

**City Council  
Agenda Memo**



**City Council  
Meeting Date: 3/13/2014**

**TO: Larry D. Gilley, City Manager**

**FROM: Jon James, Director of Planning & Development Services**

**SUBJECT: First Reading of Ordinances Adopting the 2012 International Building, Residential, Existing Building, Energy Conservation, Mechanical, Plumbing, and Fuel Gas Codes, with Local Amendments to each, and calling Public Hearing for 3/27/14.**

**GENERAL INFORMATION**

It is recommended that the *2012 International Building Code*, *2012 International Residential Code*, *2012 International Existing Building Code*, *2012 International Energy Conservation Code*, *2012 International Mechanical Code*, *2012 International Plumbing Code* and *2012 International Fuel Gas Code*, with local amendments, be adopted in order that the City's construction regulations are kept up to date. Local amendments pertain to licensing and administrative procedures with limited modifications made to the technical provisions of the International Codes. Each Code was reviewed by a citizen's ad-hoc committee, comprised of contractors, architects, engineers and suppliers.

**STAFF RECOMMENDATION**

Staff recommends approval.

**BOARD OR COMMISSION RECOMMENDATION**

The Mechanical, Plumbing, Electrical & Swimming Pool Board of Appeals recommends approval of the 2012 edition of the IMC, IPC and IFGC by unanimous vote at their meeting held on February 11, 2014. The Board of Building Standards recommends approval of the 2012 edition of the IBC, IRC, IEBC and IECC by unanimous vote at their meeting held on February 5, 2014.

**ATTACHMENTS**

- Ordinance
- Enacting Ordinance
- Exhibit "A" – Division 2, Building Code
- Exhibit "B" – Division 4, Plumbing Code
- Exhibit "C" – Division 5, Mechanical Code
- Exhibit "D" – Division 7, Residential Code
- Exhibit "E" – Division 8, Fuel Gas Code
- Exhibit "F" – Division 9, Energy Conservation Code
- Exhibit "G" – Division 10, Existing Building Code
- Exhibit "H" – Summary of Significant Changes & PowerPoint presentation

Prepared by: Name <u>David Sartor</u> Title <u>Building Official</u>	Item No. <u>6.1</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# <input type="checkbox"/> Denied <input type="checkbox"/> Other _____
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City Secretary

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING: (1) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 2, "BUILDING CODE"; (2) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 4, "PLUMBING CODE"; (3) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 5, "MECHANICAL CODE"; (4) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 7, "RESIDENTIAL CODE"; (5) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 8, "FUEL GAS CODE"; (6) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 9 "ENERGY CODE"; (7) CHAPTER 8, "CONSTRUCTION REGULATIONS" ARTICLE VI, "CODES AND OTHER REGULATIONS", DIVISION 10, "EXISTING BUILDING CODE" OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1. That Chapter 8 "Construction Regulations", Article VI, "Codes and Other Regulations", Division 2, "Building Code", of the Abilene Municipal Code be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.
  
- PART 2. That Chapter 8 "Construction Regulations", Article VI, "Codes and Other Regulations", Division 4, "Plumbing Code", of the Abilene Municipal Code be amended as set out in Exhibit "B", attached hereto and made a part of this ordinance for all purposes.
  
- PART 3. That Chapter 8 "Construction Regulations", Article VI, "Codes and Other Regulations", Division 5, "Mechanical Code", of the Abilene Municipal Code be amended as set out in Exhibit "C", attached hereto and made a part of this ordinance for all purposes.
  
- PART 4. That Chapter 8 "Construction Regulations", Article VI, "Codes and Other Regulations", Division 7, "Residential Code", of the Abilene Municipal Code be added as set out in Exhibit "D", attached hereto and made a part of this ordinance for all purposes.

- PART 5. That Chapter 8 “Construction Regulations”, Article VI, “Codes and Other Regulations”, Division 8, "Fuel Gas Code", of the Abilene Municipal Code be added as set out in Exhibit "E", attached hereto and made a part of this ordinance for all purposes.
- PART 6. That Chapter 8 “Construction Regulations”, Article VI, “Codes and Other Regulations”, Division 9, "Energy Code", of the Abilene Municipal Code be added as set out in Exhibit "F", attached hereto and made a part of this ordinance for all purposes.
- PART 7. That Chapter 8 “Construction Regulations”, Article VI, “Codes and Other Regulations”, Division 10, "Existing Building Code", of the Abilene Municipal Code be added as set out in Exhibit "G", attached hereto and made a part of this ordinance for all purposes.
- PART 8. That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 9. That any person, firm or corporation violating any of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Two Thousand Dollars (\$2,000). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said ordinance being a penal ordinance, becomes effective thirty (30) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 13th day of March, A.D., 2014.

After passage on first reading, a notice of the time and place said ordinance would be given a public hearing and consideration for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene. The same being more than 24 hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on its second and final hearing.

PASSED ON SECOND AND FINAL READING this 27th day of March, A.D., 2014.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

## **EXHIBIT A**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 2. BUILDING CODE**

Sec. 8-481. Adopted.

The International Building Code, 2012 edition, published by the International Code Council, Inc., together with a building code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the building code for the city, and is hereby incorporated herein. The building code pamphlet, along with the International Building Code, are on file in the building official's and city secretary's offices.

## **EXHIBIT B**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 4. PLUMBING CODE**

Sec. 8-511. Adopted.

The International Plumbing Code, 2012 edition, published by the International Code Council, Inc., together with a plumbing code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the plumbing code for the city, and is hereby incorporated herein. The plumbing code pamphlet, along with the International Plumbing Code, are on file in the building official's and city secretary's offices.

## **EXHIBIT C**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 5. MECHANICAL CODE**

Sec. 8-526. Adopted.

The International Mechanical Code, 2012 edition, published by the International Code Council, Inc., together with a mechanical code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the mechanical code for the city, and is hereby incorporated herein. The mechanical code pamphlet, along with the International Mechanical Code, are on file in the building official's and city secretary's offices.

## **EXHIBIT D**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 7. RESIDENTIAL CODE**

Sec. 8-581. Adopted.

The International Residential Code, 2012 edition, published by the International Code Council, Inc., together with a residential code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the residential code for the city, and is hereby incorporated herein. The residential code pamphlet, along with the International Residential Code, are on file in the building official's and city secretary's offices.



## **EXHIBIT E**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 8. FUEL GAS CODE**

Sec. 8-601. Adopted.

The International Fuel Gas Code, 2012 edition, published by the International Code Council, Inc., together with a fuel gas code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the fuel gas code for the city, and is hereby incorporated herein. The fuel gas code pamphlet, along with the International Fuel Gas Code, are on file in the building official's and city secretary's offices.

## **EXHIBIT F**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 9. ENERGY CONSERVATION CODE**

Sec. 8-603. Adopted.

The International Energy Conservation Code, 2012 Edition, published by the International Code Council, Inc., together with an energy conservation code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the energy conservation code for the City of Abilene, and is hereby incorporated herein. The energy conservation code pamphlet, along with the International Energy Conservation Code, are on file in the building official's and city secretary's offices.

## **EXHIBIT G**

### **CHAPTER 8. CONSTRUCTION REGULATIONS**

#### **ARTICLE VI. CODES AND OTHER REGULATIONS**

##### **DIVISION 10. EXISTING BUILDING CODE**

Sec. 8-612. Adopted.

The International Existing Building Code, 2012 edition, published by the International Code Council, Inc., together with an existing building code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the existing building code for the city, and is hereby incorporated herein. The existing building code pamphlet, along with the International Existing Building Code, are on file in the building official's and city secretary's offices.

## **Significant Code Changes 2012 Codes**

### **Building Code**

- Section 703.4 – Size and location of identifying markings for fire walls has been modified (size of lettering increased from ½ inch to 3 inch and labeling now required within 15 feet of the end of each wall section. This is to increase the visibility for personnel who may be creating penetrations in the walls at some future time.
- Section 903.2 – 2009 requires Group M Occupancies (Mercantile) that display and sale mattresses or upholstered furniture to have an automatic fire sprinkler system regardless of the size of the building. 2012 does not require fire sprinkler systems for display areas 5,000 square feet or less, or in storage areas and manufacturing areas of 2,500 square feet or less.
- Section 1011.2 – Code now requires lower-level exit signs at all means of egress for guest rooms in Group R-1 Occupancies (motels, hotels and boarding houses and congregate living (transient) with more than 10 occupants). This is to provide visible identification of exits when upper-level signs are obscured by smoke.
- Section 1028.1.1.1 – Code now requires fire rated construction separating grandstands or bleachers from spaces beneath used for any purpose other than ticket booths less than 100 square feet in area and toilet rooms. This is to limit the hazard to the assembly seating area.
- Section 2902.2 – Where an occupant load would require separate toilet facilities for male and female and each facility required only one water closet, two family/assisted-use toilet facilities are now permitted to serve as the required separate facilities. This gives the designer or occupant more options than current code.

### **Residential Code**

- Section R105.2 – Now exempts fences 7 foot or less in height from permit requirements. City of Abilene currently has a local amendment allowing 7 foot fences without a permit, so with this code change our local amendment is no longer needed.
- Section R312 – Now requires guards or fall protection devices for windows in dwellings with a sill height more than 72 inches above the finished grade or surface below and with the lowest part of the clear opening of the window less than 24 inches above the finished floor of the room must have guards or fall protection devices which will not allow the passage of a 4 inch diameter sphere.
- Section R314.5 – Code now recognizes and allows the use of wireless interconnected smoke detection devices. Current code requires hardwired interconnection.
- Section M1502.4.2 – 2012 allows dryer exhaust duct to extend a maximum 35 feet which is the same as our current amendment therefore our amendment is no longer needed. This section also now requires mechanical fasteners to be used to connect the ductwork so long as the fastener does not extend more than 1/8 inch inside the ductwork. Current

code prohibits fasteners. The maximum spacing of support for a dryer vent has been increased from 4 feet to 12 feet.

- Section P2801.5 – Safety drain pan no longer required for non-storage type (tankless) water heaters.
- Section P3009 – Provisions governing gray-water recycling systems moved from an appendix chapter to a section in the body of the code. Appendix chapters are not a part of the code unless specifically adopted. This simply brings the gray-water recycling provision to a more visible location. There is no mandate for use of this section it is only a design option.

### **Energy Conservation Code – Commercial**

- System Commissioning report required on large HVAC. The report consists of tests and evaluations for air tightness of the ductwork, air balancing and verifies the systems are operating as designed for proper energy efficiency. Small systems are exempt from this provision (HVAC systems with a total cooling capacity of less than 480,000 BTU and total heating capacity less than 600,000 BTU). Also systems for dwelling units, sleeping units in hotels, motels boarding houses or similar units are exempt.

### **Residential**

- Table R402.1.1 – Proposed to amend to maintain levels for building envelope elements contained in the 2009 IECC. The State of Texas has adopted the 2009 IECC as the minimum code for energy code compliance. 2009 levels are less restrictive than the 2009. See PowerPoint for details.
- Section R402.4.2.1 – 2012 code requires “blower door” test to verify duct and building envelope air tightness. Recommendation is to adopt 2009 provisions which have two options, blower door test or visual inspection. Visual inspection is the method currently required.
- Section R402.2.3 – New requirement for eave baffles to prevent attic insulation from being blown down and covering required attic vents. Same requirement as in the 2009 code.
- 2012 code requires high-efficacy lamps in a minimum of 75% of the permanent lighting fixtures, amended to use the 2009 level of 50%. See PowerPoint for details.

### **Mechanical Code**

- Section 507.2.1 – A type I hood is no longer required for an electric cooking appliance that has been listed by a third party listing agency as being in compliance with Section 17 of Underwriters Laboratory Standard 710B. Listing verifies the appliance has been tested and produces little or no grease vapors during normal cooking processes.
- Section 507.10 – 2012 does not allow the use of field applied grease duct enclosure systems to be used for fire rating of a commercial hood which penetrates a ceiling unless the manufacturer specifically lists the product for the application.

**Plumbing Code**

- Section 504.7 – Safety drain pan no longer required for non-storage type (tankless) water heaters. This is the same change as in the plumbing provisions of the IRC.
- Section 1301 – Provisions governing gray-water recycling systems moved from an appendix chapter to a section in the body of the code. Appendix chapters are not a part of the code unless specifically adopted. This simply brings the gray-water recycling provision to a more visible location. There is no mandate for use of this section it is only a design option. This is the same change as in the plumbing provisions of the IRC.

**Existing Building Code**

- No significant changes to the IEBC.

**Fuel Gas Code**

- No significant changes to the IFGC.