

ORDINANCE NO. 7355

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE VI, SECTION 4-3-60 TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE*, WITH AMENDMENTS AS SHOWN, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; 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 Existing Building Code* (published by the International Code Council), regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings; providing for the issuance of permits and collection of fees.

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

SECTION 1. That Chapter 4-3, Article VI, Section 4-3-60 be and hereby is amended to read as follows:

ARTICLE VI. EXISTING BUILDING CODE

Sec. 4-3-60. Adoption of code.

(a) *Code adopted.* There is hereby adopted the ~~2006~~ 2012 edition of the *International Existing Building Code*, (published by the International Code Council,) including Appendix B, with the following amendments, copies of which shall be kept in the Building Official's office:

101.1. Insert: City of Amarillo.

~~Section 1301.2 Insert: April 3rd 1928~~

1401.2 Applicability.

Structures existing prior to April 3rd, 1928, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or I.

Appendix B - Supplementary Accessibility Requirements for Existing Buildings and Facilities. Appendix B was added to address accessibility in construction for items that are

not typically enforceable through the traditional building code enforcement process. Chapter 11 of the *International Building Code (IBC)* contains provisions that set forth requirements for accessibility to buildings and their associated sites and facilities for people with physical disabilities. Sections 410, 605, 705, 906, 1006, 1012.1.4, 1012.8, 1105, 1204.1, 1205.15, 1401.2.5 and 1508 in the code addresses accessibility provisions and alternatives permitted in existing buildings.

Section B101.1; Add an exception to read as follows:

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.

Section B102.1; Add an exception to read as follows:

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.

Sec. 4-3-61 to 4-3-69. Reserved.

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.

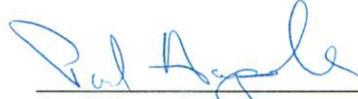
SECTION 3. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Continuation. That nothing in this ordinance or in 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.

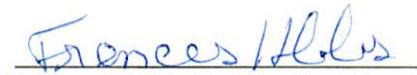
SECTION 6. Publishing and Effective Date. This ordinance shall be published according to law and be effective on October 1, 2012.

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:

For 
Donna DeRight, City Secretary