

AN ORDINANCE AMENDING CHAPTER FIVE, ARTICLE TWO, SECTION 5-6 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY AMENDING THE FOLLOWING SECTIONS OF THE NATIONAL BUILDING CODE, TO WIT: SECTION 602.2, SECTION 702.6, SECTION 800.3, AND SECTION 802.1; BY PROVIDING FOR TWO (2) EXIT DOORS AT LEAST TEN (10) FEET APART FOR EVERY RESIDENTIAL DWELLING UNIT; BY PROVIDING THAT EVERY MULTI-FAMILY DWELLING STRUCTURE HAVING MORE THAN ONE STORY SHALL PROVIDE NOT LESS THAN TWO (2) SEPARATE ROUTES TO THE OUTSIDE GROUND LEVEL WITH APPROVED STAIRWAYS; BY PROVIDING THAT EXTERIOR WALLS OF ALL MULTI-FAMILY RESIDENTIAL STRUCTURES SHALL BE OF SEVENTY FIVE (75%) PER CENT MASONRY CONSTRUCTION BY SURFACE AREA; BY PROVIDING A METHOD OF COMPUTATION OF SURFACE AREA AND DEFINING THE TERM "MULTI-FAMILY RESIDENTIAL STRUCTURE"; BY REDUCING THE MINIMUM THICKNESS OF FIRE WALLS FROM TWELVE (12) INCHES TO EIGHT (8) INCHES AND PROVIDING THAT THE BUILDING INSPECTOR OR FIRE MARSHAL MAY REQUIRE PROOF OF FIRE RATING FROM A CERTIFIED TESTING LABORATORY; BY PROVIDING MINIMUM STANDARDS FOR ROOF COVERING; BY PROVIDING TO WHAT EXTENT THE PROVISIONS OF THIS ORDINANCE SHALL CONTROL; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; AND BY DECLARING AN EMERGENCY.

WHEREAS the Code of the City of Mesquite, Texas, and the National Building Code are inadequate to afford the necessary protection to inhabitants of the City from the hazards of fire; and

WHEREAS it is deemed necessary to amend the Building Code to afford such protection;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter Five, Article Two, Section 5-6 of the Code of the City of Mesquite, Texas, is hereby amended as follows:

There is added to the above Chapter, Article and Section after subsection (b) of Section 5-6 the following new sub-sections to read as follows:

- (c) Section 602.2 amended. Section 602.2 of the National Building Code is hereby deleted and the following provisions are substituted therefor:

Every residential dwelling unit shall have not less than two (2) exit doors separated by at least ten (10) feet of distance between openings and such exit doors shall each open onto an unobstructed way to the outside.

Every multi-family dwelling structure having more than one story shall provide not less than two (2) separate routes to the outside ground level with approved stairways. The same balcony or landing may be utilized provided that separate stairways are provided at each end.

This section shall apply on all new structures and existing structures wherein said structure is damaged to the extent that expenditure of fifty (50%) per cent of the present cost to replace such structure is required to repair such damage and in such cases wherein major structural alterations are made.

- (d) Section 702.6 amended. Section 702.6 of the National Building Code is amended by adding a new sub-paragraph "e" after sub-paragraph "d" containing the following provision:

- e. Without regard to any other language herein, exterior walls of all multi-family residential structures, shall be constructed of not less than seventy-five (75%) per cent masonry construction by surface area.

For purposes of this article surface area of exterior walls shall be computed as total exterior surface extending from the ground to a point eight (8) feet above the floor level of the uppermost floor. The term "multi-family residential structure" shall mean structures designed for more than one occupancy unit, whether such unit is designed for one or more persons.

In the event that any language in this Code or other City Ordinances may conflict with the provisions herein, the provisions of this article shall control.

- (e) Section 800.3 amended. Section 800.3 of the National Building Code is hereby amended so as to change paragraph "a" of Section 800.3 to read:

- a. Fire walls of solid masonry shall be not less than eight (8) inches thick for the uppermost thirty-five (35) feet of their height, and shall be increased four (4) inches in thickness for each successive thirty-five (35) feet or fraction thereof measured downward from the top of the wall and shall not be pierced by structural members, plumbing connections and piping, electrical or communications wiring or conduit, air conditioning or heating ducts; provided, however, the Building Inspector or Fire Marshal may require proof of four (4) hour fire rating as required in Section 800.2 by a certified testing laboratory.

(f) Section 802.1 amended. Section 802.2 of the National Building Code is amended to provide:

802.2 Roof Covering Required

- a. Every roof placed on a building or structure in the City of Mesquite shall be a Class A or Class B roof covering. Class C roofs are not allowed.

- b. 1. Asphalt Composition Roofs -

To meet the requirements herein, asphalt composition roofing must have a minimum weight of 230 pounds per 100 feet square and shall be placed over a solid surface one-half ($\frac{1}{2}$) inch thick, provided, however, three-eighths ($\frac{3}{8}$) inch thickness shall be sufficient if on rafters of not more than sixteen (16) inch centers.

2. Asbestos Roofing -

A minimum requirement for asbestos roofing shall be not less than one-fourth ($\frac{1}{4}$) inch thickness installed over a one-half ($\frac{1}{2}$) inch thick solid surface.

SECTION 2. To the extent any provision of the National Building Code or other Ordinance may conflict with the provisions herein, the provisions contained herein shall control; in all other respects the Code of the City of Mesquite, including such portions of the National Building Code heretofore adopted shall remain in full force and effect.

SECTION 3. Should any word, phrase, sentence, paragraph or section of this Ordinance be held to be invalid or unconstitutional, the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed to be guilty of a misdemeanor and upon conviction in the Corporation Court shall be subject to a fine not to exceed Two Hundred (\$200.00) Dollars for each offense, and each and every day such violation continues shall constitute a separate offense.

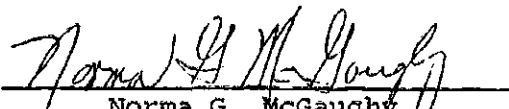
SECTION 5. The fact that the Code of the City of Mesquite, Texas, and the National Building Code are inadequate to afford the necessary protection to the inhabitants of the City constitutes an urgency and an emergency for the preservation of the public health, safety and welfare of its citizens and requires that this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

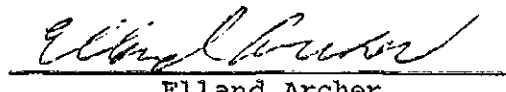
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 20th day of October, A.D., 1970.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary


Elland Archer
City Attorney