

6/27/12 Mun

ORDINANCE NO. 7350

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE I, SECTION 4-3-1 IS REPEALED AND RE-ENACTED TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*, WITH AMENDMENTS REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES, AND RELATED MATTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds it is in the best interest of the public health, safety, and welfare to adopt the 2012 edition of the *International Building Code* (published by the International Code Council) with certain amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That Chapter 4-3, Article I, Section 4-3-1 be and hereby is Repealed in its entirety.

SECTION 2. That Chapter 4-3, Article I, Section 4-3-1 be and hereby is Re-adopted, amended, to now read as follows:

Sec. 4-3-1. Adoption of building code, and certain appendix chapters thereof; amendments.

Code adopted. For all buildings and structures under the jurisdiction of the City of Amarillo, and not regulated by the *International Residential Code* as adopted in Chap. 4-3, of the Municipal Code, there is hereby adopted the 2012 edition of the *International Building Code* (published by the International Code Council), including its Appendices C, J, K with the following amendments, copies of which shall be maintained by the Building Official:

101.1 Title. Insert, "City of Amarillo."

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as adopted and amended by the City of Amarillo.

101.4.3 Plumbing. The provisions of the *International Plumbing Code* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.7, Referenced standards. The use of the following International Code, though not adopted, can be used as a resource.

International Wildland-Urban Interface Code (IWUIC). The provisions of this code, though not adopted, may be applied to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the Wildland-Urban interface areas in this jurisdiction.

104.12 Registration of contractors. The Building Official shall receive applications from and register contractors in accordance with Chapter 4-1 of the Municipal Code.

Section 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Flammable Liquids and Gases. A permit shall be required for the installation of any container or pump for storing and handling flammable liquids and gases. All containers and equipment for the storage and handling of flammable liquids or gases, or both, shall be installed in accordance with the Fire Code. No permit shall be issued for a curb or sidewalk pump or service connection. All vehicles must be serviced on privately owned property. All tanks must be filled from vehicles parked on privately owned property. No pump shall be located within a building.

105.2 Work exempt from permit. Exemptions from 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. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (18.58m²).
2. Fences not over 8 feet (2440 mm) high.
3. Oil derricks.

4. Retaining walls that are not over 4 feet (1219 mm) 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 IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Replacement glass and glazing in commercial buildings when replacement occurs in existing sash or frame and performed by Glass and Glazing Contractor registered in accordance with 4-1-110 of the Municipal Code.

107.1 General. Submittal documents consisting of construction documents, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The construction documents shall be prepared by a registered design professional and shall contain the seal of a Texas-licensed engineer or Texas-licensed architect where the following conditions exist:

1. For new construction, additions, expansions or for changes in occupancy of:
 - a. All occupancies of 5,000 square feet or more in area; or
 - b. Buildings and structures more than two stories above grade plane.

2. For alterations, repair or rehabilitation of:

- a. All occupancies where the affected area exceeds 5,000 square feet or the proposed work involves or affects structural elements, fire-resistive elements or means of egress.

The registered design professional who prepares construction documents shall have full responsibility for complying with Texas Occupations Code, Chapter 1001 (Engineers) or Chapter 1051 (Architects), as applicable, and shall affix *design professional* official seal to said drawings, specifications and accompanying data. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of the construction documents is not necessary to obtain compliance with this code.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Chapter 4-1 of the Municipal Code.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *Building Official*, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. If the applicant fails to present sufficient documentation to support the valuation on the application, final building permit valuation shall be set by the Building Official in accordance with the most current Building Valuation Data as published by the International Code Council or approved statements sufficient to clearly document all construction costs.

110.3 Required inspections. The Building Official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10. No inspections shall be made on new construction until the site has been surveyed and all property corners have been physically identified.

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by

the *Building Official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals: Construction Advisory and Appeals Board; see Chapter 2-6, of the Amarillo Municipal Code.

113.2 Limitations on authority. Section is deleted

113.3 Qualifications. Section is deleted.

116.6 Unsafe structures: Abandoned and substandard structures shall be subject to the requirements of applicable provisions of this Municipal Code and state law.

202 Definitions: Insert:

NIGHTCLUB-a place of entertainment open at night, usually serving or allowing the consumption of alcoholic beverages, having a floor show, or providing music and space for dancing.

907.2.1 Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the occupant load due to the assembly occupancy is 300 or more. In A-2 *Nightclubs* having an occupant load of 100 or more. Group A occupancies not separated from one another in accordance with Section 707.3.9 shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler waterflow.

907.2.1.3 System response in A-2 nightclubs. An activation of the fire alarm system shall automatically:

1. Cause illumination of the means of egress with light of not less than 1 foot candle (11 lux) at the walking surface level;
2. Stop all conflicting or confusing sounds and visual distractions; and
3. Activation of a pre-recorded message, clearly audible throughout the building.

1101.2 Design. Buildings and facilities shall be designed and constructed to be *accessible* in accordance with this code and ICC A117.1.

Exception: Buildings regulated under Texas Department of Licensing and Regulation (TDLR) and built in accordance with TDLR approved plans, including any variances or waivers granted by the TDLR, shall be deemed to be in compliance with the requirements of this Chapter.

1503.4.4 Drainage across adjacent properties: No roof drainage or surface drainage shall drain onto adjacent properties except where an engineered drainage plan calls for drainage across properties, and the appropriate drainage easements have been recorded in the deed records, and the necessary physical measures for protection of the adjacent properties have been installed.

1507.9.1 Deck requirements. Wood shakes shall be used only on solid sheathing.

Table 1507.9.6 amended to read as follows:

TABLE 1507.9.6 WOOD SHAKE MATERIAL REQUIREMENTS

MATERIAL	MINIMUM GRADES	APPLICABLE GRADING RULES
<u>Wood shakes of naturally durable wood</u>	<u>1</u>	<u>Cedar Shake and Shingle Bureau</u>
<u>Taper sawn shakes and shingles of naturally durable wood</u>	<u>1</u>	<u>Cedar Shake and Shingle Bureau</u>
<u>Preservative-treated shakes and shingles of naturally durable wood</u>	<u>1</u>	<u>Cedar Shake and Shingle Bureau</u>
<u>Fire-retardant-treated shakes of naturally durable wood</u>	<u>1</u>	<u>Cedar Shake and Shingle Bureau</u>
<u>Preservative-treated taper sawn shakes of Southern pine treated in accordance with AWP Standard U1 (Commodity Specification A, Use Category 3B and section 5.6)</u>	<u>1 or 2</u>	<u>Forest Products Laboratory of the Texas Forest Services</u>

Table 1604.1; Insert the following table as follows:

TABLE 1604.1 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLYMENT REQUIRED	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed	Topographic effects		Weathering	Frost line depth	Termite				
<u>20_{psf}</u>	<u>Sec. 1609</u>	<u>Sec. 1609</u>	<u>B</u>	<u>Moderate</u>	<u>18"</u>	<u>Moderate to heavy</u>	<u>20°</u>	<u>NO</u>	<u>311</u>	<u>57.2°</u>

1612.1 General. All structures constructed within a Special Flood Hazard area as designated by Chapter 4-8, Flood Damage Mitigation, of the Municipal Code shall comply with Chapter 4-8 and other applicable sections of this code.

1612.3 Establishment of flood hazard areas.

To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for City of Amarillo," (flood hazard Chap. 4-8 Amarillo Municipal Code), as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section. The City

Engineer is responsible for flood hazard areas; references to the Building Official relating to flood hazard areas will have the same meaning as to the City Engineer or designated Flood Plain Manager.

1612.5 Flood hazard documentation. The following documentation shall be prepared and sealed by a registered design professional and submitted to the Building Official:

1. For construction in flood hazard areas not subject to high-velocity wave action:
 - 1.1. The elevation of the lowest floor, including the basement, as required by the lowest floor elevation inspection in Section 110.3.3.
 - 1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.6.2.1 of ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.6.2.2 of ASCE 24.
 - 1.3. For dry floodproofed nonresidential buildings, construction documents shall include a statement that the dry floodproofing is designed in accordance with ASCE 24.
 - 1.4. All structures constructed within a Special Flood Hazard area as designated by Chapter 4-8 of the Municipal Code shall be provided with a foundation system designed by a registered professional engineer or registered architect.

3202.2.4 Landscaping terraces. Landscaping terraces may be constructed on public property when approved by the Building Official and the Director of Planning provided that:

1. The terrace does not encroach upon or impede passage along a public sidewalk;
2. The terrace is not installed so as to violate any traffic ordinance;
3. The terrace does not exceed the maximum allowed fence height; and
4. When the need arises for the repair or improvement of streets or utilities, the expense for moving the terrace shall be borne by the property owner.

3301.3 Site maintenance. Each person engaged in the construction, alteration or repair of any building shall be responsible for placing all trash and debris in a container or enclosure until the trash and debris are removed from the construction lot or site, and for installing erosion control measures both as required in accordance with the City's NPDES plan. The Building Official may cause all inspections to be withheld or work stopped until:

1. The construction lot or site and adjacent properties are free of trash, debris, or unused material generated from the construction site; and

2. Until effective erosion control measures are installed.

3307.2 Damage to public utilities. Any damage to public utilities caused by or during construction shall be immediately replaced or repaired by the owner of the property under construction, or the contractor responsible for the damage, at the expense of the owner or responsible contractor.

3401.7 Abandoned buildings. Certificate of Occupancy required prior to re-occupancy is hereby added to read as follows:

3401.7.1 Intent. The purpose of this Section is to insure that minimum levels of structural integrity, fire protection, life safety features, ventilation, light, sanitation, accessibility, and public improvements shall be provided in and around abandoned buildings or structures prior to re-occupancy. It is not the intent of this Section to require compliance with the latest Codes adopted by the City as if abandoned buildings or structures subject to this Section were being newly constructed. Nor is it the intent of this Section to require a new Certificate of Occupancy for a vacant building or structure, which is secured against unauthorized entry by the public and of which the essential components, as defined in 3401.7.2.2 below, have been maintained in serviceable condition.

3401.7.2 Certificate of Occupancy required prior to re-occupancy. When a building or structure has become abandoned, a Certificate of Occupancy shall be obtained prior to re-occupancy of the building or structure. For the purpose of this Section a building or structure shall be considered to have been abandoned when either of the following conditions exists:

3401.7.2.1 The previous use of the building has been discontinued and the building has been left unsecured or open to unauthorized entry by the general public;

3401.7.2.2 The previous use of the building has been discontinued and maintenance of the building has been neglected to the extent that one or more essential components of the building or structure have failed or no longer serve their intended purpose. Essential components include: Roof coverings; structural components; exterior envelopes including walls, doors and windows; electrical systems; plumbing systems; HVAC systems; fire

extinguishing systems; fire resistive construction; fire resistive separations; exit ways; or other life/safety systems.

3401.7.3. Conditions for issuance of a Certificate of Occupancy. Prior to issuing a Certificate of Occupancy for an abandoned building or structure subject to this Section, the Building Official may: require plans to be submitted which will clearly indicate the intended use of the building or structure, its location on the property, and any proposed improvements; inspect the building or structure to ascertain adequacy and serviceability of the essential components listed in 3401.7.2.2 above with respect to the intended use; require repairs or improvements to the building or structure based upon those inspections; and/or require that the applicable permits and inspections be obtained for work which is proposed or required under this Section.

3401.7.4. Guidelines and regulations. To determine the requirements for repairs or improvements to abandoned buildings or structures subject to this Section, the *Building Official* may utilize this chapter of the *International Building Code* as a guideline, and may utilize other publications of the *International Code Council* or *National Electric Code* related to existing buildings.

3412.2 Applicability. Structures existing prior to April 3, 1924 in which there is work involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this Section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

C101.1 Scope. The provisions of this appendix shall apply exclusively to agricultural buildings. Such buildings shall be classified as Group U and shall include the following uses:

1. Livestock shelters or buildings, including shade structures and milking barns.
2. Poultry buildings or shelters.
3. Barns.
4. Storage of equipment and machinery used exclusively in agriculture.
5. Horticultural structures, including detached production greenhouses and crop protection shelters.
6. Sheds.

7. Grain silos.
8. Stables.
9. Kennels.

Section C105.1 Kennels. Kennels shall comply with the following:

1. Floors shall have a smooth, hard, nonabsorbent, corrosion-resistant surface such as concrete, ceramic tile or other approved materials. Cages with grated floors may be installed above kennel floors. Such grated floors shall be of nonabsorbent, corrosion-resistant materials, sufficient in strength and composition to safely support the animals, protect their feet and legs from injury, and not allow the accumulation of liquids.
2. Floors shall be provided with positive drainage to an approved drainage system. Drainage from a stall or cage shall not flow across or through another stall or cage. Kennel floors shall slope uniformly at a rate of not less than one-fourth (1/4) inch per foot or more than one-half (1/2) inch per foot to a gutter or floor drain. If provided, gutters shall similarly slope to a drain and have rounded corners to facilitate cleaning. Drains complete with traps and vents shall be installed in accordance with the Plumbing Code and shall be connected to the City's sanitary sewer system or to a septic system approved by the Environmental Health Department.
3. The interior surface of kennel walls to a height of six (6) feet above the floor shall be of materials which are smooth, hard, nonabsorbent and non-corrosive. All joints and seams in interior wall surfaces and between the walls and floors shall be sealed to prevent moisture penetration and to prevent the accumulation of solids and liquids.
4. Kennels shall be provided with ventilation during such time as the building is occupied by animals by means of operable exterior openings with an area of not less than one-twentieth (1/20) of the floor area, or shall be provided with a mechanically operated exhaust system capable of providing at least four (4) air changes per hour. Such systems shall be connected directly to the exterior. Outdoor kennels shall provide adequate shelter from sun, rain and cold weather.

SECTION J103. RESERVED FOR FUTURE USE

SECTION J104. RESERVED FOR FUTURE USE

Section J107.5 Compaction, All fill material shall be compacted to 90 a minimum 95 percent of maximum density and shall be within 2% of optimum moisture content as determined by ASTM D 698, Standard Proctor, in lifts not exceeding 12 inches (305 mm) in depth.

Section K101.0 Title.

These regulations shall be known as the Electrical Code—Administrative Provisions of City of Amarillo and shall be cited as such and will be referred to herein as “this code.”

Section K103.2 Work exempt from permit.

The following work shall be exempt from the requirement for a *permit*:

1. Listed cord- and plug-connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles, but not the outlets therefore.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Temporary wiring for experimental purposes in suitable experimental laboratories.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
6. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Portable heating, cooking or clothes drying appliances. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Section K106.2.2 Underslab Rough In.

Underslab slab rough-in inspection shall be made at such time that all raceways and outlet boxes are installed and prior to pouring of concrete and concealment.

Section K106.3 Rough-in.

Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

Minor extension exception. For minor extensions and additions which, in the previously-expressed judgment of the Electrical Inspector adequate inspection is possible after completion of the work, a rough-in inspection may not be required.

Section K106.3 Final.

Final inspection shall be made upon the completion of all electrical installation work and prior to a certificate of compliance being issued.

Certification required: A certification of compliance shall be obtained from the Electrical Inspector on every Electrical installation before the Electrical installation is tied to the power supply of an existing installation or to the Electric Company service lines.

Additional inspections. The Building Official may, when necessary to ensure compliance with this chapter, require additional inspections to the slab rough-in, rough-in and final inspections.

Special inspections. When in the opinion of the Building Official any proposed Electrical installation involves unusual hazard or methods of installation, the Building Official may allow the electrical contractor responsible for the work to employ a special inspector who is competent in the particular type of Electrical installation requiring a special inspection. The special inspector shall observe the work assigned to be certain it conforms to approved design drawings and specifications. All inspection reports shall be furnished to the Building Official, including a final signed report stating whether the work requiring special inspection was in conformance with the approved plans and specifications and applicable workmanship provisions of this chapter.

Section K111.1 Adoption.

Electrical systems and equipment shall be designed, constructed and installed in accordance with the NFPA 70 as applicable, except as otherwise provided in this code.

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

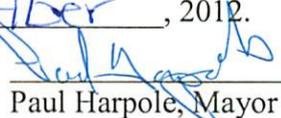
SECTION 3. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance.

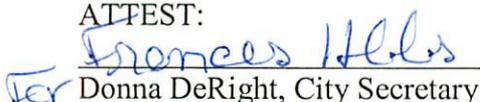
SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 6. Publishing and Effective Date. This ordinance shall be published according to law and be effective on October 1, 2012.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 28 day of August, 2012; and PASSED on Second and Final Reading the 4 day of September, 2012.


Paul Harpole, Mayor

ATTEST:


Donna DeRight, City Secretary