate toilet facilities for each sex. Access to toilet facilities must be from inside the food service facility and access may not be through the food preparation area.

**** Section 3001.5; added to read as follows:**

3001.5 General. The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator or moving walk installation and shall cause periodic inspections, tests and maintenance to be made on such conveyances.

*****Section 3109.1; add a section to read as follows:**

3109.1 General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code. Provisions of this section shall not be deemed to nullify or lessen any provisions of state law, state code, or other local ordinances.

**** Section 3109.3; amend to read as follows:**

3109.3 Public Swimming Pools. Public swimming pools shall be completely enclosed by a fence at least 6 feet in height or a screen enclosure. <remainder of section unchanged>

**** Section 3109.4.1; amend to read as follows:**

Barrier height and clearance. The top of the barrier shall be at least 72 inches above grade measured on the side of the barrier... <remainder of section unchanged>

**** Section 3201.1; add a sentence to read as follows:**

Encroachments shall not be allowed without written permission by an authorized representative of the Town of Annetta South.

**** Section 3202.4; delete.**

**** Section 3406.2; change to read as follows:**

3406.2 Certificate of occupancy. A certificate of occupancy shall be issued where it has been determined that the requirements of this code and other laws for the new occupancy classification have been met.

**** Section 3410.2; change to read as follows:**

3410.2 Applicability. Any structure older, or that becomes older, than 50 years in which there is work . . . {remainder of section unchanged} . . .

Section 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Section 4: Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and punishable hereunder.

Section 5: The Town Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this _____ day of _____, 2008.

TOWN OF ANNETTA SOUTH

By: _____
Gerhard Kleinschmidt, Mayor

ATTEST:

~~Daina Lawler, Town Secretary~~ *Assistant to Mayor*

APPROVED AS TO FORM AND LEGALITY:



George A. Staples, Attorney