

ORDINANCE NO. 4953

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING MESQUITE CITY CODE, CHAPTER 5, ARTICLE XI, DIVISION 2, SECTION 5-581, LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, TO REMOVE THE RENTAL REGULATIONS FOR REVISION AND PLACEMENT IN CHAPTER 7; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED \$2,000; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”), to protect the public health, safety, and welfare; and

WHEREAS, the City of Mesquite, Texas (“**City**”), is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, [Section 5](#) of the Texas Constitution and [Chapter 9](#) of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072\(a\)](#); and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life, and property, and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government, order, and security of the City and its inhabitants, pursuant to Article III, [Section 2](#) of the Mesquite City Charter; and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property, and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, [Section 54.004](#), as amended; and

WHEREAS, the City shall have the power to provide for the issuance of permits for erecting all buildings, for the inspection of the construction of buildings in respect to proper wiring for electric lights and other electrical appliances, piping for gas, flues, chimneys, plumbing, and sewer connections; and to enforce proper regulations in regard thereto; and the City shall also have the power to provide for license, permit, and inspection fees, pursuant to Article III, [Section 28](#) of the Mesquite City Charter; and

WHEREAS, on **MARCH 4, 2021**, the Building Standards Board held a public hearing to receive public comments regarding revising the local amendments to the 2018 International Residential Code (I.R.C.) published by the International Code Council (I.C.C.); and

WHEREAS, the Building Standards Board, by majority vote, has recommended the City Council adopt the revisions attached and included in **EXHIBIT A**; and

WHEREAS, upon the favorable recommendation of the Building Standards Board where applicable, and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion this Ordinance should be approved and adopted.

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

SECTION 1. Recitals Incorporated.

The City Council hereby finds and determines the recitals made in the preamble of this Ordinance are true and correct, and hereby incorporates such recitals here in the body of this Ordinance as if copied in their entirety.

SECTION 2. MESQUITE CITY CODE TEXT AMENDMENT:

Amending Chapter 5, Article XI, Division 2, Section 5-581 – Local Amendments to the International Residential Code, 2018 Edition.

The Mesquite City Code is hereby amended as identified in **EXHIBIT A**, thereby revising Chapter 5 – Buildings and Construction, Article XI – Residential Code, Division 2, Section 5-581 – Local Amendments to the International Residential Code, 2018 Edition, attached hereto and made a part hereof, and in all other respects, the remaining Chapters of the Mesquite City Code shall remain in full force and effect.

SECTION 3. Conflicts Resolution Clause.

In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Severability Clause.
Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

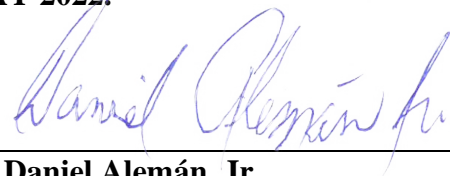
SECTION 5. Savings Clause.
An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Penalty Clause.
Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, [Section 1-6](#), as amended.

SECTION 7. Publication.
This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. Effective Date.
This Ordinance after its passage and publication shall take effect on, and be in force from and after, five (5) days after publication thereof, in accordance with Mesquite City Charter, Article IV, [Section 24](#), and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 2nd DAY OF MAY 2022.



Daniel Alemán, Jr.
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney

EXHIBIT A

To Ordinance No. 4953

MESQUITE CITY CODE

Amending Chapter 5 – Buildings and Construction, Article XI – Residential Code.

MESQUITE CITY CODE

* * *

CHAPTER 5 – BUILDINGS AND CONSTRUCTION

* * *

ARTICLE XI. – RESIDENTIAL CODE

* * *

[Editor's Note: Make the following revisions with additions identified in green font and underlined and deletions identified in ~~red font with strikethrough.~~]

DIVISION 2. – AMENDMENTS

Sec. 5-581. Local Amendments to the International Residential Code, 2018 Edition.

* * *

TABLE OF LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL RESIDENTIAL CODE		
No.	IRC Code Section No. Title	Local Amendment to IRC
01	IRC R101.1 Title.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of Mesquite and shall be cited as such and will be referred to herein as "this code."</p>
02	IRC R102.4 Referenced codes and standards.	<p><i>Amend by adding a sentence [after the first sentence of the section and prior to the exception] to read as follows:</i></p> <p>R102.4 Referenced codes and standards.</p> <p style="text-align: center;">* * *</p> <p>The provisions of the National Electrical Code as adopted shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.</p> <p>Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.</p> <p style="text-align: center;">* * *</p>

03	IRC R104.10.1 Flood hazard areas.	<i>Amend by deleting the section in its entirety.</i>
04	IRC R105.2 Work exempt from permit.	<i>Amend by deleting number 1, 2, 5, 7 and 10 [the remainder of the section is unchanged].</i>
05	IRC R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.	<i>Amend by deleting the section in its entirety.</i>
06	IRC R105.3.2 Time limitation of application.	<i>Amend section in its entirety to read as follows:</i> R105.3.2. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 45-days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 45-days each. The extension shall be requested in writing and justifiable cause demonstrated.
07	IRC R105.5 Expiration.	<i>Amend section in its entirety to read as follows:</i> R105.5. Expiration. Every permit issued shall expire and become null and void if (i) the permittee fails to commence work on the site authorized by such permit within 30-days after its issuance, or (ii) the permittee fails to have the work authorized on the site by such permit inspected during any 90-day period after the work has commenced. It shall be unlawful to commence or recommence work after a permit expires without obtaining a new permit or receiving an extension from the Building Official. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90-days each. The extension shall be requested in writing and justifiable cause demonstrated.
08	IRC R105.7 Placement of permit.	<i>Amend by deleting the section in its entirety.</i>
09	IRC R106.1.5 Information for construction in flood hazard areas.	<i>Amend by deleting the section in its entirety.</i>

10	IRC R107.5 Toilet facilities required.	<p><i>Amend by adding a new Section R107.5 to read as follows:</i></p> <p>R107.5 Toilet facilities required. Every construction project requiring a building permit within the City limits of the City of Mesquite shall have adequate toilet facilities for workers associated with the project. At least one permanent or temporary toilet facility shall be maintained in each subdivision for the employees or subcontractors of each builder holding a permit for a building in that subdivision.</p> <p>Permanent toilet facility is defined as a room in an existing building or in the building being constructed with a water closet installed in such a room, which conforms to the Plumbing Code and is continuously available to all workers involved in a construction project.</p> <p>Temporary toilet facility is defined as a portable fully enclosed chemical sanitized toilet, which is serviced and cleaned at least once each week. Temporary toilet facilities shall not be placed inside a building or other structure.</p>
11	IRC R108.2 Schedule of permit fees.	<p><i>Amend by adding a sentence [after the first and only sentence of the section] to read as follows:</i></p> <p>R108.2 Schedule of permit fees.</p> <p style="text-align: center;">* * *</p> <p>See Mesquite City Code, Appendix D – <i>Comprehensive Fee Schedule</i>, for applicable fees.</p>
12	IRC R108.5 Refunds.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R108.5 Refunds. In the case where a fee was paid or collected erroneously, the Building Official shall authorize a one hundred (100) percent refund of said fee. In the case where a fee was paid or collected and when no work was performed under a permit issued in accordance with this Code, the Building Official may authorize a partial refund, of not more than eighty (80) percent of the permit fee, in accordance with this Section. The Building Official shall not authorize refunding of any fee paid except on written request filed by the original permittee not later than 180-days from the date of fee payment.</p>
13	IRC R108.6 Work commencing before permit issuance.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R108.6 Work commencing before permit issuance. Whenever a permit is required for a building, structure, electrical, gas, mechanical or plumbing system, and work is commenced without securing the applicable permit, the Building Official shall charge double the amount of the usual fee for the permit.</p>
14	IRC R109.1.3 Floodplain inspections.	<p><i>Amend by deleting the section in its entirety.</i></p>

15	IRC R109.1.6 Final inspection.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R109.1.6. Final Inspection. Every permit required by this Code shall be required to pass a final inspection after all work has been completed.</p>
16	IRC R110.1 Use and occupancy.	<p><i>Amend by changing the first sentence and adding a second sentence of the section to read as follows and delete Exception #2, remainder unchanged.</i></p> <p>R110.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in occupancy or change of use of a building or structure or portion thereof shall not be made, until the Building Official has issued a certificate of occupancy or other approval as applicable to type of occupancy therefor as provided herein...</p> <p style="text-align: center;">* * *</p>
17	IRC R110.2 Change in occupancy.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R110.2 Change in occupancy.—When a non-owner-occupied dwelling unit is vacated by the occupant, or a certificate of occupancy expires as provided in Section R110.2.2, the owner of the unit must apply for and receive a certificate of occupancy from the Building Official prior to the unit being reoccupied. The Building Official or his designated representative will inspect the unit and premises for compliance with this code, the Property Maintenance Code, the Mesquite Zoning Ordinance and other applicable ordinances of the City. If deficiencies are found, the Building Official may prohibit occupancy of the unit and premises until such time as the owner takes action needed to bring the unit and premises into compliance. The inspection required by this section shall also be required for a non-owner-occupied dwelling unit and premises prior to its original occupancy. Letting a non-owner-occupied dwelling unit to more than one family unrelated to the owner shall be prohibited.</p> <p>If the dwelling unit is found to be occupied prior to inspection, the Building Official shall assess an administrative fee to defray the expense to the City for conducting an inspection of an occupied unit. Said fee shall be paid by the owner prior to any further inspection or reinspection of the unit and shall be cumulative of all other fees or penalties provided in this code. Provided, that said fee shall not apply to an inspection conducted during the ninety-day period for renewing a certificate of occupancy under Section R110.2.3. See Mesquite City Code, Appendix D, for applicable fees.</p>
18	IRC R110.2.1 Reinspection fee.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.2.1 Reinspection fee.—When a reinspection is required, a reinspection fee as provided in Mesquite City Code, Appendix D will be assessed for each reinspection until corrections are made and the non-owner-occupied dwelling unit is in compliance.</p>

19	<p>IRC R110.2.2 Certificate of occupancy as temporary license; expiration.</p>	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.2.2 Certificate of occupancy as temporary license; expiration. A certificate of occupancy for a non-owner-occupied dwelling unit shall constitute a temporary, revocable license to conduct an accessory use as provided under Chapter 2-200 of the Mesquite Zoning Ordinance. Said certificate of occupancy shall expire on the date the dwelling unit is vacated by the previous occupant, or on the third anniversary of issuance of the certificate, whichever is the earlier. Provided, a valid certificate of occupancy for a non-owner-occupied dwelling unit that was in effect as of December 18, 2017, and which is continuously occupied by the same occupant thereafter, shall expire when said occupant vacates the unit, or on December 18, 2020, whichever is the earlier.</p>
20	<p>IRC R110.2.3 Renewal of certificate.</p>	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.2.3 Renewal of certificate. Beginning no earlier than ninety days prior to the third anniversary of issuance of a certificate of occupancy, the owner or owner's agent may request an inspection of the non-owner-occupied dwelling unit for the purpose of renewing the certificate. The Building Official or his designated representative will inspect the unit and premises for compliance with this code, the Property Maintenance Code, the Mesquite Zoning Ordinance and other applicable ordinances of the City in effect on the date of the inspection. If deficiencies are found, the owner shall take such action needed to bring the unit and premises into compliance. When the non-owner-occupied dwelling unit and premises are found to be in compliance, the Building Official shall issue a renewed certificate of occupancy as provided in Section R110.3.</p>
24	<p>IRC R110.3 Certificate issued.</p>	<p><i>Amend by deleting section R110.3 in its entirety.</i></p> <p>R110.3 Certificate issued. When the Building Official determines that a non-owner-occupied dwelling unit and premises are in compliance with the provisions of this and other applicable codes, the Building Official shall issue or renew a certificate of occupancy containing the following:</p> <ol style="list-style-type: none"> 1. The address of the structure; 2. The name, address and telephone number of the property owner and local agent; 3. A statement that the described portions of the structure have been inspected for compliance with the requirements of this code; 4. The name of the Building Official; 5. The edition of the code on which the certificate was issued; and 6. The date the certificate of occupancy was issued.

EXHIBIT "A" TO ORDINANCE NO. 4953

MESQUITE CITY CODE, CHAPTER 5, ARTICLE XI. – RESIDENTIAL CODE
International Residential Code (I.R.C.), 2018 Edition
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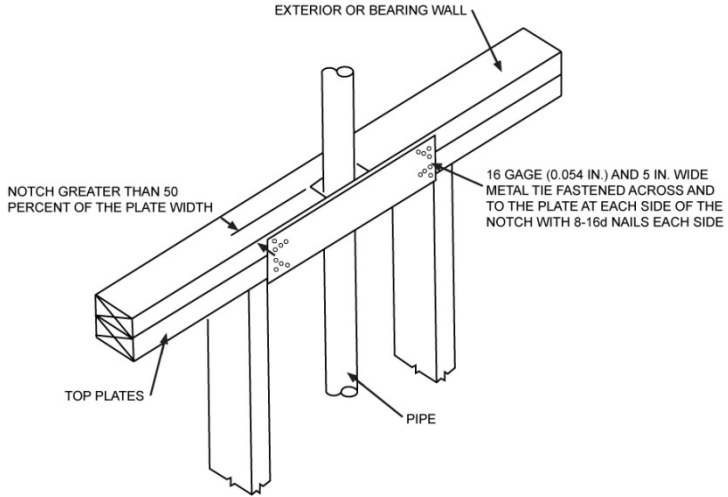
22	IRC R110.3.1 Liens, taxes and other fees due.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.3.1 Liens, taxes and other fees due. No certificate of occupancy shall be issued for a non-owner-occupied dwelling unit until the owner has paid or satisfied obligations for all liens, fines, charges, penalties, citations or summons of whatsoever in nature attached to the property together with any interest to the City of Mesquite.</p>
23	IRC R110.3.2 Unlawful use or occupancy.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.3.2 Unlawful use or occupancy. It shall be unlawful and an offense for any certificate holder to use, suffer or permit any non-owner-occupied dwelling unit to be used or occupied in violation of this Code, any Code or ordinance of the City of Mesquite or contrary to the terms of said certificate.</p>
24	IRC R110.3.3 Local agent.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.3.3 Local agent. No certificate of occupancy shall be issued for a non-owner-occupied dwelling unit until the owner furnishes the name, physical address, telephone number and driver's license number of an individual who has express agency to act on behalf of the owner, receive notices and service of legal process pertaining to the dwelling. The physical address of such agent shall be within 25 miles of the City of Mesquite. The owner may serve as agent provided the locational requirement of this section is met.</p>
25	IRC R110.5.1 Revocation of certificate for non- owner-occupied dwelling unit.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R110.5.1 Revocation of certificate for non-owner-occupied dwelling unit. A non-owner-occupied dwelling unit in violation of Section R110.3.2 constitutes an unlawful structure under Section 108 of the Property Maintenance Code. In addition to all other remedies available by statute, ordinance or regulation, the certificate of occupancy for such non-owner-occupied dwelling unit shall be subject to revocation in accordance with procedures set forth in the Mesquite Zoning Ordinance.</p>
26	IRC R111.1 Connection of service utilities.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, power or water to any new dwelling unit, townhouse or system regulated by this code and requiring a permit until such connection is approved by the Building Official.</p>
27	IRC R111.1.1 Continued connection of service utilities.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R111.1.1 Continued connection of service utilities. It shall be unlawful and an offense for any owner or owner's agent to make connections, or continue or maintain existing connections, for water utilities to any non-owner-occupied dwelling unit that is required by this code to be inspected prior to occupancy or re-occupancy unless the unit is approved as code compliant and the Building Official has issued a certificate of occupancy. As to continuing or maintaining existing connections, it shall be a defense to prosecution under this section that no later than the tenth day after the non-owner-occupied dwelling unit was vacated by the previous occupant, the owner or owner's agent requested an inspection of the unit.</p>

28	IRC R111.3 Authority to disconnect service utilities.	<p>Amend section in its entirety to read as follows:</p> <p>R111.3 Authority to disconnect service utilities. In case of an emergency necessitating disconnection of utilities to eliminate an immediate hazard to life or property, the Building Official shall have the authority to authorize disconnection of utility service to a building, structure or system regulated by this code and the referenced codes and standards set forth in Section R102.4. The Building Official shall notify the service utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If prior notification is not possible, the owner or occupants of the building, structure or service system shall be notified in writing, as soon as practical thereafter. In addition, the Building Official shall have the authority to authorize disconnection of utility service to a building, structure or system, if a building, structure or system is found to be in violation of this code, including a connection made without the approval required by Sections R111.1 and R111.2 and after notification of the violation has been made to the owner and/or occupant of the building or structure and the violation is not corrected.</p>
<u>2917</u>	IRC SECTION R112 Appeals.	<p><i>Amend section in its entirety to read as follows:</i></p> <p style="text-align: center;">SECTION R112 APPEALS</p> <p>R112.1 General. Any person shall have the right to appeal an administrative decision of the Building Official, Fire Official, or any other City official to the Building Standards Board, when said decision is relative to the application, enforcement, or interpretation of this Code.</p> <p>The Building Standards Board is established in Mesquite City Code, Chapter 20, Article IV, Division 4 (Building Standards Board).</p> <p>The process and procedures for appealing an administrative decision are set forth in Chapter 5, Article XIII (Appeals of Administrative Decisions to Building Standards Board).</p>
<u>3018</u>	IRC R113.1 Unlawful acts.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R113.1 Unlawful acts. It shall be unlawful for any person, firm, corporation, or entity to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of, any of the provisions of this code.</p>
<u>3419</u>	IRC R113.2 Notice of violation.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R113.2 Notice of violation. The Building Official is authorized to serve a notice of violation or order on the owner of the premises, or any person, firm, corporation, or other entity 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 may direct the discontinuance of the illegal action or condition and the abatement of the violation.</p>

32 <u>20</u>	IRC R113.3 Prosecution of violation.	<p><i>Amend section title and section in its entirety to read as follows:</i></p> <p>R113.3 Prosecution of failure to promptly comply with Notice of Violation. Failure to promptly comply with notice of violation issued by the Building Official shall constitute a separate violation of this code and may be prosecuted as such by the City. This section shall not be construed as requiring notification, or any other condition, to any proceeding seeking to address any violation of the provisions of this code.</p>
33 <u>21</u>	IRC R113.4 Violation penalties.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R113.4 Violation penalties. Any person who violates a provision of this code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issue under the provisions of this code shall be subject to penalties as prescribed by law and herein in this Article.</p> <p>Nothing in this code shall be construed to interfere, inhibit, or otherwise affect the pursuit of legal remedies or proceedings to restrain, correct, abate, or otherwise address any violation of this code, or to remove or terminate unlawful occupancy of a premises in violation of the provisions of this code.</p>
34 <u>22</u>	IRC R114.3 Construction debris.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R114.3 Construction debris. Construction debris from that work for which a permit is required must be confined to a containment structure/container approved by the Building Official or his authorized representative.</p>
35 <u>23</u>	IRC R202 Dwelling unit, non-owner occupied.	<p><i>Amend section by adding the definition of "Dwelling Unit, Non-Owner-Occupied" to read as follows:</i></p> <p>Dwelling unit, non-owner occupied. A dwelling unit or any portion thereof, including but not limited to a room or other living space in a one- or two-family dwelling that is let or intended to be let to no more than one family unrelated to the owner, regardless of whether or not any other unit, room or space in the dwelling is inhabited, or intended to be inhabited, by the person holding legal title thereto. A non-owner-occupied dwelling unit shall include any unit or portion thereof, room or other living space occupied, or intended to be occupied, pursuant to a written or verbal tenancy agreement or other proffer for consideration of any duration or a contract for deed or any other contract or deed that conveys less than legal title to the occupant. For purposes of this code, a non-owner-occupied dwelling unit shall include the premises whereon the dwelling is situated.</p>
36 <u>24</u>	IRC R202 Townhouse.	<p><i>Amend section by changing the definition of "Townhouse" to read as follows:</i></p> <p>Townhouse. A single-family unit constructed in a group of attached units separated by property lines in which each unit extends from foundation to roof and with open space on at least two sides.</p>

37 <u>25</u>	IRC R301.2(1) Table.	<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <th style="width: 25%;">GROUND SNOW LOAD</th> <th colspan="2" style="width: 50%;">WIND DESIGN</th> <th style="width: 25%;">SEISMIC DESIGN CATEGORY^f</th> </tr> <tr> <td></td> <th style="width: 25%;">SPEED^d (mph)</th> <th style="width: 25%;">Topographic Effects^k</th> <td></td> </tr> <tr> <td style="text-align: center;">5 lb./ft²</td> <td style="text-align: center;">115 (3-sec-gust)/ 76 fastest mile</td> <td style="text-align: center;">No</td> <td style="text-align: center;">A</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <th colspan="3" style="text-align: center;">SUBJECT TO DAMAGE FROM</th> </tr> <tr> <th style="width: 33%;">Weathering^a</th> <th style="width: 33%;">Frost line depth^b</th> <th style="width: 33%;">Termite^c</th> </tr> <tr> <td style="text-align: center;">moderate</td> <td style="text-align: center;">6"</td> <td style="text-align: center;">very heavy</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">WINTER DESIGN TEMP^e</th> <th style="width: 15%;">ICE BARRIER UNDER-LAYMENT REQUIRED^h</th> <th style="width: 15%;">FLOOD HAZARDS^g</th> <th style="width: 15%;">AIR FREEZING INDEXⁱ</th> <th style="width: 15%;">MEAN ANNUAL TEMP^j</th> </tr> <tr> <td style="text-align: center;">22 ° F</td> <td style="text-align: center;">No</td> <td style="text-align: center;">local code</td> <td style="text-align: center;">69 ° F</td> <td style="text-align: center;">64.9 ° F</td> </tr> </table>	GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f		SPEED ^d (mph)	Topographic Effects ^k		5 lb./ft ²	115 (3-sec-gust)/ 76 fastest mile	No	A	SUBJECT TO DAMAGE FROM			Weathering ^a	Frost line depth ^b	Termite ^c	moderate	6"	very heavy	WINTER DESIGN TEMP ^e	ICE BARRIER UNDER-LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j	22 ° F	No	local code	69 ° F	64.9 ° F
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38 <u>26</u>	IRC R302.7 Under-stair protection.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R302.7 Under-stair protection. Enclosed accessible space under stairs shall have walls, under-stair surface and any soffits protected on the enclosed side with 5/8-inch (15.8 mm) fire-rated gypsum board or one-hour fire-resistive construction.</p>																															
39 <u>27</u>	IRC R312.1.1 Where required.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R312.1.1 Where required. Guards shall be provided for those portions of open-sided walking surfaces, including stairs, porches, balconies, landings and ramps, that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.</p> <p>Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.</p>																															

4028	IRC R315.2.2 Alterations, repairs and additions.	<p><i>Amend by deleting the exceptions in their entirety and adding new exceptions to read as follows:</i></p> <p>R315.2.2 Alterations, repair and additions. Where alterations, repairs or additions requiring a permit occur, the individual dwelling unit shall be equipped with carbon monoxide alarms located as required for new dwellings.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Work involving the exterior vertical surfaces of dwellings, such as the replacement of brick or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, is exempt from the requirements of this section. 2. Work involving concrete, retaining walls or other elements located on the site and entirely outside of the dwelling or structure is exempt from the requirements of this section. 3. Installation, alteration or repairs of plumbing or mechanical systems located entirely on the exterior or outside of the dwelling or structure are exempt from the requirements of this section.
4429	IRC R322.1 General.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R322.1 General. Buildings and structures, when permitted to be constructed in flood hazard areas (including A or V zones) as established in Table R301.2(1) shall be designed and constructed as required in accordance with the provisions contained in this section and by local provisions as applicable.</p>
4230	IRC R401.2 Post-Tension foundation.	<p><i>Amend by adding a new section to read as follows:</i></p> <p>R401.2 Post-Tension foundation. Every foundation and/or footing, or any size addition to an existing post-tension foundation, regulated by this code shall be designed and sealed by a Texas-registered engineer.</p>
4331	IRC R602.6.1 Drilling and notching of top plate.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054-inch thick (1.37 mm) (16 Ga) and five inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 10d (0.148-inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. Fasteners will be offset to prevent splitting of the top plate material. The metal tie must extend a minimum of six inches past the opening. See Figure R602.6.1.</p>

<p>4432</p>	<p>IRC R602.6.1 Figure.</p>	<p><i>Amend by replacing figure follows:</i></p> <div style="text-align: right;">WALL CONSTRUCTION</div>  <p style="text-align: center;">FIGURE R602.6.1 TOP PLATE FRAMING TO ACCOMMODATE PIPING</p>
<p>4533</p>	<p>IRC R703.8.4.1 Size and spacing.</p>	<p><i>Amend by replacing the final sentence of the section with the following:</i></p> <p>R703.8.4.1 Size and spacing.</p> <p style="text-align: center;">* * *</p> <ol style="list-style-type: none"> 1. When studs are 16 inches (407 mm) o.c., stud ties shall be spaced no further apart than 24 inches (737 mm) vertically starting approximately 12 inches (381 mm) from the foundation; or 2. When studs are 24 inches (610 mm) o.c., stud ties shall be spaced no further apart than 16 inches (483 mm) vertically starting approximately 8 inches (254 mm) from the foundation.
<p>4634</p>	<p>IRC R908.3.1 Roof recover.</p>	<p><i>Amend section by deleting condition #1 in its entirety.</i></p>
<p>4735</p>	<p>IRC R908.3.1.1 Roof recover not allowed.</p>	<p><i>Amend by deleting condition #3 it its entirety.</i></p>

48 <u>36</u>	IRC M1305.1.2 Appliances in attics.	<p><i>Amend by deleting the exceptions in their entirety and adding to the end of the section to read as follows:</i></p> <p>M1305.1.2 Appliances in attics. Attics containing appliances shall be provided with an opening and a clear and unobstructed passageway...</p> <p style="text-align: center;">* * *</p> <p>As a minimum, access to the attic space shall be provided by one of the following:</p> <ol style="list-style-type: none"> 1. A permanent stair. 2. A pull-down stair with a minimum of 300-lb (136 kg) capacity. 3. An access door from an upper floor level. 4. An access panel may be used in lieu of items 1, 2 and 3 with prior approval of the Code Official due to building conditions. <p>Exception: The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.</p>
49 <u>37</u>	IRC G2412.5 Identification.	<p><i>Amend by adding a sentence to the end of the section to read as follows:</i></p> <p>G2412.5 (401.5) Identification For other than steel pipe, exposed piping shall be identified by a yellow...</p> <p style="text-align: center;">* * *</p> <p>Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:</p> <p>"Warning 1/2 to 5 psi gas pressure. DO NOT REMOVE"</p>
50 <u>38</u>	IRC G2415.12 Minimum burial depth.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>G2415.12 (404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade.</p>
54 <u>39</u>	IRC G2417.4 Test pressure measurements.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>G2417.4 (406.4) Test pressure measurements. Test pressure shall be measured with a manometer or with a pressure measuring device designed and calibrated to read, record or indicate a pressure loss due to leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. The equipment used shall be of an appropriate scale such that pressure loss can be easily determined.</p>

<u>5240</u>	IRC G2417.4.1 Test pressure.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than 10 psig (68.9 kPa gauge). The piping and valves may be tested at a pressure of at least six inches (152 mm) of mercury measured with a manometer, slope gauge or spring gauge. For welded piping and for piping carrying gas at pressures in excess of 14-inches water column pressure (3.48 kPa), the test pressure shall not be less than 60 pounds per square inch (413.4 kPa).</p>
<u>5341</u>	IRC G2417.4.2 Test duration.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>G2417.4.2 (406.4.2) Test duration. Test duration shall be held for a length of time satisfactory to the Building Official but in no case for less than 15 minutes. For welded piping and for piping carrying gas at pressures in excess of 14-inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Building Official, but in no case for less than 30 minutes.</p>
<u>5442</u>	IRC P2603.5.1 Sewer depth.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>P2603.5.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.</p>
<u>5543</u>	IRC P2801.5 Prohibited locations.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>P2801.5 Prohibited locations. Water heaters shall be located in accordance with Chapter 20. Water heaters are prohibited from being installed within any attic cavity or space.</p> <p>Exception: Tankless water heaters installed in accordance with Section M1305.1.2</p>
<u>5644</u>	IRC P2801.6.1 Pan size and drain.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>P2801.6.1 Pan size and drain. The pan shall be not less than 1-1/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inches (19 mm). Piping for safety pan drains shall be of those materials listed in Table P2906.5.</p>
<u>5745</u>	IRC P2902.5.3 Lawn irrigation systems.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>P2902.5.3 Lawn irrigation systems. The landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Title 30, Chapter 344, Subchapters E and F, §§ 344.50—344.65 of the Texas Administrative Code, as the same may be from time to time amended, are hereby adopted by reference as the landscape irrigation rules of the City.</p>
<u>5846</u>	IRC P3111 Combination waste and vent systems.	<p><i>Amend by deleting the section in its entirety.</i></p>

59 47	IRC P3112.2 Installation.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed-in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six inches (152 mm) above the flood level rim and a minimum slope of one-quarter inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drainboard shall be a one-piece fitting or an assembly of a 45-degree (0.79 radius), a 90-degree (1.6 radius) and a 45-degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.</p>
60 48	IRC Part VIII	<p><i>Amend by deleting Chapters 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43 in their entirety and adding a referral notice to read as follows:</i></p> <p>Refer to the adopted National Electrical Code for all references regarding electrical installations within the International Residential Code.</p>

Secs. 5-582 – 5-600. – Reserved.

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