

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**ORDINANCE**

**AMENDING CHAPTER 10 OF THE CITY CODE OF SAN ANTONIO, TEXAS, ENTITLED “BUILDING-RELATED CODES OF THE CITY OF SAN ANTONIO” BY REVISING ADMINISTRATIVE PROCEDURES, ADOPTING THE 2018 EDITIONS OF THE INTERNATIONAL CODE COUNCIL, INC., BUILDING-RELATED CODES, THE 2017 NATIONAL ELECTRIC CODE, AND THEIR RESPECTIVE LOCAL AMENDMENTS, APPLYING ADMINISTRATIVE CLARIFICATION, AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.**

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**WHEREAS**, the Building-Related and Fire Codes Appeals and Advisory Board is charged with reviewing and making recommendations on nationally recognized building-related codes following publication upon request by the Building Official or Fire Chief; and

**WHEREAS**, the Development Services Department, as part of the triennial review process for technical construction code adoption and amendment, took proposed technical construction code adoptions and modifications through the Building-Related and Fire Codes Appeals and Advisory Board’s various subcommittees for evaluation, input and any recommended revisions; and

**WHEREAS**, the results of these reviews were forwarded to the full Building-Related and Fire Codes Appeals and Advisory Board where public meetings were conducted regarding the 2018 editions of the International Building Code, International Residential Code for One and Two-Family Dwellings, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code, International Energy Conservation Code, and the 2017 edition of the National Electric Code, and their respective local amendments; and

**WHEREAS**, the Building-Related and Fire Codes Appeals and Advisory Board recommended approval and adoption of the aforementioned codes and local amendments; and

**WHEREAS**, all prerequisites required by state statute and the City Charter for adoption of these code and their amendments have been satisfied; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 10, “Building-Related Codes of the City of San Antonio” is hereby repealed in its entirety and replaced with a new Chapter 10, “Building-Related Codes of the City of San Antonio” as detailed below, to reflect adoption of the 2018 editions of the International

Building Code, International Residential Code for One and Two-Family Dwellings, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code, International Energy Conservation Code, and the 2017 edition of the National Electric Code, and their respective local amendments. Three copies of these codes and local amendments are filed in the office of the City Clerk, pursuant to section 17 of the Charter for permanent record and inspection. Alterations are shown as underlined text and deletions shown as ~~strikethroughs~~.

## Chapter 10

### BUILDING-RELATED CODES OF THE CITY OF SAN ANTONIO

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## ARTICLE I. - ADMINISTRATION AND GENERAL

### Sec. 10-1. - Title of chapter; designation of *Building Official*.

- (a) This chapter is the *Building-related codes*. Unless otherwise indicated by its use and context, the term "this chapter" refers to this chapter 10 including all provisions incorporated by reference in this chapter.
- (b) The *Building Official* shall be known as the director of development services, and such term shall include his authorized representatives. Further, whenever the term or title "administrative authority," "code official," "authority having jurisdiction," "responsible official," "*Building Official*," "director" or other similar designation is used in any of the codes adopted by this chapter, it shall be construed as the director of development services, or his designee and authorized representatives.

### Sec. 10-2. - Purpose and scope of chapter; referenced codes.

- (a) **Purpose.** This chapter shall be construed to secure its expressed intent, which is to provide minimum requirements to safeguard the public safety, health and general welfare, insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, stability, sanitary equipment, light and ventilation, energy conservation, fire safety, and in general to promote safety to life and property from fire and other hazards incident to the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, repair, location, relocation, moving, quality of materials or use and occupancy, maintenance and operation of building, structures or premises, and to provide safety to fire fighters and emergency responders during emergency operations.

The purpose of this chapter is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

- (b) **Scope.** Article I of this chapter provides the administrative procedures to be followed by all persons engaged in the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, location, relocation, land disturbance, moving, quality of materials, or use and occupancy, maintenance and operation of buildings, structures or premises, as regulated by this chapter. All references to any provisions in the administrative chapters of the referenced model codes are construed to be a reference to the provisions of article I unless otherwise noted.
- (c) **Referenced codes.** The other codes and standards listed in subsections (1) through (6) and referenced elsewhere in this chapter are considered part of the requirements of this chapter to the prescribed extent of each such reference. See article II through article XI of this chapter.
  - (1) **Building.** The *provisions* of the *International Building Code*, as amended in article III, apply to the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, repair, location, relocation, land disturbance, moving, quality

of materials, or use and occupancy of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exceptions:**

- a. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories above grade plane in height with a separate means of egress and their accessory structures not more than three (3) stories above grade plane in height shall comply with this code or the *International Residential Code*, as amended in article IV of this chapter.
  - b. Existing buildings and structures undergoing repair, alteration, change of occupancy, addition and/or relocation of existing buildings shall be permitted to comply with the *International Existing Building Code*, as amended in article V of this chapter.
- (2) **Electrical.** The provisions of the *National Electrical Code*, as amended in article VI of this chapter, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
  - (3) **Mechanical.** The provisions of the *International Mechanical Code*, as amended in article VII of this chapter, shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.
  - (4) **Gas.** The provisions of the *International Fuel Gas Code*, as amended in article VIII of this chapter, shall apply to the installation of fuel gas piping from point of delivery, fuel gas appliances, gaseous hydrogen systems and related accessories as covered in this Code. These requirements apply to fuel gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of gas appliances and related accessories. Piping system requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection and operation and maintenance.
  - (5) **Plumbing.** The provisions of the *International Plumbing Code*, as amended in article IX of this chapter, shall apply to the installation, alteration, repair, relocation, addition to, use or maintenance and replacement of plumbing systems, including equipment, appliances, fixtures and fittings and appurtenances. The code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems.
  - (6) **Energy.** The provisions of the *International Energy Conservation Code*, as amended in article X of this chapter, shall apply to all matters governing the design and construction of buildings for energy efficiency.
  - (7) **Property Maintenance.** The provisions of the San Antonio Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants, and occupancy of existing premises and structures.

- (8) **Fire Prevention.** The provisions of the *International Fire Code*, as amended in City Code chapter 11, shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.
- (9) **Existing Buildings.** The provisions of the *International Existing Building Code*, as amended in article V of this chapter, shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

### Sec. 10-3. - Applicability.

- (a) **General.** When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this chapter specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- (b) **Other laws.** The provisions of this chapter do not nullify any provisions of local, state or federal law.
- (c) **Application of references.** References to article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such article or section or provision of this chapter.
- (d) **Referenced codes and standards.** The codes and standards referenced in this chapter shall be considered part of the requirements of this chapter to the prescribed extent of each such reference. Where differences occur between provisions of this chapter and referenced codes and standards, the provisions of this chapter shall apply.

**Exception:** Where enforcement of the code provisions would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

- (e) **Partial invalidity.** In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.
- (f) **Existing structures.** The legal occupancy of any structure existing on the date of adoption of this chapter shall be permitted to continue without change, except as specifically covered in this chapter, the ~~2015~~2018 San Antonio Property Maintenance Code or the *International Fire Code*, as amended.
- (1) **Buildings not previously occupied.** A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the

*International Building Code*, as amended, or *International Residential Code*, as applicable, for new construction or with any current permit for such occupancy.

- (2) ***Building previously occupied.*** The legal occupancy of any building existing on the date of adoption of this chapter shall be permitted to continue without change, except as otherwise specifically provided in this chapter, the *International Fire code*, or the ~~2015~~2018 San Antonio Property Maintenance Code, or as deemed necessary by the *Building Official* for the general safety and welfare of the occupants and the public.

#### **Sec. 10-4. - Department of development services.**

- (a) ***Enforcement agency.*** The department of development services shall be the enforcement agency for the building-related codes, and the director thereof shall be known as the *Building Official* and as the code official.
- (b) ***Appointment.*** The *Building Official* shall be appointed by the city manager or the city manager's designee.

#### **Sec. 10-5. - Duties and powers of *Building Official*.**

- (a) ***General.*** The *Building Official* is authorized and directed to enforce the provisions of this chapter. The *Building Official* has the authority to render interpretations of this chapter and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in accordance with the intent and purpose of this chapter. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this chapter. The *Building Official* shall have the power to suspend or revoke city issued certificates of license and registration for cause.
- (b) ***Application and permits.*** The *Building Official* shall receive applications, review construction documents and issue permits for the erection, repair, alteration, addition, demolition, change of occupancy and relocation of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this chapter.
- (c) ***Preliminary meeting under article V.*** When utilizing the *International Existing Building Code*, as amended in article V, and when requested by the permit applicant or the *Building Official*, the *Building Official* shall meet with the permit applicant prior to the application for a construction permit to discuss plans for the proposed work or change of occupancy in order to establish the specific applicability of the provisions of this chapter.

***Exception:*** Repairs and Level 1 alterations.

***Building evaluation.*** The *Building Official* is authorized to require an existing building to be investigated and evaluated by a registered design professional based on the circumstances agreed upon at the preliminary meeting. The design professional shall notify the *Building Official* if any potential nonconformance with the provisions of this chapter is identified.

- (d) **Notices and orders.** The *Building Official* shall issue all necessary notices or orders to ensure compliance with the provisions with this chapter.
- (e) **Inspections.** The *Building Official* shall make all of the required inspections, or may accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The *Building Official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- (f) **Identification.** The *Building Official* shall carry proper identification when inspecting structures or premises in the performance of duties under this chapter.
- (g) **Impersonation prohibited.** A person shall not impersonate the *Building Official* or designees through the use of a uniform, identification card, badge or any other means. Any such impersonation shall be deemed a violation of this Code.
- (h) **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this chapter, or where the *Building Official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this chapter which makes the structure or premises unsafe, dangerous or hazardous, the *Building Official* is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this chapter, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *Building Official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *Building Official* has recourse to the remedies provided by law to secure entry.
- (i) **Notice of defects.** The *Building Official* shall examine, or cause to be examined, every building or structure or portion thereof reported as dangerous or damaged. If such is found to be unsafe as defined in this section, the *Building Official* shall give to the owner of such building or structure written notice stating the defects thereof. This notice shall require the owner or person in charge of the building, structure or premise, within forty-eight (48) hours to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof. All such work shall be completed within thirty (30) days from the date of notice unless otherwise stipulated by the *Building Official*. Service of notice shall be by certified mail made upon the owner or his agent. The designated period within which said owner or agent is required to comply with the order of the *Building Official* shall begin as of the date he received such notice.
- (j) **Department records.** The *Building Official* shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records are retained in the official records for the period required for retention of public records.
- (k) **Liability.** The *Building Official*, members and alternate members of the building-related and fire codes board of appeals, or employees charged with enforcement of this chapter, while acting for the city in good faith and without malice in the discharge of the duties required by this chapter or other pertinent law or ordinance, are not civilly or criminally rendered liable

personally and are relieved from personal liability for any damage accruing to persons or property as a result of any act, or by reason of an act or omission in the discharge of official duties. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this chapter shall be defended by legal representative of the city until the final termination of the proceedings. The *Building Official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this chapter.

- (l) ***Approved materials and equipment.*** Materials, equipment and devices approved by the *Building Official* shall be constructed and installed in accordance with such approval.
  - (1) ***Appliance and fixture listing.*** Appliances and fixtures shall be tested and listed in published reports by approved agencies and shall be installed in accordance with all instructions included as part of such listing.
  - (2) ***Used materials and equipment.*** The use of used materials which meet the requirements of this chapter for new materials is permitted. Used equipment and devices shall not be reused unless approved by the *Building Official*.
- (m) ***Modifications.*** Whenever there are practical difficulties involved in carrying out the provisions of this chapter, the *Building Official* has the authority to grant modifications for individual cases, upon application of the owner or owner's authorized representative, providing the *Building Official* first finds that special individual reason makes the strict letter of this chapter impractical, and the modification is in compliance with the intent and purpose of this chapter, and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of development services.
- (n) ***Alternative materials, design and methods of construction and equipment.*** The provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this chapter, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the *Building Official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this chapter, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this chapter in qualify, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the *Building Official* shall respond in writing, stating the reasons why the alternative was not approved.
  - (1) ***Research reports.*** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this chapter, shall consist of valid research reports from approved sources.
  - (2) ***Tests.*** Whenever there is insufficient evidence of compliance with the provisions of this chapter, or evidence that a material or method does not conform to the requirements of this chapter, or in order to substantiate claims for alternative materials or methods, the *Building Official* has the authority to require tests as evidence of compliance to be made at no expense to the city. Test methods shall be as specified in this chapter or by other



recognized test standards. In the absence of recognized and accepted test methods, the *Building Official* shall approve the testing procedures. Testing shall be performed by an approved agency. Reports of such tests shall be retained by the *Building Official* for the period required for retention of public records.

#### **Sec. 10-6. - Permits.**

- (a) **Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, to include a sign or billboard, 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 chapter, who performs site work or causes any such work to be done, shall first make application to the *Building Official* and obtain the required permit. See chapter 28 of the City Code for additional permit requirements for signs and billboards.
- (b) **Annual permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the *Building Official* is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The *Building Official* shall have access to such records at all times, or such records shall be filed with the *Building Official* as designated.
- (c) **Annual electrical maintenance permit.** An annual electrical maintenance permit is issued by the city to allow a property owner, property lessee or management company to employ persons qualified by this Code to maintain and make minor repairs to existing electrical systems on a property that is registered with the department. An electrical maintenance permit is not required when the property owner, property lessee or management company is registered with the city as an electrical contractor or employs a master electrician of record, registered with the city as an electrical contractor, who oversees and is responsible for the electrical maintenance.
  - (1) **Registration of persons qualified to perform work.** All persons performing electrical work under this section shall be licensed or registered as required by the city or state. All electrical work performed under this permit must be performed by master electricians, journeyman electricians, maintenance electricians, or electrical maintenance technicians. Initial applicants for maintenance technicians will have to complete eight (8) hours of training approved by the code official.
  - (2) **Limitations of work.** Work that may be performed under this permit by an electrical maintenance technician shall be limited to the maintenance of, repair or replacement of devices or lighting fixtures, having the same characteristics as the existing devices or fixtures, in or on existing outlets and shall include, but not be limited to the following:
    - a. 120-volt receptacles of all types.

- b. 240-volt 3-wire and 4-wire dryer and range receptacles. Replacement of these receptacles shall be limited to like configuration and amperage receptacles.
- c. Replacement of overcurrent devices and safety switches of only the same voltage, current, ampere interrupting capacity (AIC) including:
  - 1. One or two pole circuit breakers not exceeding 60-amps at 240-volts.
  - 2. One or two pole safety switches (fused or non-fused) not to exceed 60-amps at 240-volts.
  - 3. Fuses not to exceed 60-amps at 240-volts.
- d. Photo cells and time clocks not to exceed 277-volts nominal.
- e. Range hoods, disposals and dishwasher motors.
- f. Interior, exterior lighting and switches not to exceed 277-volts nominal.
- g. Ceiling fans on approved boxes with proper bracing.
- h. Pool lights and outlets provided they are protected with GFCI and are replaced with same.
- i. Doorbell transformers and wiring to other low voltage devices with 120-volt connections.
- j. Bathroom-type exhaust vents.
- k. Electric gate repair.

Electrical maintenance work does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical installation.

- (3) **Record keeping.** The applicant for an electrical maintenance permit must:
- a. Maintain a copy of the permit at either the site where the work is being conducted or applicant's place of business if within the city.
  - b. Maintain a copy of the registration card for the certified personnel either at the location where the work is performed or the applicant's place of business if within the city.
  - c. Maintain a record of all work performed by registered personnel for a minimum of twelve (12) months.
- (d) **Annual mechanical maintenance permit and annual plumbing maintenance permit for Residential Group R-2 apartment houses.** An annual mechanical maintenance permit and an annual plumbing maintenance permit, or the combination of both as one annual mechanical/plumbing maintenance permit, are required for all apartment houses containing more than four (4) dwelling units where the occupants are primarily permanent in nature. In this section the term "permanent in nature" means having dwelling units where the original lease term is greater than two (2) months.

Exception: No permit is required for apartment houses that have self-contained, ductless air conditioning products that have a cooling capacity of three (3) tons or less or for individual apartment houses containing less than five (5) dwelling units each.

(1) **Scope.**

- a. **Mechanical.** The annual mechanical maintenance permit replaces the necessity of obtaining individual permits for work performed on environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or commercial refrigeration equipment. The permit does not cover nor is a permit required for the installation, repair, or removal of the following:
  - 1. Vent hood used in residential kitchens.
  - 2. Portable or self-contained ductless air conditioning product that has a cooling capacity of three (3) tons or less.
  - 3. Portable or self-contained heating product that does not require the forced movement of air outside the heating unit.
  - 4. Environmental air conditioning equipment that is intended for temporary use and is not fixed in place.
  - 5. Residential refrigerator, freezer or ice machine.
- b. **Plumbing.** The annual plumbing maintenance permit replaces the necessity of obtaining individual permits for work performed by an owner or maintenance technician or maintenance engineer employed by the owner who performs plumbing maintenance work incidental to and in connections with other duties.

(2) **Permit holder.** An annual mechanical maintenance permit for mechanical maintenance work and an annual plumbing maintenance permit for plumbing maintenance work will only be issued to the building owner/manager or their authorized agent. For properties that contain less than twenty (20) dwelling units, the permits holder may obtain one annual mechanical maintenance permit and one annual plumbing maintenance permit covering multiple locations. For properties that contain twenty (20) or more dwelling units, the permit holder shall obtain one annual mechanical maintenance and one annual plumbing maintenance permit for the dwelling units contained within the property.

(3) **Annual mechanical maintenance permit and annual plumbing maintenance permit fees.** These fees shall be as follows:

Annual mechanical maintenance permit fee for single location	\$50.00 per permit plus \$0.21 per residential apartment unit
Annual mechanical maintenance permit fee for multiple locations	\$50.00 per permit plus \$2.00 per residential apartment unit
Annual plumbing maintenance permit fee for single	\$50.00 per permit plus \$0.21 per

location	residential apartment unit
Annual plumbing maintenance permit fee for multiple locations	\$50.00 per permit plus \$2.00 per residential apartment unit
Note: Owners of apartment houses have the option of taking out a combined annual mechanical/plumbing maintenance permit. These fees shall be as follows:	
Annual mechanical/plumbing maintenance permit fee for single location	\$100.00 per permit plus \$0.42 per residential apartment unit
Annual mechanical/plumbing maintenance permit fee for multiple locations	\$100.00 per permit plus \$4.00 per residential apartment unit

- (4) **Record keeping.** Records of all work performed under the annual mechanical maintenance permit and annual plumbing maintenance permit shall be maintained by the permits holder for no less than twelve (12) months after performing such work and shall be made available for the *Building Official's* review upon request.
- (5) **Periodic inspections.** Work performed under both the annual mechanical maintenance permit and the annual plumbing maintenance permit is subject to the *Building Official's* periodic inspections. No notice will be required by the *Building Official* to make periodic inspections of equipment located on the exterior of apartment houses. For periodic inspections of equipment located on the interior of apartment houses or their rooftops, coordination shall take place with the permits holder with a minimum five (5) days notice prior to the inspections. A date and time for the inspections shall be established by the *Building Official*. Maintenance records for both interior work and exterior work shall be made available during all interior inspections.
- (6) **Limits of work performed under annual mechanical maintenance permit and annual plumbing maintenance permit.** Work performed under these permits shall be limited as follows:

**a. Mechanical:**

**a1.**—All work required for the continued normal performance of an existing environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or a commercial refrigeration system. Work does not include the following:

**1a.** Total replacement of a system.

2b. Installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under V.T.C.A., Health and Safety Code Ceh. 755.

b2. Diagnosing and repairing problems associated with air conditioning, commercial refrigeration, or process cooling or heating equipment, and remedying or attempting to remedy these problems.

b. ~~Plumbing: Plumbing:~~ Repair, maintenance and replacement of existing potable water piping, existing sanitary waste and vent piping, existing plumbing fixtures and existing electric water heaters.

(7) **Work not covered by the annual mechanical or plumbing maintenance permit.** The following work is not covered by these permits unless it is performed by either a licensed contractor or a state licensed professional engineer:

a. ~~Mechanical:~~

1a. — Simultaneous replacement of the condensing unit, furnace and evaporator coil.

2b. — Replacement of any condensing unit that is more than one-half-ton larger than the current size.

3e. — Replacement of any furnace that is more than thirty-five thousand (35,000) BTU's larger than the current size.

4d. Replacement of any evaporator coil that is more than one-half-ton larger than the current size.

5e. — Extension of any duct work more than one foot.

6f. — Relocating any equipment to a new location more than five (5) feet from the original location.

b. ~~Plumbing:~~

a1. — Cutting into fuel gas plumbing systems.

2b. — Installation of gas fueled water heaters.

(8) **Who may perform work.** The following may perform maintenance work under these permits:

- a. Licensed air conditioning contractors for the mechanical maintenance permit.
- b. A person licensed as an engineer under V.T.C.A., Occupational Code ch. 1001 and who engages in air conditioning and refrigeration contracting work and/or plumbing work in connection with the business in which the person is employed but does not engage in that work for the public.
- c. A person who performs air conditioning and refrigeration maintenance work and/or plumbing maintenance work if the person:

1. Is a maintenance technician or maintenance engineer and is a regular employee of the building owner/manager of the property where the work is being performed;
2. Performs the work in connection with the business in which the person is employed; and
3. The person's employer does not engage in air conditioning and refrigeration contracting for the public and/or plumbing contracting work for the public.

(e) **Work exempt from permit.** Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of the city. Permits shall not be required for the following:

**(1) Building:**

- ~~a(1).~~ One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed three hundred (300) square feet (~~27.94~~ m<sup>2</sup>).
- ~~b(2).~~ Minor repairs to fences not over six (6) feet (1829 mm) high. Replacement of up to twenty-five (25) percent of the overall contiguous length of a fence shall constitute minor repair.
- ~~c(3).~~ Oil derricks.
- ~~d(4).~~ Retaining walls that are not over four (4) feet (1219 mm) in height measured from the grade level at the front of the wall to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- ~~5e.)~~ Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
- ~~f(6).~~ Sidewalks and driveways not more than thirty (30) inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- ~~g(7).~~ Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- ~~h(8).~~ Temporary motion picture, television and theater stage sets and scenery.
- ~~i(9).~~ Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than twenty-four (24) inches (610 mm) deep, do not exceed five thousand (5,000) gallons (18,925 L) and are installed entirely above ground.
- ~~10j.)~~ Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- ~~11k.)~~ Swings and other playground equipment accessory to detached one- and two-family dwellings.

~~(12.)~~ Window awnings supported by an exterior wall that do not project more than fifty-four (54) inches (1,372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.

~~(13m.)~~ Nonfixed and movable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches (1,753 mm) in height.

~~(n14.)~~ Uncovered Ppatios not more than thirty (30) inches (762 mm) above grade or not over any basement or story below.

~~o(15.)~~ Uncovered Decks accessory to one-and two family dwellings not exceeding three hundred (300) square feet in area, that are not more than thirty (30) inches above grade at any point, are not attached to a dwelling and do not serve a required exit door.

(2) **Electrical:**

~~(a1.)~~ Minor repairs or maintenance work when performed by a licensed electrical contractor, the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

~~(2b.)~~ Replacement of a refrigeration or HVAC system motor, solenoid valves or controls associated with the motor when performed by a licensed mechanical contractor.

~~(c3.)~~ The installation of that portion of wiring and equipment for telephone, voice, data, cable TV, broadband and other types of communication systems that operate at fifty (50) volts nominal or less. Such systems shall be grounded according to the applicable provisions of Article 250 and Chapter 8 of the NEC.

~~(d4.)~~ The installation of wiring and equipment by or for the city for the purpose of generating, transmitting and delivering service to its customers.

~~(e5.)~~ Radio and television transmitting stations: The provisions of this chapter shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

~~(f6.)~~ Temporary testing systems: A permit shall not be required for the installation for any temporary system required for the testing or servicing of electrical equipment or apparatus.

(3) **Gas:**

~~(1a.)~~ Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

~~(b2.)~~ Portable LP-gas appliances and equipment of all types that is not connected to a fixed fuel piping system.

~~(c3.)~~ Installation of farm appliances and equipment such as brooders, dehydrators, dryers and irrigation equipment.

- ~~(d4.)~~ Raw material (feedstock) applications except for piping to special atmosphere generators.
- ~~(e5.)~~ Oxygen-fuel gas cutting and welding systems.
- ~~(f6.)~~ Industrial gas applications using gases such as acetylene and acetylene compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.
- ~~(g7.)~~ Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.
- ~~(h8.)~~ Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions.
- ~~(i9.)~~ LP-gas installations at utility gas plants.
- ~~(j10.)~~ Liquefied natural gas (LNG) installations.
- ~~(k11.)~~ Fuel gas piping in power and atomic energy plants.
- ~~(l12.)~~ Proprietary items of equipment, apparatus or instruments such as gas-generating sets, compressors and calorimeters.
- ~~(m13.)~~ LP-gas equipment for vaporization, gas mixing and gas manufacturing.
- ~~(n14.)~~ Temporary LP-gas piping for buildings under construction or renovation that is not to become part of the permanent piping system.
- ~~(o15.)~~ Installation of LP-gas systems for railroad switch heating.
- ~~(p16.)~~ Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.
- ~~(q17.)~~ Except as provided in Section 401.1.1 of the IFGC as amended, gas piping, meters, gas pressure regulators and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
- ~~(r18.)~~ Piping systems for mixtures of gas and air within flammable range with an operating pressure greater than ten (10) psig (69 kPa gauge).
- ~~(s19.)~~ Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.

**(4) Mechanical:**

- ~~(a1.)~~ Portable heating appliance.
- ~~(b2.)~~ Portable ventilation appliances and equipment.
- ~~(c3.)~~ Portable cooling units.
- ~~(d4.)~~ Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this Code.
- ~~(e5.)~~ The replacement of any minor part that does not alter approval of equipment or an appliance or make such equipment or appliance unsafe.



~~(f6.)~~ Portable evaporative coolers.

~~(g7.)~~ Self-contained refrigeration systems that contain ten (10) pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of one horsepower (0.75 kW) or less.

~~(h8.)~~ Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(5) **Plumbing:**

~~(1a.)~~ The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this chapter.

~~(b2.)~~ The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

- (f) **Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next business day to the *Building Official*.
- (g) **Repairs.** Application or notice to the *Building Official* is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. When making repairs, defective material or parts shall be replaced or repaired in such a manner so as to preserve the original approval or listing.
- (h) **Public service agencies.** A permit shall not **be** required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.
- (i) **Application for permit.** To obtain a permit, the applicant shall first file an application in writing on a form furnished by the department of development services for that purpose. Such application shall:
- (1) Identify and describe the work to be covered by the permit for which application is made.
  - (2) Describe the land on which the proposed work is to be done, by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

- (3) Indicate the use and occupancy for which the proposed work is intended.
- (4) Be accompanied by construction documents and other information as required in section 10-8 of this chapter.
- (5) State the valuation of the proposed work. Valuation shall include the cost of labor, materials and profit.
- (6) Be signed by the applicant, or the applicant's authorized agent.
- (7) Give such other data and information as required by the *Building Official* .
- (j) **Authorization to obtain plumbing permits.** The following lists those individuals, contractors and companies that are authorized to obtain plumbing permits:
  - (1) Any duly licensed (RMP) Responsible Master plumber registered with a company.
  - (2) Any homeowner performing plumbing work on a homestead wherein he/she resides. The installation must be made by the homeowner without the assistance of any person or persons.
  - (3) (TCEQ) 30 TAC 344 Licensed irrigators, who have a state irrigators license, for the installation of backflow devices for irrigation systems.
  - (4) Water softener companies that hold a Class III Texas Commission of Environmental Quality (TCEQ) license for the installation or change out of water softeners and associated equipment.
  - (5) Licensed fire line contractors for backflow devices on fire lines.
  - (6) Plumbing work performed by anyone who is regularly employed or acting as a maintenance man or maintenance engineer, incidental to and in connection with the business in which he is employed or engaged, and who does not engage in plumbing work for the general public. See state licensing law for definition of maintenance person or maintenance engineer.

**Exceptions:**

- a. Any person who is employed by the railroad for plumbing work done upon the premises or equipment of the railroad, and who does not engage in plumbing work for the general public.
  - b. Any person engaged by any public service company for plumbing work in connection with laying, maintaining and the operation of its service mains or lines and the installation, alteration, adjustment, repair, removal or renovation of all types of appurtenances, equipment and appliances directly related to public service companies, properties and/or jurisdiction.
- (7) Gas work performed by a certified LP gas installer licensed under V.T.C.A., Natural Resources Code chapter 113.
  - (8) (OSSF) On-site Sewage Facility companies that hold an (OSSF Installer I or Installer II) Texas Commission of Environmental Quality (TCEQ) license for installation of (OSSF)

On-Site Sewage Facilities and associated equipment, to secure a Sewer Permit to install the Sewer line from the building drain to the OSSF tank.

**Insurance.** Before any person shall engage in plumbing work within the city, such person shall provide a certificate of insurance issued by an insurance company authorized and admitted to do business in the state for commercial general liability insurance and products completed operations coverage for master plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim, and shall be in a coverage amount of not less than three hundred thousand dollars (\$300,000.00) for all claims arising in any one-year period. Further, any persons engaged in plumbing work shall indemnify and hold harmless the city from any and all damages, claims, liens or losses, including, but not limited to personal injury or death and property damage, arising from any acts or omission of any character whatsoever caused by such person, his agents or employees, engaged in plumbing work.

- (k) **Action on application.** The *Building Official* shall examine or cause to be examined application for permits and amendments thereto within a reasonable time after filing. Such applications may be reviewed by other departments of the city to verify compliance with any applicable laws and ordinances under their jurisdiction. If the application or the construction documents do not conform to the requirements of the pertinent laws, the *Building Official* shall reject such application in writing, stating the reasons for the rejection. If the *Building Official* is satisfied that the proposed work conforms to the requirements of this chapter and applicable laws and ordinances, and that fees specified in ordinances adopted by the city have been paid, the *Building Official* shall issue a permit for the work as soon as practicable. No building permit shall be issued where there is not a supply of approved water for domestic or fire protection use, and adequate to the purposes for which the property is intended to be used, and where there is not an all-weather road surface adequate to withstand the weight of a fire truck.
- (l) **Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) 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 ninety (90) days each. The extension shall be requested in writing and justifiable cause demonstrated.
- (m) **Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *Building Official* from requiring the correction of errors in the construction documents and other data. The *Building Official* is also authorized to prevent occupancy or use of a structure where in violation of this chapter or of any other ordinances of the city.
- (n) **Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of

one hundred eighty (180) days after the time the work is commenced. The *Building Official* is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause demonstrated.

- (o) ***Suspension or revocation.*** The *Building Official* is authorized to suspend or revoke a permit issued under the provisions of this chapter whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this chapter.
- (p) ***Placement of permit.*** The building permit or copy shall be kept on the site of the work until the completion of the project.
- (q) ***Demolition permit.*** See section 10-119 of this chapter.
- (r) ***House moving permit.*** See section 10-120 of this chapter.

#### **Sec. 10-7. - Floor and roof design loads.**

- (a) ***Live loads posted.*** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed fifty (50) psf (2.40 kN/m<sup>2</sup>), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.
- (b) ***Issuance of certificate of occupancy.*** A certificate of occupancy required by section 10-12 shall not be issued until the floor load signs, required by section 10-7, have been installed.
- (c) ***Restrictions on loading.*** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this chapter.

#### **Sec. 10-8. - Submittal documents.**

- (a) ***General.*** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data as required by the development services department's application procedures shall be submitted in two (2) or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by this Code, the state, or any of its regulatory agencies. Where special conditions exist, the *Building Official* is authorized to require additional construction documents to be prepared by a registered design professional. Buildings, additions and major renovations for the following occupancies shall also require a design professional to prepare the construction documents:
  - (1) All Group A (Assembly) occupancies.
  - (2) All Group E (Educational) occupancies.

- (3) All Group I (Institutional) occupancies.
- (4) Buildings and structures three (3) stories or more high.
- (5) Buildings and structures five thousand (5,000) square feet or more in area.
- (6) Electrical plans and specifications prepared by engineer. Installation or alteration of any equipment on the customer side of the CPS Energy point of delivery (service point) rated over six hundred (600) amps at two hundred fifty (250) volts or less and rated at over four hundred (400) amps at greater than two hundred fifty (250) volts, any system above six hundred (600) volts or when required by the Texas Engineering Practice Act shall have the electrical plans sealed by a professional engineer, licensed or registered with the state.

**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 construction documents is not necessary to obtain compliance with this Code.

- (b) **Construction documents.** Construction documents shall be in accordance with items (1) through (5).
  - (1) **Information on construction documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be substituted when approved by the *Building Official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this chapter and relevant laws, ordinances, rules and regulations, as determined by the *Building Official*.
  - (2) **Fire protection system shop drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this Code and the construction documents shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC, as amended. Refer also to chapter 11 of this Code for additional requirements regarding fire protection system submittal documents and procedures.
  - (3) **Means of egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this chapter. In other than occupancies of Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.
  - (4) **Exterior wall envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

(5) *Exterior balconies and elevated walking surfaces.* Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

~~(65)~~ *Site plan.* The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, if applicable, flood hazard areas, floodways, and design flood elevations and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *Building Official* is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

a. *Design flood elevations.* Where design flood elevations are not specified, they shall be established in accordance with Appendix F, Floodplains - Areas of Special Flood, of the Unified Development Code.

(c) *Examination of documents.* The *Building Official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.

(1) *Approval of construction documents.* When the *Building Official* issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of reviewed construction documents shall be retained by the *Building Official*. The other set shall be returned to the applicant, kept at the work site, and open to inspection by the *Building Official* or his duly authorized representative.

(2) *Previous approvals.* This chapter shall not require changes to the construction documents, construction or designated occupancy of a structure for which a lawful permit has been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one hundred eighty (180) days after the effective date of this chapter and not abandoned.

(3) **Phased approval.** The *Building Official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided adequate information and detailed statements have been filed complying with pertinence requirements of this chapter. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the owner's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

(4) **Design professional in responsible charge.**

a. **General.** When documents are required to be prepared by a registered design professional, the owner or the owner's authorized agent shall engage and designate on the building permit application a registered design professional to act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional who shall perform the duties required of the original registered design professional in responsible charge. The *Building Official* shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

b. **Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of application and are to be submitted to the *Building Official* within a specified period.

Deferral of any submittal items shall have the prior approval of the *Building Official*. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the *Building Official*.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the *Building Official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the *Building Official*.

(d) **Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

- (e) **Retention of construction documents.** One set of approved construction documents shall be retained by the *Building Official* for a period of not less than one hundred eighty (180) days from the date of completion of the permitted work, or as required by state or local laws.
- (f) **Changes to standard tower release agreement.** Changes to the individual control such as tenant and premise description found in the standard tower release agreement, attached to Ordinance Number 83931 as Exhibit II, do not require city council approval, provided there are no substantial changes to the standard tower lease agreement. All other substantial changes to such agreement shall require city council approval subject to approval of the office of the city attorney.

#### **Sec. 10-9. - Temporary structures and uses.**

- (a) **General.** The *Building Official* is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than one hundred eighty (180) days. The *Building Official* is authorized to grant extensions for demonstrated cause. Chapter 11 of this Code contains additional requirements for temporary structures and uses.
- (b) **Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this chapter as necessary to ensure public health, safety and general welfare.
- (c) **Temporary power.** The *Building Official* is authorized to give permission to temporarily supply and use power in part of an electric installation before any such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in article VI of this chapter.
- (d) **Termination of approval.** The *Building Official* is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

#### **Sec. 10-10. - Fees.**

- (a) **Payment of fees.** A permit shall not be valid until the fees prescribed by the fee schedule adopted by the city have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
- (b) **Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the fee schedule adopted by the city, for buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit.
- (c) **Building-related permit valuations.** The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations include total value of work, including materials, labor, and profit for which a permit is being issued. 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*. Final building-related permit valuations shall be set by the *Building Official*.

- (d) **Work commencing before permit issuance.** Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to double permit fees for the specified area. The payment of such double fee shall not relieve any person from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed in this Code.
- (e) **Structures being moved; inspection of buildings or structures that are located outside city limits.** An inspection to determine compliance with city requirements shall be made of a building or structure on which an application to move same into the city is pending before the zoning board of adjustment. A fee shall be charged in accordance with the fee schedule adopted by the city.
- (f) **Re-inspection fees.** The re-inspection fee charged shall be in accordance with the fee schedule adopted by the city. In instances where re-inspection fees have been assessed, all fees shall be paid before release of utilities.
- (g) **Refunds.** The *Building Official* is authorized to establish a refund policy.

#### **Sec. 10-11. - Inspections and testing.**

- (a) **General.** Construction or work for which a permit is required is subject to inspection by the *Building Official* and such construction work shall remain accessible and exposed for inspection purposes until approved. Approval following an inspection is not an approval of a violation of the provisions of this chapter or of other ordinances of the city. Inspections presuming to give authority to violate or cancel the provisions of this chapter or of other ordinances of the jurisdiction are not valid. It is the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the *Building Official* nor the city are liable for expense entailed in the removal or replacement of any material required to allow inspection.
- (b) **Preliminary inspection.** Before issuing a permit, the *Building Official* is authorized to examine or cause to be examined building, structures and sites for which an application has been filed.
- (c) **Required inspections and tests.** The *Building Official*, upon notification, shall make the inspections and tests set forth in paragraphs (1) through (13).
  - (1) **Footing and foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to the inspection. Materials for the foundation shall be on the job, except where concrete is ready mix in accordance with ASTM C 94, the concrete need not be on the job.
  - (2) **Underground.** Underground inspections shall be made after trenches or ditches are excavated and bedded, raceways and cable or conductors installed, and before backfill

is put in place. Where excavated soil contains rocks, broken concrete, frozen chunk and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other approved means.

- (3) **Concrete slab and under-floor inspections.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
- (4) **Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevations certification required in Section 1612 of the IBC, as amended, shall be submitted to the *Building Official*.
- (5) **Plumbing, mechanical, gas and electrical systems inspections and tests.** Concealment or rough-in inspections of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

**Exception:** For one- and two-family dwellings, back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 of the 2012~~8~~ IRC, as amended, prior to inspection shall be permitted.

- (6) **Duct test for one- and two-family dwellings and townhomes.** All ducts for one- and two-family dwellings as well as townhomes, in unconditioned spaces, shall be duct tested prior to covering or concealment to disclose leaks and defects. Tests shall be made by an independent certified RESNET energy rater or an alternative approved by the *Building Official* using objective, verifiable testing criteria and results provided to the *Building Official*. Apparatus, material and labor required for testing a mechanical system shall be furnished by the independent certified RESNET energy rater or *Building Official* approved alternate. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made to achieve compliance with this chapter. The work or installation shall then be re-submitted to the *Building Official* for inspection and testing. See also section 403.3.3 of the ~~2015~~2018 IECC, as amended.
- (7) **Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.
- (8) **Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after the lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or any gypsum board joints and fasteners are taped and finished.

**Exception:** Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

(9) **Waterproofing.** Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

**Exception:** Where special inspections are provided in accordance with Section 1705.1.1, Item 3.

~~(109)~~ **Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

~~(101)~~ **Energy efficiency inspections.** Inspections shall be made to determine compliance with chapter 4(RE) of the ~~2015~~2018 IECC for detached one- and two-family dwellings and multiple single-family dwellings (townhomes) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plane, and chapter 4(CE) of the ~~2015~~2018 IECC for all other occupancies, as amended, and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency. For detached one and two-family dwellings and multiple single-family dwellings (townhomes) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plane, an independent certified RESNET energy rater or an alternative approved by the *Building Official* using objective, verifiable testing criteria, shall test and inspect the air barrier as per section R402.4 Air leakage, of the ~~2015~~2018 IECC. The results must be submitted on a form approved by the *Building Official*. The form shall show that construction is in compliance with the ~~2015~~2018 IECC.

~~(142)~~ **Other inspections.** In addition to the inspections specified above, the *Building Official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this chapter and other laws that are enforced by the department of development services.

a. **Prefabricated construction assembly with electrical work.**

1. **Evaluation report.** Prior to the approval of a prefabricated construction assembly having concealed electrical work and the issuance of an electrical permit, the *Building Official* requires the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the *Building Official* to determine conformance to this chapter.

2. **Evaluation service.** The *Building Official* shall designate the evaluation service of an approved agency as the evaluation agency and review such agency's evaluation report for adequacy and conformance to this chapter.

3. **Follow-up inspection.** Except where ready access is provided to the electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the *Building Official* is authorized to conduct the in-plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the *Building Official* with the follow-up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.
  4. **Test and inspection records.** Required test and inspection records shall be available to the *Building Official* at all times during the fabrication of the electrical system and the erection of the building, or such records as the *Building Official* designates shall be filed.
- (123) **Special inspections.** For special inspections, see Section 1704 of the IBC, as amended.
- (134) **Final inspection.** The final inspections shall be made after work required by building-related permits is completed. Failure to request a final inspection within thirty (30) days after the completion of a permit's work is a violation of this chapter.
- (d) **Inspection agencies.** The *Building Official* is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
  - (e) **Inspection requests.** It shall be the duty of the holder of the building-related permit or their duly authorized agent to notify the *Building Official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this chapter.
  - (f) **Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *Building Official*. The *Building Official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this chapter. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *Building Official*.
  - (g) **Reinspection and retesting.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this chapter. The work or installation shall then be resubmitted to the *Building Official* for inspection and testing. To receive a reinspection or retest, the applicant shall make a request to the *Building Official* and pay the reinspection fee in accordance with the fee schedule prior to the inspection or test.

**Sec. 10-12. - Certificate of occupancy.**

- (a) **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the *Building Official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval if a violation of the provisions of this chapter or of other ordinances of the city.

**Exception:** Certificates of occupancy are not required for work exempt from permits under subsection 10-6(d).

- (b) **Certificate issued.** After the *Building Official* inspects the building or structure and finds no violations of the provisions of this chapter or other laws that are enforced by the department, the *Building Official* shall issue a certificate of occupancy that contains the following:
- (1) The building permit number.
  - (2) The address of the structure.
  - (3) The name and address of the owner or the owner's authorized agent.
  - (4) A description of that portion of the structure for which the certificate is issued.
  - (5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this chapter for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
  - (6) The name of the *Building Official*.
  - (7) The edition of the IBC or IRC under which the permit was issued.
  - (8) The use and occupancy, in accordance with the provisions of Chapter Three of the IBC.
  - (9) The type of construction as defined in Chapter Six of the IBC.
  - (10) The design occupant load.
  - (11) If an automatic sprinkler system is provided, whether the sprinkler system is required.
  - (12) Any special stipulations and conditions of the building permit.
- (c) **Temporary occupancy.** The *Building Official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *Building Official* shall set a time period during which the temporary certificate of occupancy is valid.
- (d) **Revocation.** The *Building Official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this chapter wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this chapter.

### **Sec. 10-13. - Service utilities.**

- (a) **Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this chapter for which a permit is required, until released by the *Building Official*.
- (b) **Temporary connection.** The *Building Official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.
- (c) **Authority to disconnect service utilities.** The *Building Official* has the authority to authorize disconnection of utility service to the building, structure or system regulated by the referenced codes and standards of subsection 10-2(c) of this chapter to eliminate a risk to life or property or when such utility connection has been made without the required authorization. The *Building Official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.
- (d) **Connection after order to disconnect.** A person shall not make utility service or energy source connections to systems regulated by this Code which have been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such systems.
- (e) **Changing location of electric meters.** If alterations of the building, dwelling, structure or wiring require changes in the location or size of the electric meter/service equipment, a licensed electrical contractor with the city shall acquire a permit for the work to be performed and coordinate the disconnecting and reconnecting of service with the utility.
- (f) **Emergencies.** Where life or property may be in danger, a licensed electrical contractor with the city may disconnect the electric service to the building, dwelling or structure and shall immediately notify the utility.
- (g) **Utility company rules.** The latest edition of the CPS Energy publication, "Electrical Service Standards," as approved by the *Building Official* and adopted by city council, is hereby incorporated and made a part of this chapter for all electric services and meter installations. All other wiring, either public or private, shall conform to this chapter.

#### **Sec. 10-14. - Building-related and fire codes appeals and advisory board.**

- (a) **General.** A building-related and fire codes appeals and advisory board also known as the appeals and advisory board is created. The board shall hear and decide appeals of orders, decisions or determinations made by the *Building Official* or the fire chief relative to the application and interpretations of chapter 10, chapter 11 and specific articles in chapter 28 of the City Code, and in order to provide advice to the *Building Official* or fire chief on code-related matters.
  - (1) Members of the appeals and advisory board shall be appointed by the mayor and city council and shall hold office at its pleasure.

- (2) Applications for appeal for any order, decision or determination made by the *Building Official* or the fire chief shall be filed on a form obtained from the *Building Official* within twenty-one (21) calendar days after the notice was served.
  - (3) A filing fee must accompany each application for appeal to the appeals and advisory board, as set forth in the fee schedule adopted by the city.
  - (4) The appeals and advisory board shall meet quarterly on general and codes-related matters and shall meet within fourteen (14) calendar days after either the *Building Official* or the fire chief receives an application appealing an associated order, decision or determination relative to the application and interpretation of chapter 10, chapter 11 and specific articles in chapter 28.
  - (5) When requested by the *Building Official* or fire chief, the appeals and advisory board shall conduct public hearings on nationally recognized building-related codes, following publication, and shall make recommendations to the *Building Official* or fire chief for adoption or local amendment.
- (b) ***Application for appeal.*** An application for appeal shall be based on a claim that:
- (1) The true intent of chapters 10, 11 and specific articles in chapter 28 or the rules legally adopted thereunder have been incorrectly interpreted;
  - (2) The provisions of this chapter do not fully apply; or
  - (3) An equally good or better form of construction is proposed.
- (c) ***Limitation on authority.***
- (1) The appeals and advisory board shall have no authority to waive requirements of chapters 10, 11 or 28.
  - (2) The appeals and advisory board shall review building-related and fire codes issues when requested to do so by the *Building Official* or fire chief and shall provide a recommendation to the *Building Official* or fire chief.
  - (3) The appeals and advisory board may also review and make recommendations to the *Building Official* or fire chief on any building-related or fire code issue, as requested by a citizen or board member when the request for board review is approved by both the *Building Official* and appeals and advisory board chairman.
  - (4) Appeals, as defined in subsection 10-14(a), do not require approval by either the *Building Official* or chairman of the appeals and advisory board in order to be heard.
  - (5) All meetings of the board must comply with the provisions of the Texas Open Meetings Act. Through board action, technical issue items may be added for discussion to any future board meeting agenda. Administrative and non-technical agenda items may only be added to the agenda and discussed when approved by the *Building Official*.
  - (6) Technical committees shall be established by the board to assist the *Building Official* and fire chief in determining recommendations for the adoption of the model codes



listed in subsections 10-2(1)—(6) of this chapter and the model code listed in chapter 11 and any associated local amendments to these codes.

- (7) The responsibilities of the appeals and advisory board shall be limited to those specifically contained in this chapter.
- (d) **Qualifications.** The board of appeals shall consist of seventeen (17) members and seventeen (17) alternates who are qualified by experience and training to act on matters pertaining to building-related and fire codes, and may not be employees of the city. Board of appeals members and alternate members shall reside in the city unless the residence requirement is waived by city council. New applicant and non-holdover existing member nominations to the Board Nominations to city council of both primary and alternate members for each category shall be made in writing to the secretary of the board of appeals by industry associations that are affiliated with nationally recognized organizations and include language nominating an individual for any membership within a given category. Industry associations may still request a preference for primary or secondary membership in its nomination letter. City Council shall appoint board members accommodating this preference with an overall priority given existing board vacancies. Upon City Council appointment, the board is (1) authorized to administratively switch primary and alternate membership designations within the same category; and also (2) to fill vacant primary member positions with alternate members within the same category. Exercise of board authority shall only be done where necessary for efficient administration of board function, with the approval of the individual impacted member, and with a majority vote of the board in favor of the action. Any action taken by the board under this section shall have no impact on the time a member shall serve on this board. Membership of the appeals and advisory board, including alternates, is by category and as follows:
- (1) One member and one alternate shall be a structural engineer licensed or registered by the state as a professional engineer.
  - (2) One member and one alternate shall be a fire protection engineer licensed or registered by the state as a professional engineer.
  - (3) One member and one alternate shall be an electrical engineer licensed or registered by the state as a professional engineer.
  - (4) One member and one alternate shall be a plumbing engineer or a mechanical engineer licensed or registered by the state as a professional engineer.
  - (5) One member and one alternate shall be an architect licensed by the state.
  - (6) Two (2) members and two (2) alternates shall be building contractors registered by the city.
  - (7) Two (2) members and two (2) alternates shall be licensed by the state as a master electrician. Of these, one member and one alternate represent organized labor, and one member and one alternate represent open shop.
  - (8) Two (2) members and two (2) alternates shall be licensed by the state as an air conditioning and refrigeration contractor. Of these, one member and one alternate shall represent organized labor and one member and one alternate shall represent open shop.



- (9) Two (2) members and two (2) alternates shall be licensed by the state as a master plumber. Of these, one member and one alternate represent organized labor and one member and one alternate represent open shop.
- (10) One member and one alternate shall be a commercial building contractor.
- (11) One member and one alternate shall be a commercial building owner, manager, or their representative.
- (12) One member and one alternate shall be a Residential Group R-2 multi-family building owner, manager, or their representative.
- (13) One member and one alternate: licensed by either the city or the state as a master sign electrician.

The fire chief or designee shall be an ex-officio member. The *Building Official* or designee shall also be an ex-officio member and shall act as secretary to the appeals and advisory board. The *Building Official* or fire chief or their respective designees shall not have a vote on any matter before the appeals and advisory board.

The appeals and advisory board shall be subject to chapter 2, article IX entitled "Boards and Commissions," to the extent not in conflict with these provisions. Members shall be limited to three (3) consecutive two-year terms. Board membership shall continue in a holdover capacity until a replacement is appointed. The appeals and advisory board shall elect a chairman and vice-chairman annually, shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with copies to the *Building Official* or fire chief. All vacancies are filled for the unexpired portion of the term only.

(e) ***Quorum and majority vote.***

- (1) An appointed alternate member shall not serve on the appeals and advisory board, or any board committee, when the appointed member for whom they are an alternate is present.
- (2) Nine (9) appointed members or their appointed member alternates, constitutes a quorum of the appeals and advisory board.
- (3) Voting shall only be conducted by appointed members or their appointed alternates, should the member not be present. No proxy votes shall be allowed.
- (4) A majority vote of those members present, including alternate members representing absent members, shall be necessary for approval of any decision of the appeals and advisory board, and each member or alternate member, should the member be absent, shall have one vote including the chairman.
- (5) The appeals and advisory board shall take no action on an appeal unless one appointed member that is a subject matter expert is present for each major part of the appeal. For example: if an appeal has two (2) major parts, structural and plumbing, the structural engineer member and at least one of the two (2) master plumber members must be present in order for the appeals and advisory board to take action on the appeal. Failure of the appeals and advisory board to have these subject matter experts present does not result in the approval of the applicant's appeal.

- (f) **Committees.** The appeals and advisory board may form committees to advise it on specific matters. Prior to conducting public hearings on any of the nationally recognized building-related codes and any associated amendments thereto, the appeals and advisory board shall form code review committees and shall select a chairman for such committee. The purpose of code review committees is to review the newly published codes and to receive public comments on these codes and their associated amendments. The *Building Official* will provide appropriate staff support to all such committees. The chairman of each code review committee shall report his committee recommendations to the appeals and advisory board during the subsequent public hearings conducted by the board on these codes.
- (1) **Committee membership.** Committee membership shall consist of appointed members or their appointed alternates, should the member not be present, and may also consist of not more than four (4) individuals who are not appointed by the mayor and city council and who are not required to reside in the city. A committee is required to have at least four (4) appointed members or their appointed alternates. Both the primary board member and alternate board member for any category may serve on a committee, but only one category member, primary or alternate, may serve as a voting member on the committee. Committees shall have not more than seven (7) primary and alternate board members. Any board member may sit on a committee as an ex-officio member, but shall not be counted as part of the quorum or be authorized to vote.
- (2) **Committee quorum and voting.** A majority of the appointed members or their appointed alternates, should the member not be present, of the committee shall constitute a quorum. Only committee members who are appeals and advisory board members or their alternates, should the member not be present, shall be allowed to vote on committee items. Committee members not appointed by the mayor and city council to the appeals and advisory board, as either a member or alternate member, may not vote on committee matters, and shall not be counted in the quorum. A majority of committee members authorized to vote shall be required.
- (g) **Procedure.** The meeting of the board of appeals shall be conducted in conformity with parliamentary rules (Robert's Rules of Order), or other rules established by the appeals and advisory board, unless otherwise specified in chapters 10, chapter 11 and specific articles in chapter 28. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.
- | (h) **Open hearing and meeting.** All hearings and meetings of the appeals and advisory board shall be open to the public, and subject to the Texas Public Meetings Act. The appellant, the appellant's representative, the *Building Official*, fire chief and any other person whose interests are affected shall be given equal opportunity to be heard.
- (i) **Appeals and advisory board decision on appeals.** A concurring vote of the majority of appointed members present once a quorum is established is required in order for the appeals and advisory board to modify or reverse the decision of the *Building Official* or fire chief.
- (1) **Resolution.** The decision of the appeals and advisory board shall be by resolution. Certified copies, signed by the chairman of the appeals and advisory board, shall be furnished to the appellant and to the *Building Official* and fire chief.

- (2) **Administration.** The *Building Official* and fire chief shall take immediate action in accordance with the decision of the appeals and advisory board.
- (j) **Board of appeals action.** Any action taken by the building-related and fire codes board of appeals is final.

#### **Sec. 10-15. - Violations.**

- (a) **Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this chapter.
- (b) **Notice of violation.** The *Building Official* is authorized to serve a notice of violation or order on the person 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 chapter, or in violation of a permit or certificate issued under the provisions of this chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- (c) **Prosecution of violation.** If the notice of violation is not complied with promptly, the *Building Official* is authorized to request legal counsel of the city to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of such provisions of this chapter or of the order or direction made pursuant thereto.
- (d) **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 issued under the provisions of this chapter, shall be subject to penalties prescribed by law.
- (e) **Misdemeanor.** Any person violating any of the provisions of this Code or other ordinances which are enforced by the *Building Official* shall be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted. Each violation may be punishable by a fine not to exceed five hundred dollars (\$500.00).

#### **Sec. 10-16. - Stop work order.**

- (a) **Authority.** Whenever the *Building Official* finds any work regulated by this chapter being performed in a manner either contrary to the provisions of this chapter or dangerous or unsafe, the *Building Official* is authorized to issue a stop work order.
- (b) **Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of

a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

- (c) **Unlawful continuance.** Any person who shall continue any work having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.

#### **Sec. 10-17. - Unsafe structures and equipment.**

- (a) **Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *Building Official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.
- (b) **Record.** The *Building Official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.
- (c) **Notice.** If an unsafe condition is found, the *Building Official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *Building Official* acceptance or rejection of the terms of the order.
- (d) **Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address as referenced in the deed records with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- (e) **Restoration.** The structure or equipment determined to be unsafe by the *Building Official* is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with subsection 10-2(c) of this chapter.

#### **Secs. 10-18—10-24. - Reserved.**

### **ARTICLE II. - DEFINITIONS**

**Sec. 10-25. - Non-referenced definitions.**

The following definitions are in addition to or supersede those listed in the referenced model codes of this chapter:

**AHJ.** Authority having jurisdiction.

**AIR CONDITIONING AND REFRIGERATION CONTRACTING.** Performing or offering to perform the design, installation, construction, repair, maintenance, service, or modification of equipment or a product in an environmental air conditioning system, a commercial refrigeration system, or a process cooling or heating system for the general public.

**AIR CONDITIONING AND REFRIGERATION MAINTENANCE WORK.** All work, including repair work, required for the continued normal performance of an existing environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system, or commercial refrigeration equipment. The term does not include:

- The total replacement of a system; or
- The installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under V.T.C.A., Health and Safety Code ch. 755.

**APPROVED.** Approved by the *Building Official* or other authority having jurisdiction.

**APPROVED AGENCY.** An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the *Building Official*.

**AWG.** American Wire Gauge.

**BILLBOARD OPERATOR.** An individual licensed by the city as a billboard operator who engages in the business of erecting, painting, servicing or maintaining billboards or any other off-premises advertising in accordance with this chapter and chapter 28 of this Code.

**BOARD OF APPEALS.** The building-related and fire codes appeals and advisory board of the city.

**BUILDING OFFICIAL .** The director of the development services department or a duly authorized representative who may act on his behalf charged with the administration and enforcement of this chapter. For the purpose of this chapter, the *Building Official* shall also be known as the code official and AHJ.

**BUILDING OWNER/MANAGER.** A person or company that is in the business of managing properties and is responsible for the upkeep and maintenance of such properties.

**CERTIFICATE OF OCCUPANCY OR C OF O.** A document issued by the *Building Official* after he inspects the building or structure and finds no violations of the provisions of this chapter or other laws that are enforced by the department.

**CHAPTER.** Chapter 10 of the City Code of San Antonio, Texas, also known as the building-related codes of the city, and any subsequent enactments, amendments and/or reenactment of chapter 10 of the City Code.

**CITY.** The City of San Antonio, Texas.

**COMMERCIAL SIGN OPERATOR.** An individual licensed by the city as a commercial sign operator who engages in the business of erecting, painting, servicing or maintaining commercial signs in accordance with this chapter and chapter 28 of the City Code.

**CPS ENERGY.** City Public Service Energy.

**DECK.** An outdoor platform extending horizontally from the rear or side yard of the structure, attached to a building or self-supported.

**DEMOLITION.** Has the meanings assigned in appendix A of chapter 35 of the City Code.

**DEMOLITION CONTRACTOR.** An individual or company or partnership doing the work of demolition for payment.

**DEPARTMENT.** Development services department of the city.

**DISTRIBUTED GENERATION (DG).** Includes, but is not limited to, electrical power derived from wind, water, sunlight, mechanical equipment, batteries, or fuel cells. DG includes all sources of electrical energy that are derived from equipment and/or systems other than the CPS Energy system that may include, wholly or in part, generation, transmission and distribution of electrical energy.

1. All DG systems that are interactive with the electrical grid of CPS Energy shall be approved by the city and CPS Energy prior to the issuance of an electrical permit.
2. Stand-alone DG systems that are not connected to the electrical grid of CPS Energy require electrical permits when any portion, segment or component of the DG system operates at or is rated for operation above 50-volts (AC or DC) or above one thousand two hundred (1,200) watts.
3. Interactive DG systems shall be installed per CPS Energy regulations.
4. All DG systems shall meet the requirements of the US Environmental Protection Agency (EPA).
5. All DG systems shall meet the requirements of TCEQ.

**DRAIN CLEANER.** An individual who has completed at least four thousand (4,000) hours working under the supervision of a responsible master plumber as a drain cleaner-restricted registrant, who has fulfilled the requirements of and is registered with the state plumbing licensing board, and who installs cleanouts and removes and resets p-traps to eliminate obstructions in building drains and sewers under the supervision of a responsible master plumber.

**DRAIN CLEANER—RESTRICTED REGISTRANT.** An individual who has worked as a plumber's apprentice under the supervision of a responsible master plumber, who has fulfilled the requirements of and is registered with the state plumbing licensing board, and

who clears obstructions in sewer and drain lines through any code-approved existing opening under the supervision of a responsible master plumber.

**DWV.** Drain, waste and vent.

**ELECTRICAL APPRENTICE.** An individual, licensed by the State as an apprentice who works under the on-site direct supervision of a master electrician, a journeyman electrician, or a residential wireman, on behalf of an electrical contractor, or employing governmental entity who performs "electrical work" as defined in this chapter.

**ELECTRICAL CONTRACTING.** The business of designing, installing, erecting, repairing, or altering electrical wires or conductors to be used for light, heat, power, or signaling purposes. The term includes the installation or repair of ducts, raceways, or conduits for the reception or protection of wires or conductors and the installation or repair of any electrical machinery, apparatus, or system used for electrical light, heat, power, or signaling.

**ELECTRICAL CONTRACTOR.** A person or entity engaged in electrical contracting.

**ELECTRICAL MAINTENANCE TECHNICIAN.** An individual registered with the city as an electrical maintenance technician, on behalf of a building owner or management group who performs limited "electrical maintenance work" as defined in this chapter.

**ELECTRICAL MAINTENANCE WORK.** The replacement or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, dwelling, structure, property, or premises.

**ELECTRICAL SIGN APPRENTICE.** An individual, licensed by the state as an electrical sign apprentice who works under the on-site direct supervision of a master electrician, master sign electrician, journeyman electrician, electrical sign journeyman electrician, or electrical sign technician, on behalf of an electrical sign contractor who performs "electrical sign work" as defined in this chapter.

**ELECTRICAL SIGN CONTRACTING.** The business of designing, manufacturing, installing, connecting, reconnecting, or servicing an electric sign, cold cathode, neon gas tubing, or outline gas tubing, or altering electric sign wiring or conductors either inside or outside of a building.

**ELECTRICAL SIGN CONTRACTOR.** A person or entity engaged in electrical sign contracting.

**ELECTRICAL SIGN TECHNICIAN.** An individual registered in the city as a sign technician who works under the general supervision of a master electrician or master sign electrician on behalf of an electrical sign contractor who performs "electrical sign work" as defined in this chapter.

**ELECTRICAL SIGN WORK.** All work and material used in manufacturing, installing or contracting to install, erecting, hanging, connecting, reconnecting, servicing or maintaining any electric or neon sign or electric neon tubing for any purpose, whether inside or outside of any building or structure or on any part of the public right-of-way subject to this chapter.

**ELECTRICAL SYSTEM.** All material, fixtures, devices and appliances for the purpose of conducting or utilizing electrical energy.

**ELECTRICAL TRADE.** Installing, contracting to install, maintaining, repairing, connecting, reconnecting, or servicing of any wiring, fixtures or equipment used for conducting of electricity for which a permit is required by this chapter.

**ELECTRICAL WIRING.** Any of the methods and materials described in the National Electrical Code as adopted by the city, except as may be amended by this Code.

**ELECTRICAL WORK.** Labor or material used in installing, maintaining, modifying or extending an electrical wiring system and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. The term includes service entrance conductors as defined by the National Electrical Code as adopted by the city.

**ELECTRO-MECHANICAL INTEGRITY.** The condition of an electrical product, electrical system, or electrical equipment installed in accordance with its intended purpose and according to standards at least as strict as the standards provided by the National Electrical Code, the manufacturer's specifications, any listing or labeling on a product, and all other applicable codes or ordinances.

**ELECTRIC UTILITY COMPANY.** The electric utility company is CPS Energy, governed by the CPS Energy board of trustees, an appointed board.

**FIRE CHIEF.** The chief officer of the San Antonio Fire Department or a duly authorized representative.

**FIRM.** A business entity including, without limitation, a sole proprietorship, corporation, partnership or any other entity that is legally recognized in Texas.

**FOSTER CARE FAMILY HOME.** A single independent residential occupancy that is the primary residence of the caregiver and licensed by the state to provide 24-hour care for six (6) or fewer children (including those related to the caregiver) up to the age of eighteen (18) years.

**GENERAL CONTRACTOR.** A person actively engaged in and is completely responsible for the construction of commercial or industrial structures within the geographical areas to which this chapter applies.

**GOVERNMENT AGENCY.** An executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the federal government, a state, county, municipality, or other political subdivision of the state.

**GREASE TRAP INTERCEPTOR.** A plumbing appurtenance installed in a sanitary drainage system to intercept nonpetroleum fats, oils, and greases (FOG) from a wastewater discharge and is identified by retention time, baffle(s), a minimum of two (2) compartments, a minimum total volume of five hundred (500) gallons, and gravity separation. Gravity grease interceptors are generally installed outside. See definition of gravity grease interceptors in section 10-82 of this chapter.

**HOME IMPROVEMENT CONTRACTOR.** A person or entity engaged in the business of making home improvements or who undertakes or offers to undertake or agrees to



perform any home improvement, whether or not such person is registered pursuant to this chapter. Home improvement means the repair, replacement, remodeling, alteration, conversion, or modernization, or addition to any existing building, or any portion of an existing building, not owned by a government agency, which is used or designed to be used as a private residence or dwelling place for not more than two (2) families, and shall include, but not by way of limitation, the construction, replacement or improvement of driveways, swimming pools, porches, garages, carports, fallout shelters, fences and other similar improvements. "Home improvement" shall not include:

1. The construction of a new private residence or dwelling place for not more than two (2) families, and the initial construction of improvements or additions to the same lot or lots provided the addition or improvement is commenced within one year from the date of completion of construction of the new residence or dwelling place; nor
2. The sale of goods or materials by a seller who neither arranges to perform nor performs directly or indirectly any work or labor in connection with the installation of or application of the goods or materials.

**IBC.** International Building Code, 20152018 edition, as amended by the city.

**IEBC.** International Existing Building Code, 20152018 edition, as amended by the city.

**IECC.** International Energy Conservation Code, 20152018 edition, as amended by the city.

**IFC.** International Fire Code, 20152018 edition, as amended by the city.

**IFGC.** International Fuel Gas Code, 20152018 edition, as amended by the city.

**IMC.** International Mechanical Code, 20152018 edition, as amended by the city.

**IPC.** International Plumbing Code, 20152018 edition, as amended by the city.

**IRC.** International Residential Code, 20152018 edition, as amended by the city.

**IRRIGATION INSTALLATION.** Fabrication of an irrigation system using components that include piping, fittings, valves, sprinkler heads and pumps; replacement, repair, alteration or maintenance of a lawn sprinkler system component; or lawn sprinkler system site preparation including digging, trenching, vibratory flow operation, and final grading.

**IRRIGATION CONTRACTOR.** A person licensed under V.T.C.A., Water Code ch. 37 and V.T.C.A., Occupations Code ch. 1903.

**IRRIGATION SYSTEM.** An assembly of component parts permanently installed for the controlled distribution and conservation of water to irrigate landscape vegetation, reduce dust, or control erosion. The term does not include a system used on or by an agricultural operation as defined by V.T.C.A., Agriculture Code § 251.002.

**JOURNEYMAN ELECTRICIAN.** An individual, licensed by the state as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor or employing governmental entity who performs "electrical work" as defined in this chapter.

**JOURNEYMAN PLUMBER.** An individual, licensed by the state as a journeyman plumber who has met the qualifications for registration as a plumber's apprentice or for

licensure as a tradesman plumber - limited licensee, who has completed at least eight thousand (8,000) hours working under the actual installation, alteration, repair, service and renovating of plumbing, and who has successfully fulfilled the examinations and requirements of the state plumbing licensing board.

**JOURNEYMAN SIGN ELECTRICIAN.** An individual, licensed by the state as a journeyman sign electrician, who works under the general supervision of a master electrician or a master sign electrician on behalf of an electrical sign contractor who performs "electrical sign work" as defined in this chapter.

**LICENSED BACKFLOW ASSEMBLY TESTER.** An individual, licensed by TCEQ as a backflow assembly tester.

**LP GAS INSTALLERS.** A person is not required to be licensed under this chapter to perform LPG system installation if the person performs LPG system installation as an LP gas installer licensed under V.T.C.A., Natural Resource Code ch. 113, subch. D.

**MAINTENANCE ELECTRICIAN.** An individual, licensed as a maintenance electrician, who works under the general supervision of a master electrician on behalf of an electrical contractor or employing government entity and who performs limited "electrical maintenance work" as defined in this chapter.

**MASTER ELECTRICIAN.** An individual, licensed by the state as a master electrician who, on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity, performs "electrical work" as defined by this chapter.

**MASTER PLUMBER.** An individual, licensed in the state as a master plumber who is skilled in the design, planning, superintending, and the practical installation, repair, and service of plumbing; who is knowledgeable about the codes, ordinances, or rules and regulations governing those matters; who alone, or through an individual or individuals under his supervision, performs plumbing work; and who has successfully fulfilled the examinations and requirements of the state plumbing license board.

**MASTER SIGN ELECTRICIAN.** An individual licensed by the state as a master sign electrician who, on behalf of an electrical sign contractor, performs "electrical sign work" as defined in this chapter.

**MECHANICAL MASTER.** Any person licensed as a mechanical master in compliance with the pre-requisites of this Code who holds himself out to the public as being qualified to do the kind of mechanical work or to contract for the doing of the kind of mechanical work by himself or by the employment of mechanical technicians or mechanical apprentices which his license authorizes him to do.

**MECHANICAL TECHNICIAN.** Any person licensed as a mechanical technician, in compliance with the requirements of this Code, who works for and under the general supervision and direction of a mechanical master, doing mechanical work contracted for by mechanical master, and who does not hold himself out to the public as being qualified to contract for the doing of mechanical work.

**MEDICAL GAS PIPING INSTALLATION ENDORSEMENT.** A document entitling the holder of a master or journeyman plumbing license to install piping used solely to

transport gases used for medical purposes including, but not limited to oxygen, nitrous oxide, medical air, nitrogen, and medical vacuum.

**MORAL TURPITUDE.** Conduct that is contrary to justice, honesty, or good morals.

**NEC.** National Electrical Code, NFPA 70, 20142017 edition, as amended by article VI of this chapter.

**NFPA 70.** National Electrical Code, NFPA 70, 20142017 edition, as amended by Article VI of this chapter.

**OCCUPANCY.** The purpose for which a building, or part thereof, is utilized or occupied.

**OCCUPANT.** Any person, agent, firm or corporation that occupies a building or part thereof as an owner or a tenant.

**ON-SITE.** This definition pertains to the definitions of "electrical apprentice" and "electrical sign apprentice" in this article. When referencing one- and two-family dwellings, it means residential lots that abut each other. When referencing multi-family dwellings, commercial and industrial structures or facilities, it means within the structure or on the premises.

**OPEN WIRING.** The types of interior wiring described in the NEC, Articles 334, 338 and 340.

**OWNER.** Has the meaning provided in chapter 1, section 1-2, Rules of construction of the City Code and also include any homeowner, property owner, person authorized to procure services of a contractor, or any other person who orders, contracts for or purchases the residential building construction services of a contractor, or the person entitled to the performance of the work of a contractor.

**PATIO (UNCOVERED).** An outdoor space for dining or recreation that adjoins a residence and includes a hard walking surface.

**PIPE WELDER.** A person who specializes in the welding of pipes and holds a valid certificate of competency from a recognized testing laboratory, based on the requirements of the ASME Boiler and Pressure Vessels Code, Section IX.

**PLUMBER'S APPRENTICE.** An individual other than a master plumber, journeyman plumber, or tradesman plumber-limited licensee who, as the person's principal occupation, is engaged in learning and assisting in the installation of plumbing, is registered by the state plumbing licensing board, and works under the general supervision of a licensed responsible master plumber and the direct supervision of a licensed plumber.

**PLUMBING WORK.** Any labor or material used in installing, maintaining, or modifying a plumbing system and the appurtenances, apparatus, or equipment used in connection with the use of plumbing in, on, outside, or attached to a building, residence, structure, property, or premises.

**PORCH.** An outdoor space for dining or recreation that adjoins a residence and includes a hard walking surface with a solid roof to provide protection against the elements.

**PORTE COCHERE.** A roofed structure that is open on at least three (3) sides and extends from the building entrance over an adjacent driveway and shelters vehicle ingress and egress.

**RECLAIMED WATER.** Water from sources such as rainwater harvesting, A/C condensate collection, carwashes, ponds, lakes, rivers or other sources as approved by the *Building Official*.

**RECYCLED WATER.** Water that, as a result of a tertiary treatment of domestic wastewater by a public agency, is suitable for a direct beneficial use or a controlled use that would not otherwise occur. The level of treatment and quality of the reclaimed/recycled water shall be approved by TCEQ.

**RESIDENTIAL UTILITIES INSTALLER (PLUMBING).** An individual who has completed at least two thousand (2,000) hours working under the supervision of a responsible master plumber and a registered plumber's apprentice, who has fulfilled the requirements of and is registered with the state plumbing license board, and who constructs and installs yard water service piping for one- and two-family dwellings and building sewers.

**RESIDENTIAL APPLIANCE.** A unit of electrical equipment designed and installed in a dwelling by direct connection to an existing electrical circuit to perform a specific function.

**RESIDENTIAL APPLIANCE INSTALLER.** A person, other than a licensed electrician, who is licensed to perform electrical appliance installation.

**RESIDENTIAL APPLIANCE INSTALLATION CONTRACTOR.** A business entity, other than an electrical contractor or electrical sign contractor, engaged in residential appliance installation contracting.

**RESIDENTIAL BUILDING CONTRACTOR.** A person, company, association, agency, or other entity registered by the code official to engage in the business of constructing, structurally altering or enlarging any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of four hundred (400) square feet in area thereto as regulated by the *International Residential Code*.

**REGISTERED CONTRACTOR.** A residential building contractor, as defined in this chapter, registered in the city to do residential building contracting.

**RESIDENTIAL WIREMAN.** A person licensed by the state who may only perform electrical installations in single-family and multifamily dwellings not exceeding three (3) stories.

**RESPONSIBLE MASTER PLUMBER.** A person licensed as a master plumber who allows his master plumber license to be used by only one plumbing company for the purposes of offering and performing plumbing work under the person's master plumber license; is authorized to obtain permits for plumbing work; assumes responsibility for plumbing work under the person's license; and has submitted a certificate of insurance as required by Section 1301.3576 of the Plumbing License Law and Section 367.3 of the State Plumbing License Board Rules.

**RP DEVICE.** See definition of reduced pressure principle backflow preventer.

**SAWS.** San Antonio Water System (<http://saws.org/>).

**SITE WORK.** Site work includes any of the following:

- The changing of grade on a site by more than twelve (12) inches (305 mm) vertical from the existing contours through cut or fill operations.
- The removal of trees or the process of grubbing.
- The construction of a commercial driveway and/or surface parking lot.
- The trenching of a site in order to install underground utilities.

**SPECIAL INSPECTOR.** See definition in section 10-30 of this chapter.

**STATE.** Texas.

**SUBCONTRACTOR.** One who performs services under contract to a contractor.

**TCEQ.** Texas Commission on Environmental Quality (<http://www.tceq.state.tx.us/>).

**TDLR.** Texas Department of Licensing and Regulation (<http://www.license.state.tx.us/>).

**TOPS PERMIT.** An electrical permit designed to allow the use of an existing or new electrical distribution and/or service prior to obtaining a certificate of occupancy. Connection to a service also requires the approval of CPS Energy.

**TRADESMAN PLUMBER—LIMITED LICENSE.** An individual, who has completed at least four thousand (4,000) hours working under the direct supervision of a journeyman or master plumber as a registered plumber's apprentice, who has passed the required examination and fulfilled the other requirements of the state plumbing license board, who constructs and installs plumbing for one- and two-family dwellings under the supervision of the responsible master plumber, and who has not met or attempted to meet the qualifications for a journeyman plumber license.

**WORKING DAYS.** Days exclusive of federal, state, or local holidays and weekends unless otherwise stated.

**Secs. 10-26—10-28. - Reserved.**

### **ARTICLE III. - BUILDING CODE**

**Sec. 10-29. - Adoption of *International Building Code* (~~2015~~2018).**

The ~~2015~~2018 edition of the *International Building Code*, promulgated by the International Code Council, Chapters 2 through 35, and Appendix H is hereby adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-30. Provisions of this article are in addition to the provisions of the *International Building Code*. The following provisions coinciding with the provisions of the *International Building Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Building Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through X of this chapter.

**Sec. 10-30. - Amendments to the adopted chapters of the *International Building Code* (~~2015~~2018).**

Additions to the *International Building Code* are shown as underlined text. Deletions to the *International Building Code* are shown as bracketed [~~striketroughs~~].

Chapter 2, *DEFINITIONS*, is amended for AMBULATORY CARE FACILITY and SPECIAL INSPECTOR to read as follows:

**[BG] AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, dialysis or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable.

**[B] FIRE AREA.** The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

Exception: Outdoor covered areas shall not be considered fire areas nor shall they be considered as part of the fire area of a connected building where all of the following conditions are met:

1. The outdoor covered area is a Group A2 Occupancy less than 1,000 ft<sup>2</sup> or is a Group A3 Occupancy. If multiple Group A2 Occupancy outdoor covered areas are proposed, then the aggregate area of all of these areas shall be less than 1,000 ft<sup>2</sup> or separated by a minimum of 20 feet from each other.
2. The outdoor covered area is open on at least three sides and open a minimum of 50% of the perimeter of the area covered. In order to be considered "open" for the purpose of this exception, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.
3. The outdoor covered area shall have adequate independent means of egress such that the occupants of the outdoor covered area are not required to egress through a connected or adjacent building.

**[BS] SPECIAL INSPECTOR.** A qualified person employed or retained by an approved agency who shall prove to the satisfaction of the registered design professional in responsible charge and [~~approved by~~] the Building Official that he/she [~~as having~~] has the

competence necessary to inspect a particular type of construction requiring *special inspection*.

*SECTION 304, BUSINESS GROUP B, is amended by adding Fire Stations in the group as follows with remaining text to remain as written:*

**304.1 Business Group B.** Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

Fire stations (including the dormitory, apparatus bays, living and offices areas) if installed with an automatic smoke detection system in accordance with 907.2.10.2 and smoke alarms installed in accordance with 907.2.11.2 through 907.2.11.4.

*Section 310.5, Residential Group R-3, is amended by adding Foster Care Family Homes to the group as follows with remaining text to remain as written:*

**310.54 Residential Group R-3.** Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Foster ~~Care~~ Family Homes - A child care facility certified or licensed by the Texas Department of Human services which provides care twenty-four (24) hours a day for not more than six (6) children.

*Section [F] 501.2, Address identification, is amended to read as follows:*

**[F] 502.14.2 Address identification.** All existing commercial and industrial buildings issued certificates of occupancy after September 10, 2006 and all new ~~[New and existing]~~ buildings shall be provided with approved address identification ~~[numbers or letters]~~. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of six inches ~~[4 inches (102 mm)]~~ high with a minimum stroke width of ½ inch (12.7mm). For buildings with individual suites, the suite numbers shall be a minimum of four inches high with a minimum stroke width of ½ inch (12.7mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

*Section 503.1, General, is amended by adding Section 503.1.45, Outdoor Covered Areas for Group A2 Occupancies, as follows:*

**503.1.54 Outdoor Covered Areas for Group A2 Occupancies.** Where an outdoor covered patio meets ALL of the conditions listed, the covered patio is NOT required to be included in the calculated "building area" of the structure nor does it require any "types of construction separation" or "occupancy separation" to meet the City's Building Code.



1. The outdoor covered area is a Group A2 Occupancy less than 1,000 SF. If multiple covered areas are proposed, then the aggregate area of all of these areas shall be less than 1,000 SF or each additional area shall be separated by a minimum of 20 feet from each other.
2. The outdoor covered area is open on at least three sides and open a minimum of 50 percent of the perimeter of the area covered. In order to be considered "open" for the purpose of the exception, an open side shall be at least 50 percent open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.
3. The outdoor covered area shall have adequate independent means of egress such that the occupants of the outdoor covered area are not required to egress through a connected or adjacent building.
4. Outdoor covered areas shall not be built within 10 feet of a property line.
5. Outdoor covered areas of wood construction shall be built with fire retardant treated wood as per IBC Section 2303.2 or protected with a fire-resistance rated material approved by the City.
6. The calculated occupant load of the outdoor covered area(s) shall contribute to the occupant load of the existing building for calculation of a total occupant load and for determination of the number of required plumbing fixtures per Section 403 of the IPC.

*Section 703.4, Automatic sprinklers, is repealed in its entirety.*



Section 706.1.1, Party Walls, Exception 2 is deleted as follows, all other Code text remains as is:

~~[2. Fire walls are not required on lot lines dividing a building for ownership purposes where the aggregate height and area of the portions of the building located on both sides of the lot line do not exceed the maximum height and area requirements of this code. For the code official's review and approval, he or she shall be provided with copies of dedicated access easements and contractual agreements that permit the owners of portions of the building located on either side of the lot line access to the other side for purposes of maintaining fire and life safety systems necessary for the operation of the building.]~~

Section 901.5, Acceptance testing tests, is amended by adding the following sentence to the end of the section to read as follows:

**901.5 Acceptance tests.** Fire protection systems shall be tested in accordance with the requirements of this code and the *International Fire Code*. ~~When~~ required, the tests shall be conducted in the presence of the Building Official ~~[building official]~~. Tests required by this code, the *International Fire Code* and the standards listed in this code shall be conducted at the expense of the owner or the owner's ~~representative~~ authorized agent. It shall be unlawful to occupy portions of a structure until the required *fire protection systems* within that portion of the structure have been tested and approved. A representative of the Fire Marshal shall witness all required acceptance tests for all these systems.

Section [F] 901.6.2.1, High-rise buildings, is amended as follows:

**[F] 901.6.2.1 High-rise buildings.** For high-rise buildings, an integrated testing plan shall be ~~[comply with NFPA 4]~~ approved by the fire code official, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan ~~[prepared in accordance with NFPA 4]~~ approved by the fire code official. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced.

Section [F] 901.6.2.2, Smoke control systems, is amended as follows:

**[F] 901.6.2.2 Smoke control systems.** Where a fire alarm system is integrated with a smoke control system as outlined in Section 909, an integrated testing plan shall be approved by the fire code official ~~[comply with NFPA 4]~~, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan ~~[prepared in accordance with NFPA 4]~~ approved by the fire code official. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced.

SECTION 901, GENERAL, is amended by adding Section 901.98, Permits, to read as follows:

**901.98 Permits.** Permits for fire protection systems shall be required as set forth in the International Fire Code, as amended.

~~Section 902.1, Definitions, is amended by adding the following exception to the definition of fire area as follows:~~

~~**[B] FIRE AREA.** The aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or horizontal assemblies of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.~~

~~Exception: Outdoor covered areas shall not be considered fire areas nor shall they be considered as part of the fire area of a connected building where all of the following conditions are met:~~

- ~~1. The outdoor covered area is a Group A2 Occupancy less than 1,000 ft<sup>2</sup> or is a Group A3 Occupancy. If multiple Group A2 Occupancy outdoor covered areas are proposed, then the aggregate area of all of these areas shall be less than 1,000 ft<sup>2</sup> or separated by a minimum of 20 feet from each other.~~
- ~~2. The outdoor covered area is open on at least three sides and open a minimum of 50% of the perimeter of the area covered. In order to be considered "open" for the purpose of this exception, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.~~
- ~~3. The outdoor covered area shall have adequate independent means of egress such that the occupants of the outdoor covered area are not required to egress through a connected or adjacent building.~~

~~Section [F]903.1, General, is amended by adding Section 903.1.2, Safety Factor, and Section 903.1.3, High volume low speed fans in new and existing buildings, to read as follows:~~

~~**903.1.2 Safety factor.** Automatic sprinkler systems shall be designed with a minimum safety factor of 10% or of five psi PSI or 10% of required pressure safety factor (whichever is greater) taken at the base source of the riser for the hydraulically most demanding design area.~~

~~**903.1.3 High volume low speed fans in new and existing buildings.** The use of High Volume Low Speed (HVLS) or High Volume Low Velocity (HVLV) fans in fire sprinklered areas of new and existing buildings shall only be permitted as follows:~~

- ~~1. HVLS fans are permitted in rack storage and palletized storage arrangements up to twenty (20) feet in height in buildings with thirty (30) feet or less ceiling clearance, when Early Suppression Fast Response (ESFR) sprinklers are used to protect the storage array.~~
- ~~2. HVLS fans are permitted in light hazard and ordinary hazard occupancies as defined in NFPA 13, Standard for the Installation of Sprinkler Systems.~~

~~3. HVLS fans are not permitted in sprinklered areas with palletized storage greater than twelve (12) feet in height protected by control mode sprinklers.~~

~~4. In all cases, HVLS fans are required to be designed and installed to shut down automatically on any fire alarm signal. This includes automatic shut down upon sprinkler system waterflow alarm or any manual or automatic fire alarm detection device provided in the space.~~

~~5. In all cases, the clearance between the HVLS fans and the ceiling sprinklers and the top of storage shall be in compliance with the obstruction and clearance rules of NFPA 13.~~

~~Exception: When a technical opinion and report is provided in accordance with Section 104.7.2, the Fire Marshal or his designee shall analyze the opinion and report and may approve the use of HVLS or HVLV fans in additional areas when it is determined that the effectiveness of the fire sprinkler system is not compromised.~~

*Section [F] 903.2, Where required, is amended to read as follows with the Exception remaining as written:*

**[F] 903.2. Where required.** Approved *automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Where existing open buildings and structures are modified such that they are no longer ~~at~~ open on at least three sides and open a minimum of 50% of the perimeter of the area covered, fire sprinkler systems shall be installed for these change in occupancies in accordance with the applicable requirements in this section. In order to be considered "open" for the purpose of this requirement, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.

*Section [F] 903.2.1, Group A, is amended by adding the following exception to the end of the text:*

**Exception:** A one-story detached open pavilion consisting of only a roof and supporting columns that meets all of the following criteria shall not require fire sprinklers.

1. The detached open pavilion is a Group A2, Group A3 or Group A4 Occupancy.
2. The detached open pavilion shall be less than 12,000 ft<sup>2</sup> in area.
3. The detached open pavilion shall be separated from adjacent structures by minimum of 30 feet.
4. The detached open pavilion is open on at least three sides and open a minimum of 50% of the perimeter of the area covered. In order to be considered "open" for the purpose of this exception, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.
5. The detached open pavilion shall have a minimum of 300% of the total number of required exits and a minimum of 300% of total exit minimum width or required capacity based upon the occupant load of the pavilion.

*Section 903.2.1.3, Group A-3, is amended by adding the following item to the list of conditions:*

**[F] 903.2.1.3 Group A-3.** An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists: for fire areas containing Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. The *fire area* has an *occupant load* of 300 or more; ~~[.].~~
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies; ~~or [.].~~
4. Any Group A-3 occupancy that serves alcohol shall comply with the fire sprinkler requirements for Group A-2 occupancies in Section 903.2.1.2.

Section [F] 903.2.6, Group I, is hereby amended by amending exception 2 as follows:

**[F] 903.2.6 Group I.** An *Automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

**Exceptions:**

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An *automatic sprinkler system* is not required where Group I-4 child day care facilities are at the *level of exit discharge* and where every room where care is provided has not fewer than one exterior exit door.
3. In buildings where Group 1-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge*, and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

Section [F] 903.2.8, Group R, is amended by adding the following exception:

**[F] 903.2.8 Group R.** An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

**Exception:** Foster care family homes as defined in Section 202-10-25.

Section [F] 903.2.11.1.1, *Opening dimensions and access*, is amended by adding the following sentence to the end of that section to read as follows:

**[F] 903.2.11.1.1 Opening dimensions and access.** Openings shall have a minimum dimension of not less than 30 inches (762 mm). Access to sSuch openings shall be ~~accessible provided to~~for the fire department from the exterior and shall not be obstructed in a manner such that fire fighting or rescue cannot be accomplished from the exterior. Openings shall have a finished sill height which is no more than 44 inches (1117 mm) above the finished floor level of the story which the opening is serving.

Section [F] 903.2, Where required, is amended by adding Section [F] 903.2.13, *Porte-cocheres*, to read as follows:

**[F] 903.2.13 Porte-cocheres.** All porte-cocheres shall be protected with fire sprinklers.

**Exception:** Porte-cocheres of non-combustible construction under 1,000 square feet. For buildings protected with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, porte-cocheres greater than 1,000 square feet (92 m<sup>2</sup>) in area shall be sprinklered.

Section [F] 903.3.1.1.1, *Exempt locations*, is amended by adding item 7 as follows:

**[F] 903.3.1.1.1 Exempt locations.** Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire resistance rated construction or contains electrical equipment.

7. Equipment storage areas of fire stations where sprinklers are considered undesirable because of the nature of the contents, including firefighting apparatus and specialized equipment, when approved by the fire code official.

Section [F] 903.3.1.2, *NFPA 13R sprinkler systems*, is amended by amending [F] 903.3.1.2.3, Attics, and by adding Section [F] 903.3.1.2.34, *Elevator machine room*, to read as follows:

**[F] 903.3.1.2.3 Attics.** Attic protection shall be provided as follows:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one quick-response intermediate temperature sprinkler shall be installed above the equipment.
3. Where located in a building of Type III, Type IV or Type V construction designed in accordance with Section 510.2 or 510.4, attics not required by Item 1 to have sprinklers shall comply with one of the following if the roof assembly is located more than 55 feet (16 764 mm) above the lowest level of required fire department vehicle access:
  - 3.1 Provide automatic sprinkler system protection.
  - 3.2 Construct the attic using noncombustible materials.
  - 3.3 Construct the attic using fire-retardant-treated wood complying with Section 2303.2.
  - ~~3.4 Fill the attic with noncombustible insulation.~~

The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the building to the eave of the highest pitched roof, the intersection of the highest roof to the exterior wall, or the top of the highest parapet, whichever yields the greatest distance. For the purpose of this

measurement, required fire vehicle access roads shall include only those roads that are necessary for compliance with Section 503 of the *International Fire Code*.

4. Group R-4, Condition 2 occupancy attics not required by Item 1 to have sprinklers shall comply with one of the following:

4.1 Provide *automatic sprinkler system* protection.

4.2 Provide a heat detection system throughout the attic that is arranged to activate the

building fire alarm system.

4.3 Construct the attic using noncombustible materials.

4.4 Construct the attic using fire-retardant-treated wood complying with Section 2303.2.

[4.5 Fill the attic with noncombustible insulation.]

**[F] 903.3.1.2.34 Elevator machine room.** In all R occupancies or occupancies using a 13R system with elevator systems, the elevator machine room shall be sprinklered per NFPA 13.

*SECTION 903, AUTOMATIC SPRINKLER SYSTEMS, is amended by amending [F] 903.4, Sprinkler system supervision and alarms, to add Exception 8, and adding Section [F] 903.6, Separation from non-sprinklered areas, to read as follows:*

**[F] 903.4 Sprinkler system supervision and alarms.** Valves controlling the water supply for *automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water flow switches* on all sprinkler systems shall be electrically supervised by a *listed fire alarm control unit*.

**Exceptions:**

8. Valves located outside buildings or in a vault that are sealed or locked in the open position.

**[F] 903.6 Separation from non-sprinklered areas.** Unless otherwise exempted by this code or the ~~2015~~2018 *International Fire Code* (IFC) or required to be of a higher fire resistive construction by this code or the IFC, a minimum one hour fire barrier constructed in accordance with Chapter 7 shall be between sprinklered and non-sprinklered areas within a building.

*Section [F] 904.2.2, Commercial hood and duct systems, is amended by adding Section [F] 904.2.2.1, Permit required, as follows:*

**[F] 904.2.2.1 Permit required.** Prior to installation, a licensed contractor shall obtain a permit for automatic fixed pipe extinguishing system from the Fire Marshal's office. At the time a permit request is made, a diagram detailing exactly what will be installed at the



"permit site" shall be submitted for Fire Department review and files. The diagram shall include:

1. Approximate length of pipe and elbows
2. Distance of nozzles from grill area
3. Exact size, type and number of nozzles
4. Number and location of fusible links
5. Size of cooking surface area, hood, and vent area
6. Location of manual pull
7. Location of automatic gas or electric shut-off, electric shut-off is to be a total shut-off
8. The location of the automatic extinguishing system in the room and distance of exits must be shown

The installation is not complete until all automatic electric or gas shut-offs are installed. Permittee is responsible for the total installation. Permittee shall call Fire Prevention for a final inspection after the system is completed. The fire inspector shall require an operations test of the system be performed on the final inspection. Agent discharge shall not be required if: (a) Installer certifies in writing that system has been designed and installed in accordance with manufacturers specifications, and (b) an air discharge test is performed.

*Section [F] 905.1, General, is amended by adding Section [F] 905.1.1, Safety factor, as follows:*

**[F] 905.1.1 Safety factor.** All Sstandpipe systems with the exception of manual standpipes shall be designed with a minimum safety factor of 5 PSI or 10% of required pressure (whichever is greater ten (10) psi safety factor taken at the fire department connection for manual standpipes and) taken at the source base of the standpipe riser for automatic standpipes for the hydraulically most demanding system and/or outlet.

*Section [F] 905.2, Installation standard, is amended by adding Section [F] 905.2.1, Class-I reducers, as follows:*

**[F]- 905.2.1 Class-I reducers.** A 2.5 inch by 1.5 inch reducer shall be provided on Class-I standpipe connections with caps and chains.

*Section [F] 905.4, Location of Class I standpipe hose connections, is amended as follows with all other code text to remain as written:*

**[F]905.4 Location of Class I standpipe hose connections.** Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required *interior exit stairway*, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at ~~[the main]~~ an intermediate ~~[floor]~~ landing between stories unless otherwise *approved* by the fire code official.

~~[Exception: A single hose connection shall be permitted to be installed in the open corridor or open breezeway between open stairs that are not greater than 75 feet (22 860 mm) apart.]~~

*SECTION [F] 906.2, ~~PORTABLE FIRE EXTINGUISHERS~~General requirements, is amended by adding Section [F] 906.2.1, Travel distance, as follows:*

**[F] 906.2.1 Travel distance.** Travel distance is calculated from a point in the occupancy to the location of fire extinguisher located on the same floor level in accordance with the maximum distances listed in [F] Table 906.3(1) or [F] Table 906.3(2). Travel distance is calculated per floor when determining travel distance to a fire extinguisher in multi-story buildings.

*Section [F] 906, ~~PORTABLE FIRE EXTINGUISHERS~~, is amended by adding Section [F]906.5.1, Conspicuous locations in Group R occupancies, and Section [F] 906.11, Inspections of non-rechargeable fire extinguishers in R occupancies as follows:*

**[F] 906.5.1 Conspicuous locations in Group R occupancies.** In addition to other areas listed herein or in NFPA10, fire extinguishers in R occupancies may also be placed in any of the following location to satisfy the requirements:

1. On a wall in the unit;
2. Inside a closet, cabinet or pantry as long as the door has a label indicating that there is a fire extinguisher inside;
3. Inside a mechanical closet as long as the door has a label indicating that there is a fire extinguisher insider; or
4. Inside storage closets as long as the door has a label indicating that there is a fire extinguisher insider and there is no locking device on the door that requires a key or combination to open it.

**[F] 906.11 Inspections of non-rechargeable fire extinguishers in R occupancies.** As an alternative to required fire extinguisher annual inspections conducted by licensed and certified personnel, the owner or management company, their employees or agents are



authorized to inspect non-rechargeable fire extinguishers located in R occupancies on an annual basis to ensure that:

1. The extinguisher's service life is not beyond the manufacturer's recommended warranty date;
2. Pin has not been removed;
3. The indicator gauge is in the green or good position;
4. Installed in the proper location per section 906.5;
5. No obvious physical damage, corrosion, or nozzle blockage is present; and
6. The operating instructions are present, legible and facing forward.

The owner or owner's agent shall repair or replace a fire extinguisher if any of the deficiencies noted in items 1-6 above are discovered on inspection.

While inspecting the non-rechargeable fire extinguishers, the inspection personnel shall cause the contents of the non-rechargeable fire extinguishers to be stirred by turning the fire extinguishers upside down at least two times.

In lieu of placing tags or labels on non-rechargeable fire extinguishers to verify inspection, a log or inspection sheet may be maintained indicating compliance with all the requirements above.

*SECTION 907, FIRE ALARM AND DETECTION SYSTEMS, is amended by repealing Section [F] 907.1.2, Fire alarm shop drawings, is and replacing with [F] 907.1.2, Fire alarm shop drawings, and adding Section [F] 907.1.4, Testing of Fire Alarm Systems, as follows amended to reflect a new 4 and adds 15-18 inclusions to shop drawing submissions, and adding text to battery and voltage drop calculations as follows:*

**[F] 907.1.2 Fire alarm shop drawings.** Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following where applicable to the system being installed :

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Design minimum audibility level for occupant notification
5. Location of fire alarm control unit, transponders and notification power supplies.
6. Annunciators.
7. Power connection.

8. Battery calculations. Calculations are to be completed using a battery derating factor of 20% minimum.
9. Conductor type and sizes.
10. Voltage drop calculations. Calculations shall be completed using a maximum starting voltage of 20.4 volts for 24-volt systems and 10.2 volts for 12-volt systems.
11. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials.
12. Details of ceiling height and construction.
13. The interface of fire safety control functions.
14. Classification of the supervising station.
15. For in-building emergency voice alarm communication systems and mass notification systems, speaker circuit load calculations providing a total dB loss at the end of each speaker circuit.
16. Acoustically distinguishable space classifications and designations in accordance with NFPA 72, 2013 Edition Chapter 8, indicated on the floor plans in each applicable area with a designation and classification legend provided in tabular form.
17. When utilizing acoustic modeling software to determine acoustically distinguishable spaces, include reports from the modeling software with the submittal package.
18. For aspirating smoke detection systems, full transport time calculations shall be provided with the submittal package.

**[F] 907.1.4 Testing of fire alarm systems. The following are required at the time of fire alarm acceptance testing unless approved by the Fire Marshal or his/her designee:**

1. The written statement required by NFPA 72, section 4.5.1.2
2. A copy of the Record of Completion as required by NFPA 72, section 4.5.2.1
3. A copy of the Texas Department of Insurance Fire Alarm Installation Certificate
4. Approved plans bearing the original stamp and signature of the fire alarm plan reviewer
5. Original permit is on site.
6. Fire Review Activity form (plan review comments) if provided.
7. Proof of current licensing of the technician performing the tests.
8. Written approvals from the AHJ if partial installation inspections are requested by the contractor or technician.
9. Site specific software for software based systems.
10. Written sequence of operation.
11. All testing equipment necessary to conduct the test (i.e. decibel meter, flashlight, intelligibility meter, etc)

Section [F] 907.2.1.2, *Emergency voice/alarm communication captions*, is repealed in its entirety.

Section [F] 907.2.3, Group E, is ~~repealed and replaced with Section [F] 907.2.3 Group E amended to read~~ as follows with remaining text to remain as written:

**[F] 907.2.3 Group E.** A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in all newly constructed Group E [occupancies] occupancy campus complexes. Where automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section [F] 907.5 shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

**Exceptions:**

- ~~1. A manual fire alarm system is not required in Group E occupancies with an occupant load of less than 50.~~
- ~~2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:~~
  - ~~2.1. Interior corridors are protected by smoke detectors~~
  - ~~2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved devices.~~
  - ~~2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved devices.~~
  - ~~2.4. The capability to activate the evacuation signal from a central point is provided.~~
  - ~~2.5. In buildings where normally occupied spaces are provided with a two way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in location specifically designated by the fire code official.~~
- ~~3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system in accordance with [F] 903.3.1.1, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.~~

Section [F] 907.2.7.1, *Occupant notification*, is repealed in its entirety.

Section [F] 907.2.8.2, Automatic smoke detection system, is hereby amended to read as follows:

**[F] 907.2.8.2 Automatic smoke detection system.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout all interior corridors serving sleeping units. The automatic smoke detection system requirement is met only by the installation of smoke or beam detectors whenever possible. If environmental conditions do not allow the installation of smoke detectors, fire alarm heat detectors may be used on a limited basis when approved by the fire code official.

**Exception:** An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

SECTION 907.2.12.2, Fire department communication system, is hereby deleted in its entirety.

Section [M] 907.2.132.1.2, Duct smoke detection, is amended to read as follows:

**[M] 907.2.132.1.2 Duct smoke detection.** Duct smoke detectors complying with Section 907.3.1 shall be located in accordance with the NFPA 90A: Standard for the Installation of Air-Conditioning and Ventilating Systems or as follows:

1. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m<sup>3</sup>/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m<sup>3</sup>/s) and serving not more than 10 air-inlet openings.

Section [F] 907.2, Where required - new buildings and structures, is amended by adding Section [F] 907.2.24, ~~High-occupant load~~ Fire alarm systems for property protection, to read as follows:

**[F] 907.2.24 Fire alarm systems for property protection.** Fire alarm systems dedicated solely to the protection of property are permitted to be installed in facilities where a fire alarm system is not required by other sections of this code or the International Building Code provided the following conditions are met:

1. Any and all automatic detection is installed, located and maintained in accordance with the requirements of NFPA 72 and a documentation cabinet as required by NFPA 72 is provided and installed.
2. The installed system is monitored by a supervising station which provides remote, proprietary or central station service.
3. One manual means of activation is installed in an approved location

4. Where the fire alarm system control unit is located in an area that is not readily accessible to response personnel, a remote fire alarm system annunciator panel is installed.

~~[F] 907.2.24 High occupant load. In addition to the requirements listed in other sections of this code, any occupancy having an occupant load of 1000 or more shall be provided with a manual fire alarm system.~~

~~Exception: Open parking garages.~~

Section [F] 907.3.1, *Duct smoke detectors*, is amended to read as follows:

**[F] 907.3.1 Duct smoke detectors.** Smoke detectors installed in ducts shall be *listed* for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit ~~where~~ are a fire alarm system is required by Section 907.2. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a *constantly attended location* and shall perform the intended fire safety function in accordance with this code, NFPA 90A: Standard for the Installation of Air-Conditioning and Ventilating Systems and the *International Mechanical Code*. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report only as a supervisory signal and not as a fire alarm. ~~Duct smoke detectors~~ They shall not be used as a substitute for required open area detection.

**Exceptions:**

- ~~[1. The supervisory signal at a constantly attended location is not required where duct smoke detectors activate the building's alarm notification appliances.]~~
1. ~~[2.]~~ In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an *approved* location. Smoke detector trouble conditions shall activate a visible or audible signal in an *approved* location and shall be identified as air duct detector trouble.
2. For fire alarm systems which cannot be programmed for supervisory signals, duct detectors shall be allowed to activate the alarm signal.

Section [F] 907.3., *Fire safety functions*, is amended by adding Section [F] 907.3.5, *Fire alarm systems - emergency control*, as follows:

**[F] 907.3.5 Fire alarm systems - emergency control.** At a minimum, the following functions, where provided, shall be activated by the fire alarm system:

1. Elevator capture and control in accordance with ASME/ANSI A17.1b-2007, Safety Code for Elevators and Escalators.
2. Release of automatic door closures and hold open devices.
3. Stairwell and/or elevator shaft pressurization.
4. Smoke management and/or smoke control systems.
5. Initiation of automatic fire extinguishing equipment.

6. Emergency lighting control.
7. Unlocking of doors.
8. Emergency shutoff of gas and fuel supplies that may be hazardous provided the continuation of service is not essential to the preservation of life.
9. Emergency shutoff of audio systems for sound reinforcement or entertainment (i.e. music systems, systems for announcement and broadcast which are separate from public address systems) provided that such systems are not used to issue emergency instructions.
10. Emergency shutoff of systems used for the creation of displays or special effects (i.e. lighting effects, laser light shows, projection equipment).

Section [F] 907.4.2.1, *Location*, is amended to add the ~~following text and~~ Exception to read as follows:

**[F] 907.4.2.1 Location.** Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each *exit*. In buildings not protected by an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, additional manual fire alarm boxes shall be located so that the ~~exit access travel~~ distance of travel to the nearest box does not exceed 200 feet (60 960 mm).

**Exception:** Where construction of the building prohibits the proper installation of a pull station (e.g. glass walls, interior brick or rock walls), a pull station shall be allowed to be located in the normal path of egress, where approved by the Fire Marshal or his/her designee.

Section [F] 907.5.1, *Presignal feature*, is amended to read as follows:

**[F] 907.5.1 Presignal feature and positive alarm sequences.** A presignal feature or Positive Alarm Sequence as defined in NFPA 72 shall not be installed unless approved by the fire code official and the fire department. Request to use a presignal feature or a Positive Alarm Sequence must be submitted in writing to the Fire Marshal and approval granted before installation. Where a presignal feature or Positive Alarm Sequence is provided, a signal shall be annunciated at a *constantly attended location approved by the fire department* ~~code official, in order so~~ that occupant notification can be activated in the event of fire or other emergency. When approved by the fire code official, the presignal feature or Positive Alarm Sequence shall be implemented in accordance with the requirements of NFPA 72.

Section [F] 907.5.2.1, *Audible alarms*, is amended by adding Section [F] 907.5.2.1.3, *Testing of audible alarms in occupancies other than Group R*, and Section [F] 907.5.2.1.4, Testing of audible alarms in Group R occupancies, as follows:

**[F] 907.5.2.1.3 Testing of audible alarms in occupancies other than Group R.** Audibility levels for all occupancies other than Group R shall be in accordance with the public mode requirements of NFPA 72, and shall be tested utilizing the following criteria:

1. A UL listed sound pressure level meter, which has been calibrated within the last calendar year, and supplied by the fire alarm system installing contractor, shall be utilized to obtain readings. The ~~audiometer~~ sound pressure level meter will be held five feet above floor, pointed in the direction of the audible device.
2. All doors within the occupancy, including the bathroom and balcony doors shall be in the closed position.
3. ~~Levels-Measurements~~ shall be taken in the most remote areas of the occupancy first, including bathrooms and balconies.
4. Initial ~~readings-measurements~~ to confirm the average ambient sound level in each area shall be taken.
5. The fire alarm system shall be activated and ~~readings-measurements~~ in the tested areas shall be retaken and compared with the requirements.

*Section [F] 907.5.2.1, Audible alarms, is amended by adding Section [F] 907.5.2.1.4, Testing of audible alarms in Group R occupancies, as follows:*

**[F] 907.5.2.1.4 Testing of audible alarms in Group R occupancies.** Audibility levels for all Group R occupancies shall be in accordance with the requirements of Section [F] 907.56.2.1.1, and shall be tested utilizing the following criteria:

1. A UL listed sound pressure level meter, which has been calibrated within the last calendar year, and supplied by the fire alarm system installing contractor, shall be utilized to obtain readings. The ~~audiometers~~ sound pressure level meter will be held five feet above floor, pointed in the direction of the audible device.
2. ~~All doors within the occupancy~~ ~~Sleeping room doors within the occupancy, including the bathroom and balcony doors~~ shall be in the closed position.
- ~~3. Bathroom doors within the occupancy shall be in the closed position.~~
43. Ambient sound level shall be established with the television set at 50% of maximum volume, showers running, bathroom exhaust systems running, and air conditioning units running.
54. ~~Levels-Measurements~~ shall be taken in the most remote area of the dwelling or sleeping unit first, including bathrooms ~~and balconies~~.
65. Initial ~~readings-measurements~~ to confirm the ambient sound level in each area shall be taken.
76. The fire alarm system shall be activated and ~~readings-measurements~~ in the tested areas shall be retaken and compared with the requirements.



Section [F] 907.5.2.2, *Emergency voice/alarm communication systems*, is amended to read as follows:

**[F] 907.5.2.2 Emergency voice/alarm communication systems.** Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving *approved* information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404 of the *International Fire Code*. In high-rise buildings, the system shall operate on at least minimum-of the alarming floor, the floor above and the floor below. If the system is not reset after five minutes, the building shall sound the general evacuation signal and message in all zones unless an alternative Positive Alarm Sequence has been approved by the Fire Marshal. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. ~~—~~ Elevator groups.
2. ~~—~~ *Interior Exit* stairways.
3. ~~—~~ Each floor.
4. ~~—~~ Areas of refuge as defined in ~~Section 1002.1~~ Chapter 2.

**Exception:** In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Section [F] 907.5.2.2.4, *Emergency voice/alarm communication captions*, is repealed in its entirety.

Section [F] 907.5.2.3, *Visible alarms*, is amended by adding a subsection [F] 907.5.2.3.4, *Group R-2 sleeping areas*, and Section [F] 907.5.2.3.5, *Combination devices*, to read as follows:

**[F] 907.5.2.3.4 Group R-2 sleeping areas.** Living rooms in Group R-2 occupancies shall have audible notification appliances that meet the sleeping area audible requirements of NFPA 72, Chapter 18, Section 18.4.5, Subsection 18.4.5.1. When such units are required to be equipped with visible notification for the hearing impaired or when such units are designated as accessible in accordance with ICC/ANSI A117.1, combination audible and visible notification appliances that meet both the sleeping area audible requirements of NFPA 72, Chapter 18, Section 18.4.5, Subsection 18.4.5.1 and the effective intensity settings of NFPA 72, Chapter 18.5.5.7.2 shall be installed. ~~visible notification devices that meet the effective intensity requirements of NFPA 72, Table 7.5.4.6.2.~~

~~Section [F] 907.5.2.3, *Visible alarms*, is amended by adding Section [F] 907.5.2.3.5, *Combination devices*, to read as follows:~~



**[F] 907.5.2.3.5 Combination devices.** Combination 120 VAC single or multiple-station smoke detectors with an onboard visible notification appliance if utilized to meet the requirements of Section 907.2.11, will not be given credit for meeting the visible alarm notification requirements of Section 907.65.2.3.43 if these devices do not have the capability of supplying backup power for the visible notification appliance portion of the device. Should such devices be utilized to comply with Section 907.2.11, the visible appliance side of the device shall flash in synchronization with the notification appliances required in the unit.

*Section [F] 907.6.3, Initiating device identification, is amended to read as follows with exceptions to remain as written:*

**[F] 907.6.3 Initiating device identification.** The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, to the fire alarm panel, annunciator panel and to the supervising station as appropriate.

*SECTION 907, FIRE ALARM AND DETECTION SYSTEMS, is amended by adding Section [F] 907.9, Alarm signal silencing switch, to read as follows:*

**[F] 907.9 Alarm signal silencing switch.** A switch for silencing the alarm signal sounding appliances shall be permitted only if it is key operated, ~~or~~ located within a locked cabinet or requires special knowledge. Such a switch shall be permitted only if visible zone alarm indication or equivalent has been provided by approved annunciation, printout, or other approved means, and subsequent alarms on other initiating devices circuits will cause the audible alarm signaling appliances to resound. A switch that is left in the "silence" position when there is no alarm shall operate trouble signals until the switch is restored to normal.

*Section [F] 912.2.1, Visible location, is amended by adding the following sentence to the end of that section to read as follows:*

**[F] 912.2.1 Visible location.** Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise approved by the fire code official. The fire department connection shall be identified by a sign installed above the connection with the letters "FDC" not less than 6 inches high and mounted no lower than 7 feet from grade to the bottom edge of the sign unless approved by the fire code official.

*Section [F] 912.2.2, Existing buildings, is amended to read as follows:*

[F] 912.2.2 Existing buildings. On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. ~~[Such] Signs shall be mounted no lower than 7 feet from grade to the bottom edge of the sign and are subject to the approval of the fire code official.~~

Section [F] 912.4.1, Locking fire department connection caps, is amended to read as follows:

[F] 912.4.1 Locking fire department connection caps. Fire department connection(s) shall have locking caps in the following areas/occupancies: the area described in Section 11-37 of the city's fire code; Group A, E, I occupancies; high-rise buildings; any other location that the fire code official determines that a locking cap would be necessary and/or beneficial for firefighting needs. ~~[The fire code official is authorized to require locking caps on fire department connections for water based fire protection systems where the responding fire department carries appropriate key wrenches for removal.]~~

SECTION [F] 912, FIRE DEPARTMENT CONNECTIONS, is amended by adding Section [F] 912.7, Location and type, as follows:

[F] 912.7 Location and type. Sprinkler system and standpipe fire department hose connections shall be as follows:

1. Within 40 feet of a public street, approved fire lane, or access roadway. ~~;~~ and
2. Within 250 feet of an approved fire hydrant measured per hose lay criteria in Section 507.5.1.2, except for R-2 apartments in which the fire department connection shall be within 500 feet of an approved fire hydrant measured per hose lay criteria in Section 507.5.1.2. ~~;~~ and
3. Minimum of two feet above finished grade and a maximum of four feet above finished grade for standard inlets and minimum of 30 inches at lowest point above finished grade and maximum of four feet above finished grade for the five inch "Stortz" inlet.
4. Freestanding FDCs shall be installed a minimum of one foot and a maximum of seven feet from the gutter face of the curb.
54. The Fire Code Official shall approve the location of freestanding fire department connections. Freestanding FDCs must be physically protected against impact per the requirements of Section 312 or other approved means.
65. Where provided, the five inch "Stortz" inlet shall be installed at a 30 degree angle pointing down. ~~;~~
76. Fire department connections for H occupancies ~~will~~ shall be freestanding, remote and located as determined by the fire code official. ~~;~~ and.

8. Fire department connections for systems protecting fuel storage tanks shall be freestanding, remote and located as determined by the fire code official.

97. See Table 912.7

**Table 912.7**

**FDC Connections required by System Type**

<u>Sprinkler Sys- tems: Wet Dry</u>	<u>Either a 5 Inch Storz inlet or (2)2 ½ Inch in- lets</u>		
<u>Standpipes: Automatic Wet Automatic Dry Semiautomatic Dry</u>		<u>Either a 5 Inch Storz inlet or (2)2 ½ Inch inlets</u>	
<u>Standpipes: Manual Wet Manual Dry</u>			<u>A 5 Inch Storz inlet for the first 1000 gallons system demand and an additional 2 ½ inlet for each additional 250 gallon demand or portion thereof</u>

There shall be no more than one Storz connection in any configuration.

\*One (1) 2.5 inch inlet is required for all systems designed per NFPA 13R. If the system demand is greater than 250 GPM, two (2) 2.5 inch inlets are required to be installed. No FDC is required for projects designed per NFPA 13D.

*Section [F] 1003, GENERAL MEANS OF EGRESS, is amended by adding the Section [F] 1003.8, Special provisions, as follows:*

**[F] 1003.8 Special provisions.** Rooms in E occupancies used for kindergarten or daycare classified as an E occupancy shall not be located above or below the first story.

**Exceptions:**

1. Basements or stories having floor levels located within four feet, measured vertically, from adjacent ground level at the level of exit discharge, provided the basement or story has exterior exit doors at that level.
2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten or for daycare purposes may be located on the second story, provided there are at least two exterior exit doors for the exclusive use of such occupancies.

| *Section 1004.51.2, Areas without fixed seating, is amended by adding a sentence to the end of the main body of the section to read as follows:*

| **1004.51.2 Areas without fixed seating.** The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.51.2. For areas without *fixed seating*, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the *occupant load* factor assigned to the function of the space as set forth in Table 1004.51.2. Where an intended function is not listed in Table 1004.51.2, the *Building Official* [~~*building official*~~] shall establish a function based on a listed ~~*use-function*~~ that most nearly resembles the intended function. When the calculated number is not a whole number, it is required to round up to the next whole number for determination of the occupant load of a space.

| **Exception:** Where *approved* by the *Building Official*, [~~*building official*~~] the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design *occupant load*.

| *Section 1008.3, Emergency power for illumination, is amended by adding Section 1008.3.6, Illumination in Group E occupancies, to read as follows:*

| **1008.3.6 Illumination in Group E occupancies.** Group E occupancies shall have emergency lighting in interior stairs, corridors, windowless areas with student occupancy, shops, and laboratories.

| *SECTION 1009, ACCESSIBLE MEANS OF EGRESS, is repealed and replaced with a new SECTION 1009 to read as follows:*

**SECTION 1009**  
**ACCESSIBLE MEANS OF EGRESS**

| All buildings or portions of buildings must comply with the accessibility standards adopted by the State. Projects shall be submitted to the Texas Department of Licensing and Regulation for review, inspection and approval in accordance with state law.

| *SECTION 1027, EXTERIOR EXIT ~~STAIRWAYS AND~~ RAMPS ~~AND STAIRWAYS~~, is amended by adding Section 1027.7, Exterior fire escape, to read as follows:*

**1027.7 Exterior fire escape.** Any existing fire escape which is deemed to be **an** adequate fire escape under the laws of the state or under the provisions of the city fire prevention regulations shall be deemed an adequate means of egress for emergency use, as required by this chapter, and the number of existing exterior fire escapes shall be provided to comply with the fire escape law of the state and the city fire prevention regulations.

CHAPTER 11, ACCESSIBILITY, is repealed and replaced with a new CHAPTER 11 to read as follows:

## **CHAPTER 11** **ACCESSIBILITY**

All buildings or portions of buildings must comply with the accessibility standards adopted by the state. Projects shall be submitted to the Texas Department of Licensing and Regulation for review, inspection and approval in accordance with state law.

*CHAPTER 15, ROOF ASSEMBLIES AND ROOFTOP STRUCTURES is amended by amending Section ~~15023.4~~, Roof drainageGutters, is amended by adding Section ~~15032.4.41~~, Zero lot line development, and Section ~~1502.3.4.52~~, Projections, to read as follows:*

**15023.4.4-4.1 Zero lot line development.** On zero lot line development where roof projections are allowed by deed covenant or ingress/egress easements and the roof slopes towards the adjoining property, adequate gutters and downspouts shall be provided to direct roof water away from adjacent property. Roof projections shall not extend beyond a point one third the width of the easement or a maximum of 24 inches (610 mm). If there is no slope towards zero lot line, gutters are not necessary.

**15032.4.4.2 Projections.** Any Group R or Group U occupancy with roof edges less than three feet (914 mm) to any property line shall be provided with gutters and downspouts to direct roof water away from adjacent property.

Section 1704.2, *Special inspections and tests*, is amended to read as follows:

**1704.2 Special inspections and tests.** Where application is made to the *Building Official* ~~{building official}~~ for construction as specified in Section 10-6 ~~{Section 105}~~, the owner or the registered design professional in responsible charge acting as the owner's **authorized** agent~~{, other than the contractor, }~~ shall employ one or more *approved agencies* to provide *special inspections* and tests during construction on the types of work **listed-specified in under** Section 1705 and identify the *approved agencies* to the *Building Official* . ~~{building official.}~~ The special inspector shall not be employed by the contractor. These *special inspections* and tests are in addition to the inspections **identified** by the *Building Official* ~~{building official}~~ **that are identified** in Section 10-11 of this chapter. ~~{110.}~~

### **Exceptions:**

1. *Special inspections* **and tests** are not required for construction of a minor nature or as warranted by conditions in the jurisdiction as *approved* by the *Building Official* ~~{building official}~~

2. Unless otherwise required by the *Building Official* ~~{building official}~~, *special inspections* and tests are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
3. *Special inspections* and tests are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.71.2 or the conventional light-frame construction provisions of Section 2308.
4. The contractor is permitted to employ the *approved agencies* where the contractor is also the owner.

*Section 1704.2.1, Special inspector qualifications, is amended to read as follows:*

**1704.2.1 Special inspector qualifications.** Prior to the start of the construction and upon request, the *approved agencies* shall provide written documentation to the *Building Official* ~~{building official}~~ demonstrating the competence and relevant experience or training of the special inspectors who will perform the *special inspections* ~~or and~~ tests during construction. Experience or training shall be considered relevant where the documented experience or training is related in complexity to the same type of *special inspection* or testing activities for projects of similar complexity and material qualities. These qualifications are in addition to qualifications specified in other section of this code.

The *registered design professional in responsible charge* and engineers of record involved in the design of the project are permitted to act as the *approved agency* and their personnel are permitted to act as the special inspectors for the work designed by them, provided they qualify as special inspectors.

*Section 1704.2.4, Report requirement, is amended to read as follows:*

**1704.2.4 Report requirement.** *Approved agencies* shall keep records of special inspections and tests. The *approved agency* shall submit reports of *special inspections* and tests to the *Building Official upon request*, ~~{building official}~~ and to the *registered design professional in responsible charge*. Individual inspection reports ~~{Reports}~~ shall indicate that work inspected or tested was or was not completed in conformance to *approved construction documents*. Discrepancies shall be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the *Building Official* ~~{building official}~~ and to the *registered design professional in responsible charge* prior to completion of that phase of the work. A final report written by the registered design professional in responsible charge documenting all of the required special inspections and tests, the special inspectors, and the corrective action taken for ~~{and correction of}~~ any discrepancies noted in the inspections and ~~{or}~~ tests, shall be submitted ~~{at a point in time agreed upon prior to the start of work}~~ by the owner or the owner's authorized agent to ~~{the building official .}~~ the Building Official prior to the Building Official issuing the certificate of occupancy or temporary certificate of occupancy.

*Section 1704.2.5.21, Fabricator approval, is amended to read as follows:*



**1704.2.5.1 Fabricator approval.** *Special inspections* during fabrications required by Section 1704 are not required where the work is done on the premises of a fabricator that is enrolled in a nationally accepted inspections program acceptable to the registered design professional in responsible charge. ~~registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written fabrication procedures procedural and quality control manuals that provide a basis for control of materials and workmanship, with and periodic auditing of fabrication and quality control practices by an approved agency or the building official.~~ At completion of fabrication, the acceptable ~~approved~~ fabricator shall submit a *certificate of compliance* to the owner and the registered design professional in responsible charge. ~~[or the owner's authorized agent for submittal to the Building Official as specified in Section 1704.5 stating that the work was performed in accordance with the approved construction documents.]~~ The *certificate of compliance* shall state that the work was performed in accordance with the approved construction documents. The certificate of compliance shall also be made available to the *Building Official* upon request.

*Section 1804.1, Excavation near foundations, is amended to read as follows:*

**1804.1 Excavation near foundations.** Excavation for any purpose shall not reduce vertical or lateral support for any foundation or adjacent foundation without first underpinning or protecting the foundation against detrimental lateral or vertical movement, or both. Displacements shall comply with industry standards.

*SECTION 3109, SWIMMING POOL ENCLOSURES AND SAFETY DEVICES, is repealed and replace with a new SECTION 3109 to read as follows:*

**SECTION 3109**  
**SWIMMING POOL ENCLOSURES AND SAFETY DEVICES**

**3109.1 General.** The design and construction of swimming pools and spas shall comply with the following requirements.

**3109.2 Barrier requirements.** The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections 3109.3 through 3109.5.

**3109.3 Outdoor swimming pools and spas.** Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 3109.3.1 through 3109.5.

**3109.3.1 Barrier height and clearances.** Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height

shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.

2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

**3109.3.2 Openings.** Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

**3109.3.3 Solid barrier surfaces.** Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

**3109.3.4 Mesh fence as a barrier.** Mesh fences, other than chain link fences in accordance with Section 3109.3.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 3109.4.



6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.

**3109.3.5 Closely spaced horizontal members.** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

**3109.3.6 Widely spaced horizontal members.** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1 3/4 inches (44 mm).

**3109.3.7 Chain link dimensions.** The maximum opening formed by a chain link fence shall be not more than 1 3/4 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 1 3/4 inches (44 mm).

**3109.3.8 Diagonal members.** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than 13 / 4 inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

**3109.4 Gates.** Access gates shall comply with the requirements of Sections 3109.4.1 through 3109.4.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or Spa, shall be self-closing and shall have a self-latching device.

**3109.4.1 Utility or service gates.** Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

**3109.4.2 Double or multiple gates.** Double gates or multiple gates shall have not fewer than one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than 1 / 2 inch (12.7 mm) within 18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section 3109.4.3.

**3109.4.3 Latches.** Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate

and barrier shall not have openings greater than 1 / 2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

**3109.5 Structure wall as a barrier.** Where a wall of a dwelling or structure serves as part of the barrier and where doors provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable doors shall have an alarm that produces an audible warning when the door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type 8 units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

*Section 3306.7, Covered walkways, is amended by adding an exception "B" to read as follows:*

**3306.7 Covered walkways.** Covered walkways shall have a ~~minimum~~ clear height of not less than 8 feet (2438 mm) as measured from the floor surface to the canopy overhead. Adequate lighting shall be provided at all times. Covered walkways shall be designed to support all imposed loads. ~~The In no case shall the~~ design live load shall be not less than 2150 psf (7.2 kN/m<sup>2</sup>) for the entire structure.

**Exception A:** Roofs and supporting structures of covered walkways for new, light-frame construction not exceeding two stories above grade plane are permitted to be designed for a live load of 75 psf (~~7.23.6~~ kN/m<sup>2</sup>) or the loads imposed on them, whichever is greater. In lieu of such designs, the roof and supporting structure of a covered walkway are permitted to be constructed as follows:

1. Footings shall be continuous 2-inch by 6-inch (51 mm by 152 mm) members.
2. Posts not less than 4 inches by 6 inches (102 mm by 152 mm) shall be provided on both sides of the roof and spaced not more than 12 feet (3658 mm) on center.
3. Stringers not less than 4 inches by 12 inches (102 mm by 305 mm) shall be placed on edge upon the posts.

4. Joists resting on the stringers shall be ~~at least~~not less than 2 inches by 8 inches (51 mm by 203 mm) and shall be spaced not more than 2 feet (610 mm) on center.
5. The deck shall be planks ~~at least~~not less than 2 inches (51 mm) thick or wood structural panels with an exterior exposure durability classification of at least 23/32 inch (18.3 mm) thick nailed to the joists.
6. Each post shall be knee braced to joists and stringers by members not less than 2-inches by 4-inches (51 mm by 102 mm); ~~minimum members~~ 4 feet (1219 mm) ~~in length~~long.
7. A curb that is not less than 2-inches by 4-inches (51 mm by 102 mm) ~~minimum curb~~ shall be set on edge along the outside edge of the deck.

**Exception B:** Pedestrian canopies for construction or demolition of buildings not exceeding 36 feet (10.97 m) in height or three stories, whichever is less, may be constructed of metal scaffolds of two-inch (51 mm) tubing adequately braced by 1.25 inch (32 mm) tubing. The passageway shall not be less than 39 inches (991 mm) in width at any point with a head room of not less than eight feet (2.44 m). The scaffold ends shall be braced by approved diagonal cross bracing maintaining a maximum of eight feet (2.44 m) between ends. A solid, tightly sheathed cover between scaffold and job site to be not less than 0.5 inch (12.7 mm) ply board with railing when required by this section. The roof shall be tightly sheathed with a minimum of two-inch (51 mm) nominal wood planking.

APPENDIX H, SIGNS, is amended as follows:

SECTION H101, GENERAL, SECTION H102, DEFINITIONS, SECTION H103, LOCATION, SECTION H104, IDENTIFICATION, SECTION H113, MARQUEE SIGNS, and SECTION H114, PORTABLE SIGNS, are repealed. See Chapter 28, San Antonio Code, for additional requirements.

Section H105.2, Permits, drawings and specifications, is amended to read as follows:

**H105.2; Permits, drawings and specifications.** Where a permit is required, as provided in Article I of this chapter [ ~~Chapter 1~~ ], submittal documents consisting of construction documents, engineering calculations and other data shall be submitted in two or more sets with each permit application. [~~shall be required.~~] These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors. The submittal documents shall also be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected. The construction documents and engineering calculations shall be prepared by a Texas registered professional engineer and shall be signed and sealed.

**Exception.** Construction documents identified above will not be required to be stamped and sealed by a Texas registered professional engineer for the following conditions unless otherwise required by the *Building Official* because of unusual design or site conditions:

1. Pole signs that are 12 feet (3.66 m) or less in height.
2. Monument signs that are eight feet (2.44 m) or less in height.
3. Wall signs that weigh 600 lbs. (272 kg) or less.

4. Channel letters that weigh 7.5 psf (359.1 N/m<sup>2</sup>) or less.

*Section H107, COMBUSTIBLE MATERIALS, is amended by repealing Sections H107.1.2, Electric sign faces, and H107.1.3, Area limitation.*

*Section H109, GROUND SIGNS, is amended by repealing Section H109.1, Height restrictions, and Section H109.2, Required clearance.*

*Section H110, ROOF SIGNS, is amended by repealing Section H110.3, Height of solid signs, Section H110.4, Height of open signs, and Section H110.5, Height of closed signs.*

*Section H112, PROJECTING SIGNS, is amended by repealing Section H112.4, Height limitation.*

~~*Section H115, REFERENCED STANDARDS, is amended by referencing the 2014 NEC as follows:*~~

~~**NFPA 70-14 [ 70-11] National Electrical Code H106.1, H106.2**~~

**Sec. 10-31. - Fee schedule.**

Development services establishes minimum values for the cost of commercial construction based upon the costs per square foot as published and updated by the International Code Council and used with the Army Corp of Engineers' modifier for the city. This value is established at the time the building plans are submitted. Additional valuation checks may be performed by the plans examiners during their review of the plans.

Commercial Plan Review Fees	
Valuation \$0—\$1,000	\$100.00
Valuation \$1,001—\$200,000	\$100.00+\$1.60/\$1,000, or fraction thereof, over \$1,000
Valuation \$200,001— \$1,000,000	\$418.40+\$1.50/\$1,000, or fraction thereof, over \$200,000
Valuation \$1,000,001— \$5,000,000	\$1,618.40+\$0.75/\$1,000, or fraction thereof, over \$1,000,000
Valuation \$5,000,001+	\$4,618.40+\$0.50/\$1,000, or fraction thereof, over \$5,000,000
School District Plan Reviews:	
School districts with school district projects valued at over five hundred thousand dollars	

<p>(\$500,000.00) shall be entitled to a twenty-five (25) percent waiver of plan review and permit fees, but in no case shall said school district pay less than a minimum fee of eight hundred sixty-eight dollars and forty cents (\$868.40) for plan review, one thousand four hundred ten dollars (\$1,410.00) for building permit, and one hundred thirty-six dollars and seventy cents (\$136.70) for the related surcharges.</p>	
<p><b>Landscape Plan Review</b></p>	
<p>Base fee          Plus 11% of the Building Plan          Review Fee</p>	<p>\$27.50</p>
<p>Commercial Irrigation Plan          Review</p>	<p>\$100.00</p>
<p>Commercial Swimming Pool          Plan Review Fee</p>	<p>(based upon valuation)</p>
<p><b>Pool Commercial Landscape Plan Review</b></p>	
<p>Base fee          Plus 11% of the Building Plan          Review Fee</p>	<p>\$27.50</p>
<p><b>Commercial Permit Fees</b></p>	
<p>Valuation: \$0—\$1,000</p>	<p>\$100.00</p>
<p>Valuation: \$1,001—\$25,000</p>	<p>\$100.00+\$7.28/\$1,000, or fraction thereof, over \$1000</p>
<p>Valuation: \$25,001—\$75,000</p>	<p>\$274.87+\$5.72/\$1,000, or fraction thereof, over \$25,000</p>
<p>Valuation: &gt;75,000</p>	<p>\$560.00+\$2.00/\$1,000, or fraction thereof, over \$75,000</p>
<p><b>School District Plan Reviews:</b></p>	
<p>School districts with school district projects valued at over five hundred thousand dollars (\$500,000.00) shall be entitled to a twenty-five (25) percent waiver of plan review and permit fees, but in no case shall said school district pay less than a minimum fee of eight hundred sixty-</p>	

<p>eight dollars and forty cents (\$868.40) for plan review, one thousand four hundred ten dollars (\$1,410.00) for building permit, and one hundred thirty-six dollars and seventy cents (\$136.70) for the related surcharges.</p>	
<p>Commercial Conditional Permit Fees (plus the Building Permit Fee)</p>	<p>\$200.00</p>
<p>Commercial Fence (plus Plan Review Fee)</p>	<p>Based Upon Building Valuation</p>
<p>Commercial Re-Roof (plus Plan Review Fee when applicable)</p>	<p>Based Upon Building Valuation</p>
<p>Document Management Fee</p>	<p>Walk Through Plans - \$10.00; School Districts - Interior Finishout - \$10.00; Retaining Walls - \$10.00; Demolition - \$10.00; 10 Day Plans - \$25.00; Site Plans - \$30.00; 20 Day Plans - \$50.00; 35 Day Plans - \$150.00/Roll; School Districts - New - \$150/Roll</p>
<p>Special Services Fees—Building Plan Review and Inspection</p>	
<p>Additional Plan Review (i.e. revised)—Per Reviewer (All Disciplines) per Hour (1 hour minimum)</p>	<p>\$100.00</p>
<p>Administrative Exception</p>	<p>\$350.00</p>
<p>Code Variance</p>	<p>\$350.00</p>
<p>After-hour Inspection Fee (per hour with 1 hour minimum)</p>	<p>\$100.00</p>
<p>After-hours Commercial Plan Review—Per Reviewer (All Disciplines) per Hour (1 hour minimum)</p>	<p>\$100.00</p>

Commercial Plan Retrieval Fee per Plan	\$100.00
Commercial Project Modification Request Fee per Modification Request	\$350.00
Commercial Walk-Through Fee for Plans over 500 Square Feet (per plan)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Inspection Schedule Fee (Free on-line)	\$3.00
Mail-in Building Plan Fee (Processing Fee for Building Plans received in the mail) per Plan	\$500.00
Plan Review by Appointment Processing Fee (per appointment)	\$200.00
Plus Additional Plan Review Fee per Reviewer per hour (1 hour minimum)	\$100.00
Preliminary Plan Review	
Fee per Reviewer per hour and per discipline (1 hour minimum per discipline)	\$100.00
Plus Additional Plan Review Fee per Reviewer per hour and	\$100.00

per discipline (1 hour minimum per discipline)	
Re-inspection Fee	\$ <del>501.95</del> 0
Median and turn lane review (outside of plat) per hour	\$100.00
Permit extension fee: 50% of permit (plus cost of permit)	
Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Certificate of Occupancy	
Commercial	
Commercial Certificate of Occupancy	\$200.00
Temporary Commercial Certificate of Occupancy	\$500.00
Temporary Commercial Certificate of Occupancy Extension	\$100.00
Expired Certificate of Occupancy Fine (basic fee plus C of O fee)	\$500.00
Fine for New Commercial Construction Occupancy without C of O	\$500.00
Fine for Existing Commercial	\$200.00



Construction Occupancy without C of O (plus C of O Fee)	
Miscellaneous	
Certificate of Occupancy Tent Fee	\$100.00
Certificate of Occupancy Mall Cart	\$100.00
Certificate of Occupancy—Name Change	\$50.00
Certificate of Occupancy—Address Correction	\$50.00
Duplicate Copy of Certificate of Occupancy (plus tax)	\$5.00
Re-inspection Fee	\$50.00
Miscellaneous Building Development Fees	
Permit Processing Fee	\$10.00
Building Permit ready/status letter	\$50.00
Link child-parent permits in Hansen, per commercial permit	\$10.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00

<u>Duplicate copy of City issued registration card</u>	<u>\$5.00</u>
<u>Contractor number research fee</u>	<u>\$10.00</u>
Building/Suite assignment fee:	
Building #’s (per address)	\$100.00
Suite #’s (per assigned suite #)	\$20.00
Permit Reprint Fee (subject to sales tax)	\$5.00
Name, Address or DBA Change on Permit	\$50.00
Notary Public	<del>\$36.00</del>
Open Permit Review Fee	\$3.00/Permit
Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)	
Commercial	
Occupant load adjustment fee per hour	100.00

**Sec. 10-32—10-35. - Reserved.**

**ARTICLE IV. - RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS**

**Sec. 10-36. - Adoption of *International Residential Code* (~~2015~~2018).**

The ~~2015~~2018 edition of the *International Residential Code* for *One-and-Two-family Dwellings*, promulgated by the International Code Council, Chapters 2 through 10, 12 through 23, Section P2904, Chapter 44 and Appendices J ~~and~~, K and Q is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-37. Provisions of this article are in addition to the provisions of the *International Residential Code*. The following provisions coinciding with the provisions of the *International Residential Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Residential Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through XIII of this chapter.

**Sec. 10-37. - Amendments to the adopted chapters and Appendices J and K of the *International Residential Code* (IRC) (~~2015~~2018).**

Additions to the *International Residential Code* (IRC) are shown as underlined text. Deletions of the IRC are shown as bracketed [~~striketroughs~~].

Chapter 2, DEFINITIONS, is amended for AMBULATORY CARE FACILITY and SPECIAL INSPECTOR to read as follows:

[RB] ATTIC, HABITABLE. A finished or unfinished habitable space within an attic.

**TABLE R301.2(1) is amended to read as follows:**

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD <sup>o</sup>	WIND DESIGN		SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM		
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>		Weathering <sup>a</sup>	Frostline depth <sup>b</sup>	Termite <sup>c</sup>
<u>5</u>	<u>115</u>	<u>NO</u>	<u>A</u>	<u>Negligible</u>	<u>0</u>	<u>Moderate To Heavy</u>

WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
<u>30°</u>	<u>NO</u>	<u>Appendix F, UDC</u>	<u>16</u>	<u>68.7°</u>

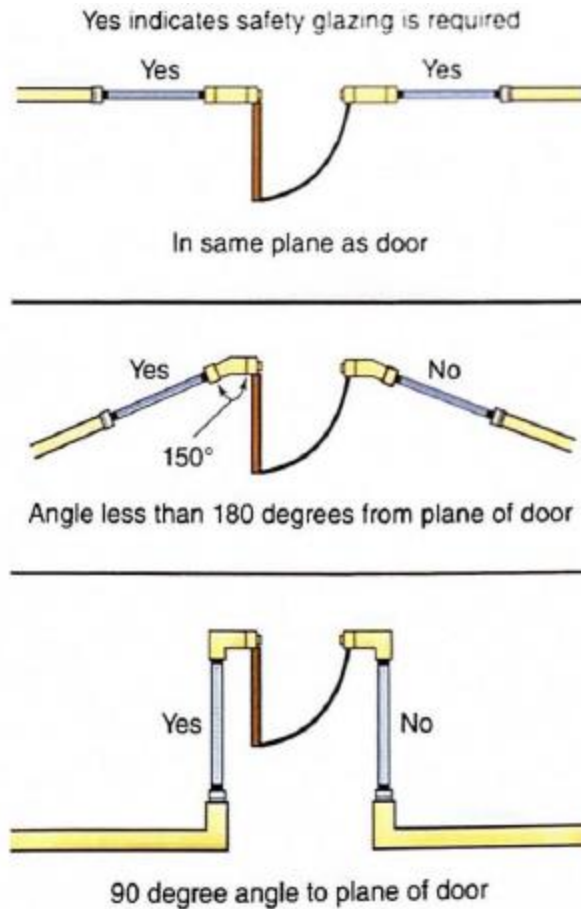
Section ~~R308.4 Hazardous locations, subsection~~ R308.4.2, Glazing adjacent to doors, is amended to read as follows:

**R308.4.2 Glazing adjacent to doors.** Glazing in an individual fixed or operable panel adjacent to a door shall be considered to be a hazardous location ~~[where the nearest vertical edge of the glazing is within a 24 inch (610 mm) arc of either vertical edge of the door in a closed position and]~~ where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) above the floor or walking surface and it meets either of the following conditions: ~~[shall be considered a hazardous location.]~~

1. Where the glazing is within 24 inches (610 mm) of either side of the door in the plane of the door in a closed position.
2. Where the glazing is on a wall less than 180 degrees (3.14 rad) from the plane of the door in a closed position ~~perpendicular to the plane of the door in a closed positions and~~ within 24 inches (610 mm) of the hinge side of an in-swinging door.

**Exceptions:**

1. Decorative glazing.
2. Where ~~[when]~~ there is an intervening wall or other permanent barrier between the door and the glazing.
- ~~[3. Glazing in walls on the latch side of and perpendicular to the plane of the door in a closed position.]~~
3. ~~[4.]~~ Where access through the door is to a closet or storage area. ~~[3 feet (914 mm) or less in depth. Glazing in this application shall comply with section R308.4.3.]~~
4. ~~[5.]~~ Glazing that is adjacent to the fixed panel of patio doors.



### Glazing Adjacent to Doors

Section R313.2, One- and two-family dwellings automatic fire *sprinkler* systems, and Section R313.2.1, Design and installation, are deleted and replaced with the following:

**R313.2 One- and two-family dwellings automatic fire *sprinkler* systems.** Where automatic residential fire sprinkler systems are installed, they shall be designed and installed in accordance with Section P2904 or NFPA 13D.

[ ~~R313.2 One and two family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one and two family dwellings.~~

~~Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.~~

~~R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.-]~~

Section R315.2.2, Alterations, repairs and additions, is amended to read as follows:

**R315.2.2 Alterations, repairs and additions.** Where *alterations, repairs or additions* requiring a building permit occur[;] inside of existing dwellings that have attached garages or inside of existing dwellings within which fuel-fired appliances exist, or where one or more sleeping rooms are added or created in existing dwellings, the individual *dwelling unit* shall be equipped with carbon monoxide alarms located as required for new *dwellings*.

**Exceptions:**

1. Work involving the exterior surfaces of *dwellings*, such as the replacement of roofing 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. Installation, alteration or repairs of plumbing or mechanical systems ~~are exempt from the requirements of this section.~~

*Section R317.1.2, Ground contact is amended to read as follows:*

**R317.1.2 Ground contact.** All wood in contact with the ground, embedded in concrete in direct contact with the ground or embedded in concrete exposed to the weather that supports permanent structures intended for human occupancy shall be *approved* pressure-preservative-treated wood suitable for ground contact use, except that untreated wood may be used where entirely below groundwater level or continuously submerged in fresh water ~~shall not be required to be pressure-preservative treated.~~ Creosote-treated railroad ties will not be approved for use in retaining wall construction unless the wall is exempt from the requirement for a permit under Section 10-6(e)(4) of this chapter and the wall is located greater than ~~four~~ 4 feet (1.22 m) from the public right-of-way.

*SECTION R322, FLOOD-RESISTANT CONSTRUCTION, is hereby repealed and replaced with the City's flood plain ordinance found in Appendix F, Floodplain Areas of Special Flood Hazard, of the Unified Development Code (UDC).*

*Section R326, SWIMMING POOLS, SPAS AND HOT TUBS, is repealed and replaced with a new SECTION R326 to read as follows:*

**SECTION R326**  
**SWIMMING POOLS, SPAS AND HOT TUBS**

**R326.1 General.** The design and construction of swimming pools and spas shall comply with the following requirements.

**R326.2 Barrier requirements.** The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where those spas, hot tubs or pools are located shall not be required to comply with Sections R326.3 through R326.5.

**R326.3 Outdoor swimming pools and spas.** Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections R326.3.1 through R326.5.

**R326.3.1 Barrier height and clearances.** Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

**R326.3.2 Openings.** Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

**R326.3.3 Solid barrier surfaces.** Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

**R326.3.4 Mesh fence as a barrier.** Mesh fences, other than chain link fences in accordance with Section R326.3.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-



eye-type latch incorporating a spring-actuated retaining lever such as a safety gate hook.

5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section R326.4.

6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.

**R326.3.5 Closely spaced horizontal members.** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

**R326.3.6 Widely spaced horizontal members.** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1 3/4 inches (44 mm).

**R326.3.7 Chain link dimensions.** The maximum opening formed by a chain link fence shall be not more than 1 3/4 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 1 3/4 inches (44 mm).

**R326.3.8 Diagonal members.** Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than 13 / 4 inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

**R326.4 Gates.** Access gates shall comply with the requirements of Sections R326.4.1 through R326.4.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or Spa, shall be self-closing and shall have a self-latching device.

**R326.4.1 Utility or service gates.** Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

**R326.4.2 Double or multiple gates.** Double gates or multiple gates shall have not fewer than one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than 1 /2 inch (12.7 mm) within

18 inches (457 mm) of the latch release mechanism. The self-latching device shall comply with the requirements of Section R326.4.3.

**R326.4.3 Latches.** Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than 1 / 2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

**R326.5 Structure wall as a barrier.** Where a wall of a dwelling or structure serves as part of the barrier and where doors provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable doors shall have an alarm that produces an audible warning when the door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type 8 units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

*Section R403.1.6, Foundation anchorage, is amended in the first paragraph only to read as follows:*

**R403.1.6 Foundation anchorage.** Wood sill plates and wood walls that are part of the braced wall provisions of this code and supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

~~Cold formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates anchored to the foundation. Anchorage of cold formed steel framing and sill plates supporting cold formed steel framing shall be in accordance with this section and Section R505.3.1 or R603.3.1.~~

~~Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to~~

~~the foundation shall be anchored to the foundation with a minimum ½ inch diameter (12.7 mm) anchor bolts spaced a maximum of 6 feet (1829 mm) on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to ½ inch diameter (12.7 mm) anchor bolts. Bolts shall extend a minimum of 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. The bolts shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318.~~

**Exceptions:**

- ~~1. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in item 9 of Table R602.3(1).~~
- ~~2. Connection of walls 12 inches (305 mm) total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in item 9 of Table R602.3(1).~~

~~Section R408, UNDER-FLOOR SPACE, is amended by adding Section R408.8, Foundation Repair, to read as follows:~~

~~**R408.8 Foundation Repair.** A foundation repair permit and assumption of Engineer of Record letter and any construction documents must be submitted at time of application. The engineer shall inspect foundation repairs and submit a letter for the repairs. Any skirting removed, repaired or replaced along with ventilation, sub-floor access and drainage will require a final inspection by the building official or an engineer's letter for those repairs.~~

~~Section R903.4, Roof drainage, is amended by adding Sections R903.4.2, Zero lot line development, and R903.4.3, Gutters and downspouts, to read as follows:~~

~~**R903.4.2 Zero lot line development.** On zero lot line development where roof projections are allowed by deed covenant or ingress/egress easements, adequate gutters and downspouts shall be provided to direct roof water away from adjacent property. Roof projections shall not extend beyond a point one third the width of the easement or a maximum of 24 inches (610 mm).~~

~~**R903.4.3 Gutters and downspouts.** Any Group R or Group U occupancy with roof edges less than three feet (914 mm) to any property line shall be provided with gutters and downspouts to direct roof water away from adjacent property.~~

~~Section M1305.1.32, Appliances in attics, is amended by adding Subsection M1305.1.3.2.2, Access for cooling or heating appliance, to read as follows:~~

**M1305.1.32.2 Access for cooling or heating appliance.** For new one and two family residential occupancies and townhomes, applications, the attic space in which any cooling or heating appliance is installed shall be provided with a permanent ladder, ~~or~~ fold-away ladder or a direct access door opening from the house on the same floor level.

*Section M1411.3.2, Drain pipe materials and sizes, is amended ~~by adding a sentence at the end of the section to read~~ as follows:*

**M1411.3.2 Drain pipe materials and sizes.** Components of the condensate disposal system shall be ABS, cast iron, copper, cross-linked polyethylene, CPVC, galvanized steel, PE-RT, polyethylene, polypropylene or PVC pipe or tubing. Components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the materials specified in Article IX of this chapter [applicable provisions of Chapter 30]-. Condensate waste and drain line size shall be not less than ¾-inch (19 mm) nominal diameter from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with an *approved* method. ~~Non-PVC p~~Primary drain lines located in unconditioned spaces, except for crawl spaces, shall be insulated with foam plastic rubber based insulation or other approved material with a minimum thickness of 3/8 inch.

*Section M1411.8, Locking access port caps, is amended to add an exception as follows:*

**M1411.8 Locking access port caps.** Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

**Exception:** A locking-type tamper-resistant cap is not required when refrigerant circuits are located in a yard fully enclosed with a permanent barrier, fence, or combination thereof no less than 6 feet in height and obstructs unauthorized access.

*Section M2005.2, Prohibited locations, is amended as follows:*

**M2005.2 Prohibited locations.** Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that *combustion air* will not be taken from the living space. Installation of direct-vent water heaters within an enclosure is not required. Storage type water heaters shall not be installed in an attic unless accessible from a door opening from the house on the same floor level. Water heaters installed in a garage having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the garage floor, unless the ignition source is listed as flammable vapor ignition resistant. An electric water heater is the only type of water heater that may be installed under a stairway or landing.

**Sec. 10-38. - Fee schedule.**

Residential plan review fees and residential permit fees apply to all separate additions, renovations, and installations to existing residential homes. See section 10-39 for fees for new residential construction.

Building	
Residential Plan Review Fees. See section 10-39 for new residential construction plan review fees.	
Valuation: \$0—\$24,000	\$100.00
Valuation: \$24,001—\$200,000	\$100.00 plus \$1.38/1000, or fraction thereof, over \$24,000
Valuation \$200,001—\$1,000,000	\$342.88+\$0.72/\$1,000, or fraction thereof, over \$200,000
Valuation \$1,000,001+	\$918.88+\$0.17/\$1,000, or fraction thereof, over \$1,000,000
Construction for new homes valued under \$100,000 will receive a 25% discount applied to the building plan review fees.	
Mobile home Installation	\$50.00
Landscape Plan Review	
Base Fee	\$27.50
Plus percent of the Building Plan Review Fee	11%
Residential Swimming Pool Plan Review Fee	Based upon valuation
Residential Plan Retrieval Fee	\$100.00
Residential Permit Fees	
Residential Building Permit Fees. See section 10-39 for new residential construction building permit fees.	

Valuation: \$0—\$1,000	\$100.00
Valuation: \$1,001—\$25,000	\$100.00+\$7.28/\$1,000, or fraction thereof, over \$1000
Valuation: \$25,001—\$75,000	\$274.87+\$5.72/\$1,000, or fraction thereof, over \$25,000
Valuation >\$75,000	\$560.00+\$1.25/\$1,000, or fraction thereof, over \$75,000
*Homes valued under \$100,000 will receive a 25% discount applied to the building permit fees.	
Residential Fence Permit	\$25.00
Residential Swimming Pool Permit Fee	Based upon valuation with \$30,000/minimum value
Residential Re-roof Permit	\$25.00
Special Services Fees—Building Plan Review and Inspection	
Additional Plan Review (i.e. revised)—Per Reviewer per Hour (1 hour minimum)	\$100.00
Administrative Exception/Code Variance	\$350.00
After-hours Plan Review—per Reviewer per Hour (1 hour minimum)	\$100.00
After-hours Plan Review—Residential—Building, Tree Preservation, Drainage (Per hour with 1.24 hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00

After-hour Inspection Review—per Reviewer per Hour (1 hour minimum)	\$100.00
Link child-parent permits to Hansen	\$5.00/residential permit
Inspection Schedule Fee (Free on-line)	\$3.00
Mail-in Building Plan Fee (Processing Fee for Building Plans received in the mail) per Plan	\$500.00
Re-inspection Fee	<del>\$501.050</del>
Residential Building Plan Application Administrative Processing Fee (free on-line)	\$10.00
Permit extension fee	50% of permit
Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Certificate of Occupancy	
Residential	
Temporary Residential Certificate of Occupancy	\$150.00
Temporary Residential Certificate of Occupancy Extension	\$75.00
Residential Construction Moving in without Certificate of Occupancy	\$300.00
<del>License and</del> Registration Fees	
Homebuilders— <del>Annual State License</del> Registration/ <del>for</del> <u>Homebuilders 2 year registration and renewal</u>	<del>\$17085.00</del>



Home Improvement Contractor— <del>Initial—City License</del> <u>Registration/2 year registration and renewal</u>	\$ <u>15075.00</u>
<del>Home Improvement Contractor—Renewal—City License</del>	<del>\$75.00</del>
Home Improvement Contractor—Appeal	\$ <u>15575.00</u>
Home Improvement Contractor—Duplicate <del>License</del> <u>Registration Card</u> (plus tax)	\$5.00
<del>Salesman Initial City License</del>	<del>\$60.00</del>
<del>Salesman Renewal City License</del>	<del>\$35.00</del>
<del>Salesman Duplicate City License (plus tax)</del>	<del>\$5.00</del>
House <u>Moving Mover</u> Contractor <u>License Registration</u>	
<u>House Mover – Registration/2 year registration and renewal Annual License</u>	\$ <u>60120.00</u>
Duplicate <u>Registration Card</u> (plus tax)	\$5.00
Moving Buildings	
<del>Moving building on same property in one section</del>	<del>\$18.00</del>
Moving buildings or structures <del>over 400 sq. ft. per section, per day on city street</del>	\$100.00
<del>Moving buildings or structures under 400 sq. ft. per section, per day on city street</del>	<del>\$90.00</del>
<u>Street Number Painter License</u>	
<u>Annual License</u>	\$35.00

Building Plan Review and Permit Fees	
<p>Building plan review and building permit fees are based on the valuation (building square footage times standard rate for occupancy) of each building or building addition. For fee calculation purposes, building square footage shall be the total area of all floors under roof and enclosed within the outer surface of the outside enclosing walls or columns. The fees for each separate building shall be separately calculated.</p>	
<p>Minimum valuation of the work for residential projects shall be determined by the foregoing table and shall include architectural, structural, electrical, plumbing, mechanical work and contractor's profit.</p>	
<p>Minimum valuation of the work for commercial projects shall be determined by the <i>Building Official</i> based on nationally recognized standards and shall include architectural, structural, electrical, plumbing, mechanical work and contractor's profit.</p>	
Residential Construction	
Residential Building Plan Review Valuation Check	
<p>Development Services established minimum values for the cost of residential construction based upon the following costs per square foot. This value is established at the time the building plans are submitted. Additional valuation checks may be performed by the plans examiners during their review of the plans. For residential projects, determination of minimum value per square foot shall be established as follows:</p>	
Wood Frame	\$65.00
Wood Frame with Masonry	\$70.00
Solid Masonry	\$80.00
Concrete Block on Slab Foundation	\$16.00
Residential Accessory Building	
Finished (percent of valuation/square footage)	100%

Unfinished Interior (including Carport) (percent of valuation/square footage)	50%
Future Construction—Foundation Only (per square foot)	\$3.00
Detached Accessory Building Foundation over 600 square feet (per square foot)	\$3.00
Foundation over 600 square feet (per square foot)	\$3.00
Miscellaneous Building Development Fees	
Permit Refund Fee	\$50.00
Permit Reprint Fee (subject to sales tax)	\$5.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
Name, Address or DBA Change on Permit	\$50.00
Notary Public	\$3.00

**Sec. 10-39. - New residential construction fee schedule.**

This fee schedule applies to new residential home construction. See section 10-38 for fees for separate additions, renovations, and installations to existing residential homes.

FY 2013 Fee Schedule for New Residential Construction										
	Basic Permit Fees							Optional Permit Fees		
SF Range	Buildin g Permit	Electric al Permit	Mechanic al Permit	General Plumbin g Permit	Sewer Permit	Plan Review	Total Basic Permit	TML Permit *	TOPS Permit *	Gas Permit *

							Fees			
0000-0500	\$150	\$100	\$80	\$60	\$64	\$200	\$654	\$57	\$54	\$64
0501-1000	\$425	\$100	\$80	\$119	\$64	\$200	\$988	\$57	\$54	\$64
1001-1250	\$450	\$100	\$80	\$128	\$64	\$200	\$1,022	\$57	\$54	\$64
1251-1500	\$625	\$100	\$80	\$132	\$64	\$200	\$1,201	\$57	\$54	\$64
1501-1750	\$800	\$100	\$85	\$145	\$64	\$200	\$1,394	\$57	\$54	\$64
1751-2000	\$850	\$100	\$85	\$149	\$64	\$200	\$1,448	\$57	\$54	\$64
2001-2250	\$850	\$100	\$85	\$151	\$64	\$200	\$1,450	\$57	\$54	\$64
2251-2500	\$850	\$100	\$85	\$156	\$64	\$200	\$1,455	\$57	\$54	\$64
2501-3000	\$880	\$110	\$85	\$164	\$64	\$200	\$1,503	\$57	\$54	\$64
3001-3500	\$920	\$110	\$90	\$178	\$64	\$400	\$1,762	\$57	\$54	\$64
3501-4000	\$930	\$120	\$110	\$190	\$64	\$400	\$1,814	\$57	\$54	\$64
4001-5000	\$1,000	\$125	\$140	\$207	\$64	\$400	\$1,936	\$57	\$54	\$64

5001-6000	\$1,100	\$125	\$165	\$223	\$64	\$400	\$2,077	\$57	\$54	\$64
6001-6500	\$1,200	\$150	\$245	\$283	\$64	\$600	\$2,542	\$57	\$54	\$64
6501-7000	\$1,400	\$150	\$245	\$342	\$64	\$600	\$2,801	\$57	\$54	\$64
7001-7250	\$1,550	\$200	\$245	\$351	\$64	\$600	\$3,010	\$57	\$54	\$64
7251-7500	\$1,725	\$200	\$245	\$355	\$64	\$600	\$3,189	\$57	\$54	\$64
7501-7750	\$1,900	\$200	\$250	\$368	\$64	\$600	\$3,382	\$57	\$54	\$64
7751-9000* *	\$2,000	\$200	\$250	\$372	\$64	\$600	\$3,486	\$57	\$54	\$64
<p>*Optional Fees</p> <p>**For projects over ninety thousand (90,000) square feet, the fees are determined by combining smaller increments to equal the square footage.</p>										

**Secs. 10-40—10-45. - Reserved.**

**ARTICLE V. - EXISTING BUILDING CODE**

**Sec. 10-46. - Adoption of *International Existing Building Code* (~~2015~~2018).**

The ~~2015~~2018 edition of the *International Existing Building Code*, promulgated by the International Code Council, Section 101 and 102 of Chapter 1, and Chapters 2 through 16, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-47. Provisions of this article are in addition to the provisions of the *International Existing Building Code*. The following provisions coinciding with

the provisions of the *International Existing Building Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Existing Building Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through XIII of this chapter.

**Sec. 10-47. - Amendments to the adopted chapters of the *International Existing Building Code* (~~2015~~2018).**

Additions to the *International Existing Building Code* (IEBC) are shown as underlined text. Deletions of the IEBC are shown as bracketed [~~striketroughs~~].

*Section 101.1, Title, is amended as follows:*

**101.1 Title.** These regulations shall be known as the Existing Building Code of San Antonio, Texas, [~~NAME OF JURISDICTION~~] herein referred to as "this code."

*Section [A] 101.4.2, Buildings previously occupied, is amended by amending the reference to the International Property Maintenance Code to read as follows:*

**[A] 101.4.2 Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code, or the San Antonio [~~International~~] Property Maintenance Code, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

*Section 202, GENERAL DEFINITIONS, is amended by amending the definition for Change of Occupancy to read as follows:*

**CHANGE OF OCCUPANCY.** A change in the use of ~~the a~~ building or a portion of a building that results in any of the following:

1. A change of occupancy classification.
2. A change from one group to another group within an occupancy classification.-
3. any change in use within a group for which there is a change in application of the requirements of this code.

~~A change of occupancy shall include any change of occupancy classification, any change from one group to another group within an occupancy classification or any change in use within a group for a specific occupancy classification.~~ Existing open buildings and structures that are modified such that they are no longer open on at least three sides and open a minimum of 50% of the perimeter of the area covered are also considered a change of occupancy and fire sprinklers systems shall be installed for these change in occupancies in accordance with the applicable requirements of the *International Building Code* and *International Fire Code*. In order to be considered "open" for the purpose of this

requirement, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.

*Section ~~406.505~~.3, Replacement window emergency escape and rescue openings, is amended to read as follows:*

**~~406.3505.3~~ Replacement window emergency escape and rescue openings.** Where windows are required to provide emergency escape and rescue openings in Group R-2 and R-3 occupancies and one- and two-family dwellings and townhouses regulated by the International Residential Code, replacement windows shall be exempt from the requirements of Sections 1030.2, 1030.3 and 1030.54 of the International Building Code and Sections R310.2.1, R310.2.2 and R310.2.3 of the International Residential Code, provided that the replacement window meets the following conditions:

1. ~~[The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening.]~~ The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening areas than the existing window.
2. The replacement of the window is not part of a change of occupancy.

*Section 506.4, Structural, is amended as follows, all other Code text remains as is:*

**~~506.4 Structural.~~** ~~[Any building undergoing a change of occupancy shall satisfy the requirements of this section.]~~ The code official shall be authorized to require the compliance with this section.

*Section 1102.2, Area limitations, is amended by adding Section 1102.2.1, Fire wall alternative, as follows:*

**1102.2.1 Fire wall alternative.** In other than Groups H, F-1 and S-1, fire barriers and horizontal floor and roof assemblies constructed in accordance with Sections 707 and 711, respectively, of the International Building Code shall be permitted to be used in lieu of fire walls to separate the existing building from an addition for the purpose of complying with the area limitations required for the new occupancy where all of the following conditions are met:

1. The buildings (existing building and addition) are protected throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the International Fire Code.
2. The maximum allowable area between fire barriers, horizontal assemblies, or any combination thereof shall not exceed the maximum allowable area determined in accordance with Chapter 5 of the International Building Code without an increase allowed for an automatic sprinkler system in accordance with Section 506 of the International Building Code.
3. The fire-resistance rating of the fire barriers and horizontal assemblies shall not be less than that specified for fire walls in Table 706.4 of the International Building Code.

Exception: Where horizontal assemblies are used to limit the maximum allowable area, the required fire resistance rating of the horizontal assemblies shall be permitted to be reduced by 1 hour provided the height and number of stories increases allowed for an automatic sprinkler system by Section 504.2 of the *International Building Code* are not used for the buildings.

~~SECTION 301.5, COMPLIANCE WITH ACCESSIBILITY, SECTION 305, ACCESSIBILITY FOR EXISTING BUILDINGS, SECTION 410, ACCESSIBILITY FOR EXISTING BUILDINGS, SECTION 605, ACCESSIBILITY, SECTION 705, ACCESSIBILITY, SECTION 806, ACCESSIBILITY, SECTION 906 ACCESSIBILITY, SECTION 1006, ACCESSIBILITY, SECTION 1012.8, ACCESSIBILITY BUILDINGS, SECTION 1105, ACCESSIBILITY, SECTION 1204, ALTERATIONS, and Section [B] 1401.2.5, Accessibility requirements, are all repealed in their entirety.~~

**Sec. 10-48. - Fee schedule.**

See the fee schedule for the *International Building Code* above.

**Secs. 10-49, 10-50. - Reserved.**

**ARTICLE VI. - ELECTRICAL CODE**

**Sec. 10-51. - Adoption of National Electrical Code (20142017).**

The 20142017 edition of the *National Electrical Code*, promulgated as a standard by the National Fire Protection Association, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-52. Provisions of this article are in addition to the provisions of the *National Electrical Code*. The following provisions coinciding with the provisions of the *National Electrical Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *National Electrical Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the building code specifically adopted by reference in Articles II through XIII of this chapter.

**Sec. 10-52. - Amendments to the adopted chapters of the National Electrical Code(20142017).**

Additions to the National Electrical Code (NEC) are shown as underlined text. Deletions of the NEC are shown as bracketed [~~strikethroughs~~].

*Article 200.6, Means of Identifying Grounded Conductors, paragraphs (A), (A)(1), (A)(2), A(3) and paragraphs (B), (B)(1), (B)(2), (B)(3) and (B)(4) are amended as follows, with all other Code text remaining as is:*

**200.6. Means of Identifying Grounded Conductors.**



(A) **Sizes 10 [6] AWG or Smaller.** An insulated grounded conductor of 10 [6] AWG or smaller shall be identified by one of the following means:

(A) (1) A continuous white outer finish shall be used on all systems with a voltage of less than 150 Volts between the grounded and ungrounded conductors.

(A) (2) A continuous gray outer finish shall be used on all systems with a voltage of 150 Volts or higher between the grounded and ungrounded conductors.

~~[(A)(3) Three continuous white or gray stripes along the conductor's entire length on other than green insulation.]~~

(B) **Sizes 8 [4] AWG or Larger.** An insulated grounded conductor ~~of 8~~ [4] AWG or larger shall be identified by one of the following means:

(B) (1) A continuous white outer finish shall be used on all systems with a voltage of less than 150 Volts between the grounded and ungrounded conductors.

(B) (2) A continuous gray outer finish shall be used on all systems with a voltage of 150 Volts or higher between the grounded and ungrounded conductors.

~~[(B)(3) Three continuous white or gray stripes along the conductor's entire length on other than green insulation.]~~

(B) (3) ~~[(4)]~~ At the time of installation, by a distinctive white or gray marking tape at its terminations. The [This] marking tape shall encircle the conductor or insulation a minimum of two-inches in length.

*Article 200.7. Use of Insulation of a White or Gray Color or with Three Continuous White or Gray Stripes. is amended just on the title as follows; all other Code text remains as is in the NEC [20142017](#):*

**200.7 Use of Insulation of a White or Gray Color or with Three Continuous White or Gray Stripes on Cables Listed in Article 334.**

*Article 210.5. Identification for Branch Circuits. Paragraphs (C)(1)(a), (C)(2), (C)(2)(a) and (C)(2)(b) are amended as follows, all other Code text remains as is:*

**210.5 Identification for Branch Circuits.**

(C). **Identification of Ungrounded Conductors.** Ungrounded conductors shall be identified in accordance with 210.5(C)(1) or (2), as applicable.

(1) **Branch Circuits Supplied from More Than One Nominal Voltage System.** Where the premises wiring system has branch circuits supplied from more than one nominal voltage system, each ungrounded conductor of a branch circuit shall be identified by phase or line and system at all termination, connection, and splice points in compliance with 210.5(C)(1)(a) and (b).

(a) *Means of Identification.* Conductors 10 AWG and smaller shall have factory colored insulation. Conductors 8 AWG and larger may have factory colored insulation or black insulation with a marking tape that encircles the insulation a minimum of two-inches in length. Color of insulation or marking tape shall

comply with the following table: [~~The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means.~~]

<b><u>UNGROUND CONDUCTOR IDENTIFICATION</u></b> <b><u>COLORS FOR ELECTRICAL SYSTEMS</u></b>			
<b><u>208Y/120 Volts</u></b>	<b><u>120/240 Volts</u></b>	<b><u>480Y/277 Volts</u></b>	<b><u>120/240 Volts</u></b>
<b><u>Three phase</u></b>	<b><u>Three phase</u></b>	<b><u>Three phase</u></b>	<b><u>Single phase</u></b>
<u>A - Black</u>	<u>A - Black</u>	<u>A - Purple</u>	<u>A - Black</u>
<u>B - Red</u>	<u>B - Orange (high leg)</u>	<u>B - Brown</u>	<u>B - Red</u>
<u>C - Blue</u>	<u>C - Blue</u>	<u>C - Yellow</u>	

**Informational Note 1:** Conductors used for switch legs shall be the same color as the branch circuit conductors.

**Informational Note 2:** Conductors used for travelers may be of the same color as its associated switch leg or may be any of the above colors not used on the project. The colors designated for the grounded conductor, grounding conductors or for identification of the high leg may not be used for travelers.

**Informational Note 3:** In existing installations where modifications to the electrical system are required, and there is an established system of colors for ungrounded conductors, the existing color coding system may continue to be used.

(2) **Branch Circuits Supplied From Direct-Current Systems.** Where a branch circuit is supplied from a dc system operating at more than ~~650~~ volts, each ungrounded conductor of ~~8~~ {4}-AWG or larger shall be identified by polarity at all termination, connection, and splice points by marking tape, tagging, or other approved means; each ungrounded conductor ~~of 10~~ {6} AWG or smaller shall be identified by polarity at all termination, connection, and splice points in compliance with 210.5(C)(2)(a) and (b). The identification methods ~~utilized used~~ for conductors originating within each branch-circuit panelboard or similar branch-circuit distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each branch-circuit panelboard or similar branch-circuit distribution equipment.

(a) *Positive Polarity, Sizes ~~10~~ {6} AWG or Smaller.* Where the positive polarity of a dc system does not serve as the connection point for the grounded conductor,

each positive ungrounded conductor shall be identified by one of the following means:

\* \* \* \* \*

(b) *Negative Polarity, Sizes 10 {6} AWG or Smaller.* Where the negative polarity of a dc system does not serve as the connection point for the grounded conductor, each negative ungrounded conductor shall be identified by one of the following means:

\* \* \* \* \*

*Article 210.19, Conductors - Minimum Ampacity and Size, Paragraph (A) Branch Circuits Not More Than 600 Volts, (1) General, (a) is amended as follows, all other Code text remains as is:*

### **210.19 Conductors - Minimum Ampacity and Size.**

(a) Where a branch circuit supplies continuous loads or any combination of continuous and noncontinuous loads, the minimum branch-circuit conductor size shall have an allowable ampacity not less than the noncontinuous load plus 125 percent of the continuous load. No conductor smaller than 12 AWG copper or 8 AWG aluminum shall be used; however, conductors smaller than 12 AWG copper may be used for taps if part of an approved assembly.

*Article 210.52, Dwelling Unit Receptacle Outlets, Paragraph (B)(1) and its Exception No. 2 are amended as follows, all other Code text remains as is:*

### **(B) Small Appliances.**

(1) **Receptacle Outlets Served.** In the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit, the two or more 20-ampere small-appliance branch circuits required by 210.11(C)(1) shall serve all wall and floor receptacle outlets covered by 210.52(A), and all countertop outlets covered by 210.52(C) [~~and receptacle outlets for refrigeration equipment~~]. Receptacle outlets for refrigeration equipment shall not be connected to the small-appliance branch circuits.

[ ~~Exception No. 2: In addition to the required receptacles specified by 210.52, a receptacle outlet to serve a specific appliance. The receptacle outlet for refrigeration equipment shall be permitted to be supplied from an individual branch circuit rated 15 amperes or greater. ]~~

*Article 210.63 Heating, Air-Conditioning, and Refrigeration Equipment Outlet. Paragraph is amended as follows, all other Code text remains as is:*

~~**210.63 Heating, Air-Conditioning, and Refrigeration Equipment Outlet.** A 125-volt, single-phase, 15- or 20-ampere-rated receptacle outlet shall be installed at an accessible location for the servicing of heating, air conditioning, and refrigeration equipment. The receptacle shall be located on the same level and within 7.5 m (25 ft) of the heating, air conditioning, and refrigeration equipment. An integral factory installed or a separate field installed receptacle outlet is permitted to be mounted on the unit. The field installed receptacle outlet shall not be located on panels that are designed to allow access to the air-~~

~~conditioning or refrigeration equipment or to obscure the equipment nameplate(s). The receptacle outlet shall not be connected to the load side of the equipment disconnecting means. An integral factory installed receptacle outlet does not satisfy the requirement for servicing other equipment that may be located within 7.5 m (25 ft) of it.~~

*Article 210.64 Electrical Service Areas. Paragraph is amended as follows, all other Code text remains as is:*

~~**210.64 Electrical Service Areas.** At least one 125-volt, single-phase, 15- or 20-ampere-rated receptacle outlet shall be installed within 15 m (50 ft) of the electrical service equipment. The receptacle outlet shall be located on the same level and within sight of the electrical service equipment.~~

~~*Exception: The receptacle outlet shall not be required to be installed in one- and two-family dwellings.*~~

*Article 210.70, Lighting Outlets Required, is amended to include 210.70(D); all other Code text remains as is:*

**210.70 Lighting Outlets Required.** Lighting outlets shall be installed where specified in 210.70(A), (B), [and] (C), and D.

**(D) Open Lamps.** Lighting outlets required by 210.70(A)(3) and 210.70(C) with open lamps shall be guarded where installed less than seven feet above the working surface measured directly below the lamp or where exposed to physical damage.

*Article 215.12, Identification for Feeders, Paragraphs (C)(1)(a), (C)(2), (C)(2)(a) and (C)(2)(b) are amended to read as follows:*

**215.12 Identification for Feeders.**

**(C) Identification of Ungrounded Conductors.** Ungrounded conductors shall be identified in accordance with 215.12(C)(1) or (C)(2), as applicable.

**(1) Feeders Supplied from More Than One Nominal Voltage System.** Where the premises wiring system has feeders supplied from more than one nominal voltage system, each ungrounded conductor of a feeder shall be identified by phase or line and system at all termination, connection, and splice points in compliance with 215.12(C)(1)(a) and (b).

(a). *Means of Identification.* Feeders shall be color coded in accordance with Article 210.5(C)(1)(a). ~~[The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means.]~~

**(2) Feeders Supplied From Direct-Current Systems.** Where a feeder is supplied from a dc system operating at more than ~~650~~ volts, each ungrounded conductor of 8 ~~[4]~~ AWG or larger shall be identified by polarity at all termination, connection, and splice points by marking tape, tagging, or other approved means; each ungrounded conductor ~~10~~ ~~[6]~~ AWG or smaller shall be identified by polarity at all termination, connection, and splice points in compliance with ~~2105.512~~ 2105.512(C)(2)(a) and (b). The

identification methods ~~utilized used~~ for conductors originating ~~with~~ in each feeder panelboard or similar feeder distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each feeder panelboard or similar ~~feeder branch circuit~~ distribution equipment.

(a). *Positive Polarity, sizes 10 [6] AWG or Smaller.* Where the positive polarity of a dc system does not serve as the connection ~~point~~ for the grounded conductor, each positive ~~un~~grounded conductor shall be identified by one of the following means:

\* \* \* \* \*

(b). *Negative Polarity, sizes 10 [6] AWG or Smaller.* Where the negative polarity of a dc system does not serve as the connection ~~point~~ for the grounded conductor, each negative ~~un~~grounded conductor shall be identified by one of the following means:

\* \* \* \* \*

*Article 220.14, Other Loads - All Occupancies, Paragraph J is amended as follows, all other cCode text remains as is:*

#### **220.14 Other Loads - All Occupancies.**

**(J) Dwelling Occupancies.** In one-family, two-family, and multifamily dwellings and in guest rooms or guest suites of hotels and motels, the outlets specified in (J)(1), (J)(2), and (J)(3) are included in the general lighting load calculations of 220.12. No additional load calculations shall be required for such outlets. A maximum of eight outlets or a load of 1440 VA, consisting of receptacles at 180 VA each plus luminaires at their maximum allowed lamp wattage shall be permitted on a 15 A branch circuit- and a maximum of 10 outlets or a load of 1920 VA, consisting of receptacles at 180 VA each plus luminaires at their maximum allowed lamp wattage shall be permitted on a 20 A branch circuit. When using the optional VA method in lieu of the total number of outlets described in the previous sentence, the VA load shall be computed in accordance 210.20(A) - receptacles at 100% plus luminaires at 125%.

- (1) All general-use receptacle outlets of 20-ampere rating or less, including receptacles connected to the circuits in 210.11(C)(3)
- (2) The receptacle outlets specified in 210.52(E) and (G)
- (3) The lighting outlets specified in 210.70(A) and (B)

*Article 230.2, Number of Services, Paragraph F is added as follows, all other cCode text remains as is:*

**230.2 Number of Services.** A building or other structure served shall be supplied by only one service unless permitted in 230.2(A) through (D). For the purpose of 230.40, Exception

No. 2 only, underground sets of conductors, 1/0 AWG and larger, running to the same location and connected together at their supply end but not connected together at their load end shall be considered to be supplying one service.

**(F) Color Coding.** Service entrance conductors shall be color coded in accordance with Article 210.5(C)(1)(a).

*Article 230.30, Installation, Paragraph B is amended as follows, all other Code text remains as is:*

### **230.30 Installation.**

**(B) Wiring Methods.** Underground service conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring methods used and shall be limited to the following methods as modified below:

- (1) Type RMC conduit
- (2) Type IMC conduit
- (3) Type NUCC conduit - encased in concrete
- (4) Type HDPE conduit - encased in concrete
- (5) Type PVC conduit - encased in concrete
- (6) Type RTRC conduit - encased in concrete
- ~~[(7) Type IGS cable]~~
- ~~[(8) Type USE conductors or cables]~~
- ~~[(9) Type MV or Type MC cable identified for direct burial applications]~~
- (7) ~~[(10)]~~ Type MI cable, where suitably protected against physical damage and corrosive conditions.

Where encasement is required above, it shall be a minimum 75 mm (3 in.) thick concrete envelope.

*Article 230.43, Wiring Methods for 1000 Volts, Nominal, or Less, Paragraph is amended as follows ~~all other Code text remains as is:~~*

**230.43 Wiring Methods for 1000 Volts, Nominal, or Less.** Service-entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and shall be limited to the following methods as modified below:

- ~~[(1) Open wiring on insulators]~~
- ~~[(2) Type IGS cable]~~
- (1) ~~[(3)]~~ Rigid metal conduit (RMC)
- (2) ~~[(4)]~~ Intermediate metal conduit (IMC)



- (3) ~~{(5)}~~ Electrical metallic tubing (EMT)  
[~~(6) Electrical nonmetallic tubing (ENT)~~]  
[~~(7) Service entrance cables~~]  
(4) ~~{(8)}~~ Wireways - metallic construction ~~only and lockable only~~  
(5) ~~{(9)}~~ Busways  
(6) ~~{(10)}~~ Auxiliary gutters - metallic construction only  
(7) ~~{(11)}~~ Rigid polyvinyl chloride conduit (PVC) - encased in concrete  
(8) ~~{(12)}~~ Cablebus  
[~~(13) — Type MC cable~~]  
(9) ~~{(14)}~~ Mineral-insulated, metal-sheathed cable, Type MI  
[~~(15) — Flexible metal conduit (FMC) not over 1.8 m (6 ft) long or liquidtight flexible metal conduit (LFMC) not over 1.8 m (6 ft) long between a raceways, or between a raceway and service equipment, with a supply side bonding jumper routed with the flexible metal conduit (FMC) or with equipment bonding jumper routed with the flexible metal conduit or the liquidtight flexible metal conduit (LFMC) according to the provisions of 250.102(A), (B), (C), and (E)~~]  
[~~(16) — Liquidtight flexible nonmetallic conduit (LFNC)~~]  
(10) ~~{(17)}~~ High density polyethylene conduit (HDPE) - encased in concrete  
(11) ~~{(18)}~~ Nonmetallic underground conduit with conductors (NUCC) - encased in concrete  
(12) ~~{(19)}~~ Reinforced thermosetting resin conduit (RTRC) - encased in concrete

Where encasement is required above, it shall a minimum 75 mm (3 in.) thick concrete envelope.

*Article 250.52, Grounding Electrodes, Paragraphs (A)(3)(1) and (A)(5)(b) are amended as follows, all other ~~c~~Code text remains as is:*

## **250.52 Grounding Electrodes.**

### **(A) Electrodes Permitted for Grounding.**

- (3) **Concrete-Encased Electrode.** A concrete-encased electrode shall consist of at least 6.0 m (20 ft) of either (1) or (2):

- (1) One or more bare or zinc galvanized or other electrically conductive coated steel reinforcing bars or rods of not less than 13 mm (1/2 in.) in diameter, installed in one continuous 6.0 m (20 ft) length, or if in multiple pieces connected together by the usual steel tie wires, exothermic welding, welding, or other effective means to create a 6.0 (20 ft) or greater length; or

Informational Note to (A)(3)(1): A piece of reinforcing steel conforming to (1) above which has additional length, without splice, extended up past the sole plate of the structure to which the grounding electrode may be connected to and extended to the

service equipment is acceptable. The portion of the reinforcing steel extending above the sole plate shall be painted green and the paint removed from the bar where the connection is made to the grounding electrode conductor.

**(5) Rod and Pipe Electrodes.** Rod and pipe electrodes shall not be less than 2.44 m (8 ft) in length and shall consist of the following materials.

(b) Rod-type grounding electrodes of stainless steel and copper or zinc coated steel shall be at least 15.87 mm (5/8 in.) in diameter~~[-unless listed].~~

*Article 250.118. Types of Equipment Grounding Conductors. ~~The first sentence of Paragraph 118 is amended as follows, all other cCode text remains as is:~~*

### **250.118 Types of Equipment Grounding Conductors.**

As a minimum, the equipment grounding conductor shall consist of a conductor as described in item (1) as follows and may be supplemented by any of the other means described in items (2) through (14) as follows: [The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:]

*Article 250.119. Identification of Equipment Grounding Conductors. ~~Paragraphs (A), (A)(1) and its Exception, and (A)(2)c are amended as follows, all other cCode text remains as is:~~*

### **250.119 Identification of Equipment Grounding Conductors.**

**(A) Conductors ~~8~~ 4 AWG and Larger.** Equipment grounding conductors 8 ~~4~~ AWG and larger shall comply with 250.119(A)(1) and (A)(2).

(1) An insulated or covered conductor 8 ~~4~~ AWG and larger shall be permitted, at the time of installation, to be permanently identified as an equipment grounding conductor at each end and at every point where the conductor is accessible.

*Exception: Conductors 8 ~~4~~ AWG and larger ~~than~~ shall not be required to be marked in conduit bodies that contain no splices or unused hubs.*

(2) Identification shall encircle the conductor and shall be accomplished by one of the following:

c. Marking the insulation or covering with green tape, a minimum of two-inches in length, or green adhesive labels at the termination.

*Article 300.5. Underground Installations, (D)(3) is deleted as follows, all other cCode text remains as is:*

~~[(3)Service Conductors. Underground service conductors that are not encased in concrete and that are buried 450 mm (18 in.) or more below grade shall have their location identified by a warning ribbon that is placed in the trench at least 300 mm (12 in.) above the underground installation.]~~

*~~Table 310.15(B)(3)(e) Ambient Temperature Adjustment for Raceways or Cables Exposed to Sunlight on or Above Rooftops, is amended to include the following informational notes; all other Code text remains as is:~~*



~~Informational Note to Table 310.15(B)(3)(c): The temperature adders in Table 310.15(B)(3)(c) are based on the measured temperature rise above the local climatic ambient temperatures due to sunlight heating.~~

~~Informational Note to Table 310.15(B)(3)(c): For purposes of calculating the temperature adjustment factors for installations in San Antonio, the design ambient temperature is 98.5°F (0.4%) per 2009 ASHRAE Handbook, Chapter F 14.~~

Article 314.19, *Boxes Enclosing Flush Devices*, ~~Paragraph~~ is amended as follows:

**314.19 Boxes Enclosing Flush Devices.** Boxes used to enclose flush devices shall be of such design that the devices will be completely enclosed on back and sides and substantial support for the devices will be provided. Screws for supporting the box shall not also be used ~~in attachment of the device contained thereinto attach a device~~. Boxes for flush devices shall have a minimum volume of 221 cm<sup>3</sup> (13.5 in.<sup>3</sup>).

ARTICLE 320, *Armored Cable: Type AC*, is repealed.

ARTICLE 326.10, *Uses Permitted*, ~~Paragraphs (1) and (3)~~ are amended as follows, all other ~~c~~Code text remains as is:

**326.10 Use Permitted.** Type IGS cable shall be permitted for use underground, including direct burial in the earth, as the following:

~~[(1) Service entrance conductors]~~

(1) ~~[(2)]~~ Feeder or branch-circuit conductors

~~[(3) Service conductors, underground]~~

ARTICLE 330.6, *Listing Requirements*, is amended as follows:

**330.6 Listings Requirements.** Type MC cable shall be listed. Fittings used for connecting type MC cable to boxes, cabinets, or other equipment shall be listed and identified for such use. Additionally, all fittings shall be equipped with an anti-shortening bushing.

ARTICLE 330.10, *Uses Permitted*, ~~Paragraphs (A)(1) and (B)(3)~~ are amended as follows, all other ~~c~~Code text remains as is:

**330.10 Uses Permitted.**

**(A) General Uses.** Type MC cable shall be permitted as follows:

(1) For ~~[services,]~~ feeders and branch circuits.

**(B) Specific Uses.** Type MC cable shall be permitted to be installed in compliance with Parts II and III of Article 725 and 770.133 as applicable and in accordance with 330.10(B)(1) through (B)(4).

~~[(3) Installed as Service Entrance Cable. Type MC cable installed as service entrance cable shall be permitted in accordance with 230.43.]~~

*Article 330.40 Boxes and Fittings, is amended as follows:*

**330.40 Boxes and Fittings.** ~~Fittings used for connecting Type MC cable to boxes, cabinets, or other equipment shall be listed and identified for such use. Additionally, all fittings shall be equipped with an anti-shorting bushing.~~

*Article 330.104, Conductors, is amended as follows:*

**330.104 Conductors.** Conductors shall be of copper, aluminum, copper-clad aluminum, nickel or nickel-coated copper, solid or stranded. The minimum conductor size shall be 12 ~~{18}~~ AWG copper, nickel or nickel-coated copper, or 8 ~~{12}~~ AWG aluminum or copper-clad aluminum.

*Article 330.112, Insulation, is amended as follows with all other code provisions (A & B) remaining as is:*

**330.112 Insulation.** Insulated conductors shall comply with 330.112(A) or (B) and shall be color coded per the requirements of this chapter.

*Article 330.116, Sheath, Paragraph is amended as follows, all other Code text remains as is:*

**330.116 Sheath.** Metallic covering shall be ~~[one of the following types: smooth metallic sheath, corrugated metallic sheath, or]~~ interlocking metal tape armor. The metallic sheath shall be continuous and close fitting. A nonmagnetic sheath or armor shall be used on single conductor Type MC. Supplemental protection of an outer covering of corrosion-resistant material shall be permitted and shall be required where such protection is needed. The sheath shall not be used as a current-carrying conductor. The cutting of the interlocking metal tape armor shall be performed with an approved rotary cutting tool designed for cutting MC cable.

*Article 334.10, Uses Permitted, Paragraph is amended as follows, all other Code text remains as is:*

**334.10 Uses Permitted.** Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following, except as prohibited in 334.12:

- (1) One- and two- family dwellings and their attached or detached garages, and their storage buildings.
- (2) Multi-family dwellings permitted to be of Types III, IV, and V construction. NM cable shall be limited to the dwelling units and their access corridors.

~~[(3) Other structures permitted to be of Types III, IV, and V construction. \_\_\_ except as prohibited in 334.12. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.]~~

~~[Informational Note No. 1: Types of building construction and occupancy classifications are defined in NFPA 220-2009<sup>15</sup>, Standard on Types of Building Construction, or the applicable building code, or both.]~~

~~[Informational Note No. 2: See Informative Annex E for determination of building types [NFPA 220, Table 3-1].]~~

~~[(4) Cable trays in structures permitted to be Types III, IV, or V where the cables are identified for the use.]~~

~~[Informational Note: See 310.15(A)(3) for temperature limitation of conductors.]~~

~~(3) Dwelling units used as Type B Occupancies, limited to churches only, as described in the *International Building Code* (IBC) Section 303.1.2, with an occupant load of less than 50 persons.~~

~~(4) Dwelling units used as Single Station Barber and Beauty Salons which comply with the requirements of the Unified Development Code (UDC) Section 35-399.01.~~

~~(5) Types I and II construction where installed within raceways permitted to be installed in Types I and II construction.~~

~~(6) Home Occupations which comply with the requirements of the Unified Development Code (UDC) section 35-378, excluding those used for medical purposes for the treatment of patients.~~

~~(7) The residential portion of a Live-Work Unit which meets the definition of and complies with the requirements of the *International Building Code* (IBC) Section 419. All conductors in the non-residential portion of the structure shall be installed in an approved non-open wiring method.~~

~~ARTICLE 338.10. Uses Permitted. Paragraph (A) is deleted as follows; All other Code text remains as is:~~

### ~~338.10 Uses Permitted.~~

~~[(A) — Service Entrance Conductors. Service entrance cable shall be permitted to be used as service entrance conductors and shall be installed in accordance with 230.6, 230.7, and Parts II, III, and IV of Article 230.]~~

~~ARTICLE 348.12 Uses Not Permitted, is amended to add a use not permitted as follows; All other Code text remains as is:~~

### ~~348.12 Uses Not Permitted.~~

~~(8) For service entrance conductors~~

~~ARTICLE 350.12 Uses Not Permitted, is amended to add a use not permitted as follows; All other Code text remains as is:~~

~~**350.12 Uses Not Permitted.**~~

~~(3) For service entrance conductors~~

~~ARTICLE 356.12 Uses Not Permitted, is amended to add a use not permitted as follows; All other Code text remains as is:~~

~~**356.12 Uses Not Permitted.**~~

~~(5) For service entrance conductors~~

~~ARTICLE 362.12 Uses Not Permitted, is amended to add a use not permitted as follows; All other Code text remains as is:~~

~~**362.12 Uses Not Permitted**~~

~~(10) For service entrance conductors~~

Article 362.20, Size, Paragraph (B) is amended as follows; All other Code text remains as is:

**362.20 Size**

(B) **Maximum.** ENT larger than metric designator 27 (trade size 1) [ ~~653~~ (trade size 2 1/2)] shall not be used.

~~ARTICLE 366.12 Uses Not Permitted, is amended as follows; All other Code text remains as is:~~

~~**366.12 Uses Not Permitted.** Auxiliary gutters shall not be used:~~

~~(3) For service entrance conductors if nonmetallic~~

~~ARTICLE 378.12 Uses Not Permitted. Paragraph is amended as follows to add a sixth use not permitted; All other Code text remains as is:~~

~~**378.12 Uses Not Permitted.** Nonmetallic wireways shall not be used in the following:~~

~~(6) For service entrance conductors~~

ARTICLE 394, Concealed Knob-and-Tube Wiring, is repealed.

~~ARTICLE 398.12 Uses Not Permitted, is amended as follows; All other Code text remains as is:~~

~~**398.12 Use Not Permitted.** Open wiring on insulators shall not be installed where concealed by the building structure or as service entrance conductors.~~

Article 400.~~710~~, Uses Permitted, (A)Uses (2) is amended as follows; All other Code text remains as is:

**400.~~710~~ Uses Permitted.**

(A) **Uses.** Flexible cords and flexible cables shall be used only for the following:

(2) Wiring of luminaires (fixtures) when supplied as part of a UL listed luminaires.

*Article 408.30, General, Paragraph is amended as follows; All other Code text remains as is:*

**408.30 General.** All panelboards shall have a rating not less than the minimum feeder capacity required for the load calculated in accordance with Part III, IV, or V of Article 220, as applicable. Panelboards containing the 120 Volt branch circuits serving the interior of one- and two-family dwelling units shall be located in the interior of the structure in a readily accessible location for new construction.

*Article 410.36, Means of Support, (B) Suspended Ceilings is amended as follows; All other code text remains as is:*

**410.36 Means of Support.**

(B) Framing members of suspended ceilings systems used to support luminaires shall be securely fastened to each other and shall be securely attached to the building structure at appropriate intervals. Luminaires shall be securely fastened to the ceiling framing member by mechanical means such as bolts, screws, or rivets. Listed clips identified for use with the type of ceiling framing members(s) and luminaire(s) shall also be permitted. Two independent support wires per luminaire on opposing corners shall be permitted when installed in accordance with 300.11(B).

*Article 424.19, Disconnecting Means, is amended as follows; All other Code text remains as is:*

~~**424.19 Disconnecting Means.** Means shall be provided to simultaneously disconnect the heater, motor controller(s), and supplementary overcurrent protective device(s) of all fixed electric space heating equipment from all ungrounded conductors. Where heating equipment is supplied by more than one source, feeder, or branch circuit, the disconnecting means shall be grouped and marked. The disconnecting means specified in 424.19(A) and (B) shall have an ampere rating not less than 125 percent of the total load of the motors and the heaters and shall be lockable in accordance with 110.25. An integral factory installed or a separate field installed disconnecting means is permitted. An accessible field installed disconnecting means may be installed on or within sight of the equipment. The branch circuit serving the equipment shall be clearly marked on the equipment or the disconnecting means.~~

*Article 440.14 Location, is amended as follows; all other section text remains as is:*

~~**440.14 Location.** Disconnecting means shall be located within sight from and readily accessible from the air conditioning or refrigerating equipment. An integral factory installed or a separate field installed disconnecting means is permitted. A field installed disconnecting means may be installed on the equipment. The branch circuit serving the equipment shall be clearly marked on the equipment or the disconnecting means.~~

~~The disconnecting means shall not be located on panels that are designed to allow access to the air conditioning or refrigeration equipment or to obscure the equipment nameplate(s).~~

Article 525.20, *Wiring Methods, (B) Single-Conductor* is amended as follows; All other *section code* text remains as is:

**525.20 Wiring Methods.**

**(B) Flexible Cords and Single-Conductor Cables.** Flexible cords shall be permitted only in sizes 12 AWG or larger and shall contain a separate grounding conductor. A maximum of one 25 foot (7.65 m) extension cords may be connected to each individual receptacle provided as part of the manufacturers listed generator. Single-conductor cable shall be permitted only in sizes 2 AWG or larger.

Article 600.32, *Neon Secondary-Circuit Wiring, over 1000 Volts, Nominal, paragraph (A) Wiring Methods, (1) Installation and (3) Size* are amended as follows; All other *section code* text remains as is:

**600.32 Neon Secondary-Circuit Wiring, over 1000 Volts, Nominal.**

**(A) Wiring Methods.**

~~(1) Installation. Conductors shall be installed in rigid metal conduit, intermediate metal conduit, [liquidtight flexible nonmetallic conduit,] flexible metal conduit, liquidtight flexible metal conduit, electrical metallic tubing, metal enclosures, on insulators in metal raceways; or other equipment listed or use with neon secondary circuits over 1000 volts.~~

**(3) Size.** Conduit or tubing shall be a minimum of metric designator 12 (trade size 3/8"). [~~16 (trade size 1/2")~~]

~~ARTICLE 604 Manufactured Wiring Systems. Article Sections 604.1 Scope, 604.410, Uses Permitted, Exception No. 1, and Article 604.6100, Construction, paragraph (A)(1) Cables and 604.7 Installation are amended as follows; All other section code text remains as is:~~

~~604.1 Scope. The provisions of this article apply to field installed wiring using off site manufactured subassemblies for lighting and underfloor power branch circuits [, remote control circuits, signaling circuits, and communications circuits] in accessible areas.~~

**604.410 Uses Permitted.**

*Exception No.1: In concealed spaces, one end of tapped cable shall be permitted to extend into hollow walls of manufactured wall systems, with removable panels for access to the wiring system, for direct termination at switch and outlet points.*

**604.6100 Construction.**

**(A) Cable or Conduit Types.**

**(1) Cables.** Only type MC cables conforming to item (2), below are permitted. [Cables shall be one of the following:]

~~604.7 Installation. Manufactured wiring systems shall be secured and supported in accordance with the applicable cable or conduit article for the cable or conduit type employed. All manufactured wiring system junction boxes shall be grounded in accordance~~

~~with the manufacturer's instructions and all unused openings shall be covered with a factory supplied cover.~~

*Article 680.23, Underwater Luminaires, (A)General (4) is amended as follows; All other code text remains as is:*

**680.23 Underwater Luminaires.**

**(A) General.**

**(4) Voltage Limitation.** No luminaires shall be installed for operation on supply circuits over 150 volts between conductors and the limits are 15 volts ac or 30 volts dc at the luminaire.

**Sec. 10-53. - Electrical provisions.**

- (a) **General.** The provisions of this section shall apply to the design, construction, installation, use and maintenance of electrical systems and equipment. Where differences occur between provisions of this Code and referenced codes or standards, the provisions of this Code shall apply.
- (b) **Equipment and door labeling.** The disconnecting means for each service, feeder or branch circuit originating in a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident to the code official. Doors into electrical panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording.
- (c) **TOPS (Temporary on Permanent Set) permit.** The section outlines the requirements for obtaining a permit to allow the connection of the new or existing electrical service to CPS Energy prior to having all final inspections completed on a project. The issuance of a TOPS permit and the subsequent connection to the utility company service does not allow an owner or the occupants to occupy the building or structure until a C of O has been issued. The above permit does not waive any of the applicable provisions of articles IV and VIII.
- (1) **Sec. 10-1302.3.1 Permit Application.** A licensed electrical contractor registered with the city must make the application for the TOPS permit. The electrical contractor must also request that the TOPS permit be attached to the main building permit in the city's computer system. The TOPS permit is required in addition to the main electrical permit for the project.
- (2) The following are the general conditions for obtaining a TOPS permit for new construction and may be modified by the code official to suit project specific conditions:
- a. The electrical service must be complete along with all grounding requirements, and the electrical conductors originating from the service equipment must be terminated in an approved electrical manner.



- b. The building permit on residential construction shall have an approved foundation and complete frame inspection. The building permit on commercial construction shall have a complete foundation and at minimum a partial frame inspection.
  - c. On residential construction all trade permits must have approved rough-ins and a complete plumbing top out. On commercial construction all trade permits must have a minimum of a partial rough in including a partial plumbing top out.
  - d. The plumbing sewer permit shall have an approved final inspection on both commercial and residential.
- (3) **Existing construction.** The following are the general conditions for obtaining a TOPS permit for existing construction and may be modified by the code official to suit project specific conditions:
- a. The electrical service must be in good condition and comply with the city electrical code including all grounding requirements.
  - b. The electrical loads originating from the existing service equipment, that will not be utilized for construction power, must be disconnected and safeguarded from accidental contact with an energized electric bus bar.
  - c. Temporary GFCI protected outlets must be provided at the service equipment location to be used during construction related activities.
  - d. All necessary and or required trade permits must be obtained prior to giving a final approval to CPS to energize the service equipment.
- (d) **Electrified fences or barriers.** Electrified fences or barriers conforming to the following requirements shall be permitted:
- (1) Electrified fences or barriers shall conform to the requirements of the International Electrotechnical Commission (IEC) Standard IEC 60335-1 - Household and similar electric appliances - Safety - Part 1: General Requirements (Reference number IEC 60335-1:2001+A1:2004(E)) and Standard IEC 60335-2 - Household and similar electric appliances -Safety - Part 2-76: Particular requirements for electric fence energizers (Reference number CEI/IEC 60335-2-76:2002+A1:2006) or Underwriters Laboratories Inc. (UL) Standard number 60335-2. Safety of Household and Similar Electrical Appliances, Part 1: General Requirements have.
  - (2) Electrified fences or barriers shall be limited to outdoor storage areas only in zoning designations: Commercial (C-2 and C-3), Light Industrial District (L), General Industrial District (I-1) and Heavy Industrial District (I-2). Unless specifically designated in this subsection, electrified fences or barriers shall not be permitted in any zoning district.
  - (3) The exterior (public side) perimeter of the electrified fence or barrier shall be protected by an additional non-electrified fence or wall and shall be separated by six (6) inches.
  - (4) The height of the non-electrified fence or wall shall be no less than six (6) feet in height and no more than eight (8) feet in height at its highest point.



- (5) The height of the electrified fence or barrier shall be no more than ten (10) feet in height at its highest point measured at existing grade.
- (6) Electrified fences or barriers shall be clearly marked with warning signs. The warning signs shall be placed at each entrance to the property on the electrified fence or barrier and a maximum of forty (40) feet on centers thereafter around the entire perimeter of the electrified fence. The warning signs shall be placed above the non-electrified fence or wall and be clearly visible from the ground on both sides of the electrified fence or barrier. The warning signs shall be printed on both sides with the following "WARNING ELECTRIFIED FENCE" and contain the international symbol for an electrical hazard. The wording shall be written in both English and Spanish. In addition each entrance shall have a sign noting: "Electric Barrier registered with the San Antonio Development Services Department - City Code 10-53(e)." These signs will be reflective with a minimum two-inch letter height, minimum stroke of one-half (0.5) inch and with a contrasting background. Arabic numbers and alphabetical letters shall be used.
- (7) Electrified fences or barriers may be energized only during the hours when the general public does not have legal access to the protected property.
- (8) Electrified fences or barriers shall not be installed within five feet of a sidewalk or public right-of-way. They shall also not be installed within one hundred fifty (150) feet of a property line for a residence, or from a public, private, or parochial school day care facility unless the exterior perimeter non-electrified fence is covered with a solid "see-through" covering (e.g., solid mesh, slats, etc.) to further prevent contact with the electrified fence and meets the City's traffic clear vision requirements for intended site.
- (9) Electrified fences or barriers must be designed and certified by an authorized representative of the fence or barrier equipment manufacturer. Upon completion of fence or barrier installation, the fence or barrier equipment manufacturer shall certify that the installation meets all of its design and safety requirements.
- (10) Electrified fences or barriers must be permitted with the development services department and on an annual basis with a notarized statement attached to the renewal permit from an authorized representative of the fence or barrier equipment manufacturer that the installation is currently operating in conformity with its safety requirements.
- (11) The owner of the stated security equipment and the commercial property owner(s) are required to carry general liability insurance in a minimum amount of one million dollars (\$1,000,000.00) in the aggregate each. Further, proof of insurance shall be required as a condition precedent to secure a permit as required in this subsection and upon each subsequent annual renewal. A failure to maintain proof of insurance for the permitted year shall result in a revocation of the issued permit. Proof of minimum coverage amounts maintained for the preceding year must be provided with each application for renewal. Failure to maintain coverage for the entire previous year shall result in a denial of any permit renewal for five (5) years from the date of expiration or revocation. Proof of insurance shall be underwritten by an organization licensed/authorized to do business in the state.
- (12) A permit holder's decision to appeal acts to modify the provisions of section 10-14(b), Limitations of authority contained in this chapter and does not require acquiescence of

the *Building Official* to appeal his decision. Procedures outlined in section 10-14 of this chapter shall be followed unless specifically modified herein. The *Building Official* shall be authorized to revoke a permit upon the recommendation of the chief of police or designee, itself based on and supported by evidence of violation of this chapter. The *Building Official* or designee must send a notice of revocation to the last known address of the permit holder with such notice detailing a time of no more than 10 working days to appeal the *Building Official*'s decision. Notice of appeal must be sent as soon as practical, but no later than 10 working days past the revocation. The *Building Official*'s decision shall be final upon the expiration of the 10 working day period. A filed appeal shall suspend the *Building Official*'s action to revoke the permit. A permit holder shall be entitled to a hearing before the next reasonably available meeting of the building-related and fire codes appeals and advisory board and it shall either affirm or deny the *Building Official*'s decision. The board's decision shall be based on the same evidence reviewed by the *Building Official* and any subsequent information produced.

- (13) Electrified fences or barriers shall have a Knox box installed in a location acceptable to the police and fire departments to de-energize the electrified fence or barrier. The Knox box shall be illuminated to a minimum one foot candle.
- (14) The power source and Knox box for the electrified fence or barrier shall be installed by an electrical contractor. The power source shall consist of, but not be limited to, the energizer, battery, a means of maintaining a charge on the battery and the load side conductors from the energizer to the perimeter fence conductors.

(e) **Electrical inspections supervisor.** The electrical inspections supervisor of the development services department shall also serve as the master of record for electrical work performed by city electricians.

**Sec. 10-54. - Fee schedule.**

Electrical License and Registration Fees	
Master	
Renewal—City license (two-year renewal)	\$300.00
<del>Annual state license registration and renewal</del>	<del>\$85.00</del>
DBA change on master electrical license	\$20.00
Journeyman—Renewal of city license (two-year renewal)	\$200.00
<del>Restricted residential wireman—Renewal of city license (two-year renewal)</del>	<del>\$60.00</del>

<del>Maintenance electrician fee</del>	<del>\$60.00</del>
Maintenance technician—Annual (may only perform work not requiring a permit)	\$35.00
Electrical Inspection Fee	
Electrical inspection permit fee (basic fee). See section 10-39 for new residential construction electrical inspection fee.	\$50.00
Service rating:	
0—200 amps	\$3.25
201—600 amps	\$6.50
601—1000 amps	\$8.65
1001—2500 amps	\$10.80
Over 2500 amps	\$12.50
Temporary meter loop (TML). See section 10-39 for new temporary meter loop fee.	\$2.15
Temporary on permanent sets (TOPS). See section 10-39 for temporary on permanent sets fee.	\$2.15
Work with CPS	\$2.15
Gear items	
Switchboards up to four handles	\$10.25
Switchboards each additional handle	\$1.60
Panelboards/loadcenters	\$4.85

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Xmfr 1—50 kva	\$4.30
Xmfr over 50 kva	\$9.70
Safety switch or circuit breaker 30 amps and over	\$1.10
Miscellaneous items	
Underground work per 100 linear ft	\$1.60
Outside overhead work per 100 linear ft	\$1.60
Foundation/concrete encased electrode	\$1.60
Controls/low voltage systems over 50 volts	\$1.60
Commercial/industrial repair	\$9.75
Light fixtures	
HID fixtures	\$1.60
Ceiling fans	\$1.60
Fluorescent fixtures/ballast retrofits	\$1.16
Sign circuit	\$1.10
General purpose outlets/devices/equipment less than one hp	\$1.16
Dedicated equipment/appliance outlets 20 amps and over	\$1.50
Motors	
1—7.5 hp	\$2.15
7.5—25 hp	\$3.25

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25—50 hp	\$8.10
Over 50 hp	\$10.80
UPS/generator/distributed generation/storage batteries	
1—5 kw	\$1.60
5—50 kw	\$3.25
51—300 kw	\$4.85
Over 301 kw	\$6.50
Temporary wiring	
Power/lights (per every ten outlets)	\$3.25
Festival booths	\$5.00
Carnival rides	\$5.00
Special occupancies	
Class 1, 2, or 3, of article 500 (per each circuit)	\$1.00
Medical equipment (MRI, X-ray, scanners, etc.) each circuit	\$1.00
Miscellaneous electrical permits	
Reconnect	
Reconnect inspection	\$50.00
30-day (cleaning)	\$2.15
180-day (leasing)	\$12. <del>8990</del>
Maintenance permit fee (electric only)	

Basic permit fee	\$50.00
Plus per residential apartment unit	\$0.21
Plus per 10,000 sq. ft. of commercial space	\$7.00
Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Special Services for Electrical	
After-hour inspection fee (per hour with one-hour minimum)	\$100.00
Electrical plan review only (without building plan number)—(per hour with one-hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with one-hour minimum)	\$100.00
Inspection schedule fee (free on-line)	\$3.00
Permit processing fee	\$10.00
Permit extension fee	50% of permit (plus cost of permit)
Re-inspection fee	<del>\$50</del> <u>1.050</u>
Permit refund fee	\$50.00
Open permit review fee	\$3.00/permit
Permit amendment fee	\$10.00
<u>Link child permit to parent permit fee</u>	<u>\$5.00</u>
<u>Contractor number research fee</u>	<u>\$10.00</u>

<u>Duplicate copy of city issued electrical license</u>	<u>\$10.00</u>
Rental of facility fees: \$125.00/hr (daily min. fee of \$250.00; max fee of \$1,000.00); security personnel—\$15.00/hour/staff (with one-hour minimum); DSD staff—\$30.00/hour/staff (with one-hour min.); custodian service—\$15.00/hour (with two-hour min.)	

**Secs. 10-55—10-60. - Reserved.**

## **ARTICLE VII. - MECHANICAL CODE**

### **Sec. 10-61. - Adoption of *International Mechanical Code* (~~2015~~2018).**

The ~~2015~~2018 edition of the *International Mechanical Code*, promulgated by the International Code Council, Chapters 2 through 15 is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-61.2. Provisions of this article are in addition to the provisions of the *International Mechanical Code*. The following provisions coinciding with the provisions of the *International Mechanical Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Mechanical Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in Articles II through XIII of this chapter.

### **Sec. 10-62. - Amendments to the adopted chapters of the *International Mechanical Code* (~~2015~~2018).**

Additions to the *International Mechanical Code* (IMC) are shown as underlined text. Deletions of the IMC are shown as bracketed [~~strikethroughs~~].

Section 202.2 GENERAL DEFINITIONS, is amended by adding the following definition: ~~NFPA 70:~~

**NFPA 70.** The National Electrical Code, as amended by Article VI of this Code.

Section 301.10, *Electrical*, is amended as follows:

**301.10 Electrical.** Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with NFPA 70. All wiring, including control wiring, exposed to weather shall be installed in a raceway approved for the environment.

Section 304. INSTALLATION, is amended by adding Section 304.13 Installation at gas valve, as follows:

**304.13 Installation at gas valve.** ~~Black iron pipe~~ Minimum Schedule 40 metallic pipe shall be installed at the gas valve and extended a minimum of two inches outside the gas furnace and gas rooftop unit's casing and shall may be connected to an approved listed flexible gas connector.

*Section 306.3, Appliances in attics, is amended by adding 306.3.2 Access for cooling or heating appliance, as follows:*

**306.3.2 Access for cooling or heating appliance.** For new ~~residential one and two-family residential occupancies and townhomes~~ applications, the attic space in which any cooling or heating appliance is installed shall be provided with a permanent ladder, [or] fold-away ladder or direct access door.

*Section 307.2.1, Condensate disposal, is deleted and replaced with the following text:*

**307.2.1 Condensate disposal.** Condensate disposal shall be in accordance with Chapter 34, Section 34-274 of the City Code of San Antonio. [Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1 percent slope). Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance.]

*Section 307.2.2, Drain pipe materials and sizes, is amended as follows; All other ~~section code~~ text remains as is:*

**307.2.2 Drain pipe materials and sizes.** Components of the condensate disposal system shall be cast iron, galvanized steel, copper, copper alloy, cross-linked polyethylene, ~~polybutylene~~, polyethylene, ABS, CPVC, PVC or polypropylene pipe or tubing. ~~All~~ eComponents shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the *International Plumbing Code* relative to the material type. Condensate waste and drain line size shall be not less than ¾-inch ~~(19 mm)~~ internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2. Primary drain lines located in any unconditioned space, except for crawl spaces, shall be insulated with foam plastic rubber based insulation or approved material with a minimum thickness of 3/8 inch.

*Section 307.2.4.1, Ductless mini-split system traps, is amended as follows; ~~All other section text remains as is:~~*

**307.2.4.1 Ductless mini-split system traps.** Ductless mini-split equipment that produces condensate shall be [provided with an in-line check valve located in the drain line, or a trap] in accordance with their manufacturers' recommendations.

*Section 404.1 Enclosed parking garages, is amended as follows:*



~~404.1 Enclosed parking garages. When mechanical ventilation systems for enclosed parking garages operate intermittently, such operation shall be by automatic means of carbon monoxide detectors applied in conjunction with nitrogen detectors shall dioxide detectors. Such detectors shall be installed and maintained in accordance with their manufacturers' recommendations.~~

*Section 504.5 Dryer exhaust duct power ventilators, is amended as follows:*

~~504.5 Dryer exhaust duct power ventilators. Domestic dryer exhaust power ventilators shall be listed and labeled to UL 705 for use in dryer exhaust duct systems. The dryer exhaust duct power ventilator shall be installed in accordance with the manufacturers' recommendations. Installation must include access to the installed equipment.~~

*Section 505.6, Other than Group R, is amended as follows:*

~~505.6 Other than Group R. In other than Group R occupancies, where domestic cooktops, ranges, and open-top broilers are used for domestic purposes, domestic cooking exhaust systems shall be provided. Portable fire extinguishers shall be installed at each cooking appliance per IFC Section 906.~~

*Section 507.1 General, Exceptions, is amended by adding fourth and fifth exceptions as follows; All other section text remains as written:*

**507.1 General.**

**Exceptions:**

- ~~4. Type I hoods shall not be required in a Group E occupancy (K-12) Applied Learning Environment (A.L.E.) and Home Economic (Food & Consumer Sciences) classroom environments using domestic style cooking appliances for instructional demonstration or skilled task curriculum. However, domestic exhaust equipment as per section 505 of the IMC and portable fire extinguishers per the IFC Section 906.1, Item #2 shall be installed at each cooking appliance location.~~
- ~~5. Type I hoods shall not be required in a Group E Day Care using domestic type cooking appliances, provided a letter from the owner is provided, signed, dated and on the Owner's letterhead stating no preparation of food producing grease vapors shall be accomplished on these premises. However, domestic exhaust equipment as per section 505 of the IMC and portable fire extinguishers per IFC 906.1, item #2 shall be installed at each cooking appliance location.~~

*Section 602.1 General, is amended as follows:*

~~602.1 General. Supply, return, exhaust, relief and ventilation air plenums shall be limited to uninhabited crawl spaces, areas above a ceiling or below the floor, attic spaces, and mechanical equipment rooms. Plenums shall be limited to a single required [one] fire area. Air systems shall be ducted from the boundary of the fire area served directly to the air handling equipment. Fuel-fired appliances shall not be installed within a plenum.~~

*Section 606.2, Where required, is amended as follows; All other ~~section-code~~ text remains as written:*

**606.2 Where required.** Smoke detectors shall be installed where indicated in Section 606.2.1 through 606.2.3 or in accordance with NFPA 90A "Standard for the Installation of Air Conditioning and Ventilating Systems."

*Section 1101.10, Locking access port caps, is amended by adding Exception 2 to read as follows:*

**1101.10 Locking access port caps.** Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

**Exceptions:**

1. This section shall not apply to refrigerant circuit access ports on equipment installed in controlled areas such as on roofs with locked access hatches or doors.
2. A locking-type tamper-resistant cap is not required when refrigerant circuits are located in a yard fully enclosed with a permanent barrier, fence, or combination thereof no less than 6 feet in height and obstructs unauthorized access.

*Section 1102.3, Access port protection, is deleted.*

[ ~~1102.3 Access port protection.~~ Refrigerant access ports shall be protected in accordance with Section 1101.10 whenever refrigerant is added to or recovered from refrigeration or air-conditioning systems.]

*Section 1107.4, Condensation, is amended by adding 1107.4.1, Air Conditioning and refrigeration pipe, as follows:*

**1107.4.1 Air Conditioning and refrigeration pipe.** Air conditioning and refrigeration pipe and tubing insulation for refrigerant vapor (suction) lines located in any location where condensate will occur shall be insulated with insulation of the ACR type having a thermal resistivity of not less than R-4. Insulation shall be labeled and identified by the manufacturer.

**Sec. 10-63. - Fee schedule.**

Heating and Air Conditioning (Mechanical)
Heating and Air Conditioning (Mechanical) License Fees
Master

Renewal—City License per year	\$150.00
Annual state license registration	\$85.00
Technician (journeyman) (may only perform work not requiring a permit)— Renewal	\$35.00
Heating and Air Conditioning (Mechanical) Inspection Fees	
Basic Heating and Air Conditioning (Mechanical) Permit (Basic Fee). See section 10-39 for new residential construction basic heating and air conditioning permit fee.	\$50.00
Residential (new systems) (includes inspection fee)	\$77.00
Each Additional System (includes inspection fee)	\$55.00
Roof-Top Unit (gas or electric)	\$15.85
Gas furnace; gas wall furnace; gas unit heater; gas radiant heater; gas boiler (steam); gas floor furnace; commercial gas dryer; gas boiler (hot water); gas duct heater (per each item)	\$9.60
Condensing unit; condensing unit/heat pump; indoor condensing unit; cooling coil; commercial exhaust fan; condenser (no compressor); commercial electric dryer; fan coil unit; fan powered box; type II range hood (steam); chiller; absorption unit; reach-in cooler; wall mounted unit; make-up air; heat pump; refrigeration unit; air handler; <u>mini splits</u> ; electric furnace; electric unit heater; electric radiant heater; ventilation fan; variable air volume unit; type I range hood (grease); fume hood; cooling tower; walk-in cooler; icemaker (split system); evaporative cooler (refrigeration equipment); hot water coil; remote condensing unit; condenser (refrigeration equipment); ventilating fan (not on other permitted installation); hood served by mechanical exhaust (including ducts and makeup air systems); condensing unit (mobile homes and manufactured housing); any regulated device for which no specific fee is listed; replacement of any device which originally required a permit (per each item)	\$6.25
—Curtain Fire Damper; Smoke Damper; Duct Outlet; Ceiling Fire Damper; Smoke/Fire Damper (per each item)	\$2.00

Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Special Heating and Air Conditioning (Mechanical) Fees	
After-hour Inspection Fee (per hour with 1 hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Permit Processing Fee	\$10.00
Inspection Schedule Fee (Free on-line)	\$3.00
Mechanical Plan Review—This fee is charged to review plans without a building permit (per hour with a 1 hour minimum)	\$100.00
Permit Extension Fee: 50% of permit (plus cost of permit)	
Re-inspection Fee	<del>\$50</del> 1.050
Open Permit Review Fee	\$3.00/Permit
Annual Continuing Education for City Licenses Holder	\$150.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)	

**Secs. 10-64—10-70. - Reserved.**

**ARTICLE VIII. - GAS CODE**

**Sec. 10-71. - Adoption of *International Fuel Gas Code* (20152018).**

The 20152018 edition of the *International Fuel Gas Code*, Chapters 2 through 8 and Appendices A through C, promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of Section 10-72. Provisions of this article are in addition to the provisions of the *International Fuel Gas Code*. The following provisions coinciding with the provisions of the *International Fuel Gas Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Fuel Gas Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in Articles II through XIII of this chapter.

**Sec. 10-72. - Amendments to the adopted chapters and appendices of the *International Fuel Gas Code* (20152018).**

Additions to the *International Fuel Gas Code* (IFGC) are shown as underlined text. Deletions of the IFGC are shown as bracketed [~~strikethroughs~~].

Section 202.2 GENERAL DEFINITIONS, is amended by adding the following definition:

**NFPA 70.** The National Electrical Code, as amended by Article VI of this Code.

Section 301 (IFGC), GENERAL, is amended by adding Section 301.16, Separation from electrical lines in a ditch, to read as follows:

**301.16 Separation from electrical lines in a ditch.** When outside the footprint of the building, no plumbing, gas, sewer, or water piping shall be installed in the same ditch with electric lines unless a separation of 36 inches (914 mm) horizontally is maintained.

Section 401.5. Identification, is amended ~~as follows,~~ to include a second paragraph to read as follows:

**401.5 Identification.** For other than steel pipe, exposed *piping* shall be identified by a yellow label marked "Gas" in black letters. The marking shall be spaced at intervals not exceeding 5 feet (1524 mm). The marking shall not be required on pipe located in the same room as the *appliance* served.

All medium pressure gas piping systems shall identify its operating gas pressure with an approved metallic tag and the following wording shall be stamped into the tag at the meter:

**WARNING**  
**1-5 psi gas pressure**  
**Do Not Remove**

*Section 403.4.2, Steel, is amended as follows:*

**403.4.2 Steel.** Steel, stainless steel and wrought-iron pipe shall be not lighter than Schedule 40 [40], and shall comply with the dimensional standards of ASME B36.10M and one of the following standards;

1. ASTM A53/A53M.

2. ASTM A106.

3. ASTM A312.

*Section 403.5.5, Corrugated stainless steel tubing, is amended as follows:*

**403.5.5 Corrugated stainless steel tubing.** Corrugated stainless steel tubing shall be listed with an arc-resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26 starting 90 days after the adoption of this code.

*Section 403.10, Metallic piping joints and fittings, is amended by adding section 403.10.56, ~~Welding Pipe~~, all other Code text to remain as is as follows:*

**403.10.65. Welded pipe.** All welded joints in piping system shall be welded by a certified pipe welder as defined in Article II of this chapter.

*Section 404.2, CSST, is amended by adding sections 404.2.1, Meter loop, and 404.2.2, Exterior walls; all other Code text to remain as is as follows:*

**404.2.1 Meter loop.** CSST is prohibited in the meter loop.

**404.2.2 Exterior walls.** CSST is prohibited in exterior walls.

*Section 404.6, Underground penetrations prohibited, is amended by adding the following exception:*

**404.6 Underground penetrations prohibited.** Gas piping shall not penetrate building foundation walls at any point below grade. Gas piping shall enter and exit the building at a point above grade and the annular space between the pipe and the wall shall be sealed.

**Exception:** Gas piping may penetrate a slab-on-grade foundation, above or below grade, where the installation complies with Section 404.14.

*Section 406.4.1, Test pressure, is deleted and replaced with the following text:*

**406.4.1 Test pressure.** The rough-in piping inspection shall include testing by closing all openings and subjecting the pipes to an air pressure that will support a column of mercury 15 inches (381 mm) in height or a 10 psi air test. For gas systems with pressures in excess of 14 inches of water column, the test pressure shall not be less than 1.5 times the operating pressure for the system and shall hold this pressure for a minimum of 30 minutes.

The final inspection shall include a column of mercury six inches (152 mm) in height or of a five psi air test with appliance shut-off valves attached thereto. For gas systems with pressures in excess of 14 inches of water column, the test pressure shall not be less than 1.5 times the operating pressure for the system and shall hold this pressure for a minimum of 30 minutes. [The test pressure to be used shall be not less than 1 ½ times the proposed maximum working pressure, but not less than 3 psig (20 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.]

Section 406.4.2, *Test duration*, is amended as follows, ~~all other Code text to remain as is:~~

**406.4.2 Test duration.** Test duration shall be held for a length of time satisfactory to the code official, but in no case for less than 15 minutes. For welded piping, and for piping carrying gas at a pressure in excess of 14 inches of water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the code official, but in no case for less than 30 minutes. [not less than ½ hour for each 500 cubic feet (14 m<sup>3</sup>) of pipe volume or fraction thereof. When testing a system having a volume less than 10 cubic feet (0.28 m<sup>3</sup>) or a system in a single family dwelling, the test duration shall be not less than 10 minutes.] The duration of the test shall not be required to exceed 24 hours.

Section 406.4.3, *Test gauges*, is added as follows:

**406.4.3 Test gauges.** Tests gauges shall be a grade 1A or better as per ANSI/ASME B40.100-2005.

Section 409.5, *Appliance shutoff valve*, is amended as follows and by adding the following exception:

**409.5 Appliance shutoff valve.** Each appliance shall be provided with a shutoff valve in accordance with Section 409.5.1[,] or 409.5.2. [or 409.5.3.]

**Exception:** An outdoor appliance shall have a shutoff valve at the piping connection to the gas piping system.

Section 409.5.3, *Located at manifold*, is repealed in its entirety..

**Secs. 10-73—10-80. - Reserved.**

## ARTICLE IX. - PLUMBING CODE

**Sec. 10-81. - Adoption of *International Plumbing Code* (20152018).**

The 20152018 edition of the *International Plumbing Code*, Chapters 2 through 15 and Appendices B through E, promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-82. Provisions of this article are in addition to the provisions



of the *International Plumbing Code*. The following provisions coinciding with the provisions of the *International Plumbing Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Plumbing Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through XIII of this chapter.

**Sec. 10-82. - Amendments to the adopted chapters and appendices of the *International Plumbing Code* (20152018).**

Additions to the *International Plumbing Code* (IPC) are shown as underlined text. Deletions of the IPC are shown as bracketed [~~strikethroughs~~].

*Section 202. GENERAL DEFINITIONS, GREASE INTERCEPTOR, Gravity is amended as follows:*

**Gravity.** Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from waste water discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes. The appurtenance shall be a double compartment, first compartment 60% and the second compartment 40% with a minimum 20" manhole access to each compartment unless otherwise approved by the code official.

*Section 202. GENERAL DEFINITIONS, is amended by adding the following definitions:*

**NFPA 70.** The National Electrical Code, as amended by Article VI of this Code.

**MEDICAL GAS PIPING ENDORSEMENT.** A document entitling the holder of a Master or Journeyman Plumber License to install piping that is used solely to transport gases used for medical purposes including, but not limited to oxygen, nitrous oxide, medical air, nitrogen, medical vacuum. A document entitling the holder of a Plumbing Inspector License to inspect medical gas and vacuum system installations.

**MULTIPURPOSE RESIDENTIAL FIRE PROTECTION SPRINKLER SPECIALIST ENDORSEMENT.** A document entitling the holder of a Master or Journeyman Plumber License to install a multipurpose residential fire protection sprinkler system in a one or two family dwelling. A document entitling the holder of a Plumbing Inspector License to inspect a multipurpose residential fire protection sprinkler system.

**RECLAIMED WATER.** Water from sources such as rainwater harvesting, A/C condensate collection, carwashes, ponds, lakes, rivers or other sources as approved by the *Building Official*. [~~Nonpotable water that has been derived from the treatment of waste water by a facility or system licensed or permitted to produce water meeting the jurisdiction's water requirements for its intended uses. Also known as "recycled water."~~]



**RECYCLED WATER.** Water that, as a result of a tertiary treatment of domestic wastewater by a public agency, is suitable for a direct beneficial use or a controlled use that would not otherwise occur. The level of treatment and quality of the reclaimed/recycled water shall be approved by TCEQ.

Section 301. GENERAL, is amended by adding Section 301.8, Accessible openings, ~~and~~ Section 301.9, Separation from electrical lines in a ditch, ~~and Section 301.10, Support~~, as follows:

**301.8 Accessible openings.** When accessible openings are required by this Code, they shall be a minimum of 12 inches x 12 inches (305 mm x 305 mm) in dimension unless otherwise approved by the code official.

**301.9 Separation from electrical lines in a ditch.** When outside the footprint of the building, no plumbing, gas, sewer, or water piping shall be installed in the same ditch with electric lines unless a separation of 36 inches (914 mm) horizontally is maintained.

**301.10 Support.** Exterior appliances or equipment supported from the ground shall rest on level concrete or other approved base extending not less than three (3) inches (76 mm) above the adjoining ground level.

Section 305.4.1. Sewer depth, is amended as follows:

**305.4.1 Sewer depth.** Building sewers [that connect to private sewage disposal systems] shall be installed not less than a minimum of 12 [NUMBER] inches (304 mm) below finished grade. [at the point of septic tank connection.] [Building sewers shall be installed not less than [Number] inches (mm) below grade.]

Section 312.1.1. Test gauges, is amended as follows:

**312.1.1 Test Gauges.** Gauges used for testing shall be [as follows:] grade 1A or better as per ANSI/ASME B40.100-2005.

1. Tests requiring a pressure of 10 pounds per square inch (psi) (69 kPa) or less shall utilize a testing gauge having increments of 0.10 psi (0.69 kPa) or less.
2. Tests requiring a pressure of greater than 10 psi (69 kPa) but less than or equal to 100 psi (689 kPa) shall utilize a testing gauge having increments of 1 psi (6.9 kPa) or less.
3. Tests requiring a pressure of greater than 100 psi (689 kPa) shall utilize a testing gauge having increments of 2 psi (14 kPa) or less.

Section 312.2. Drainage and vent water test, is amended as follows, ~~all other Code text remains as is~~:

**312.2 Drainage and vent water test.** Prior to any concealment, a [A] water test and subsequent inspection shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test, and each section shall be filled with water, but no

section shall be tested with less than a 3.5-foot (1067 mm) [10-foot (3048 mm)] head of water. In testing successive sections, at least the upper 10 feet (3048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3048 mm) of the system, shall have been submitted to a test of less than a 3.5-foot (1067 mm) [10-foot (3048 mm)] head of water. This pressure shall be held for at least 15 minutes. The system shall then be tight at all points. The first floor underground drain, waste and vent piping (Rough-In) systems shall be retested to at least slab height and inspected after all backfill is in place and foundation steel installed but prior to placement of concrete. This inspection may also be obtained by retesting the first floor underground drain; waste and vent piping (Rough-In) system at the Top Out stage to assure there are no broken drains or vent pipes below the concrete slab. The system shall be tested to the overflow level of the Tub, or the next reasonable point on the system as approved by the code official.

*Section 312.6, Gravity sewer test, is deleted in its entirety.*

~~[312.6 Gravity sewer test. Gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the building sewer with water, testing with not less than a 10-foot (3048 mm) head of water and maintaining such pressure for 15 minutes.]~~

*Section 312.7, Forced sewer test, is deleted in its entirety.*

~~[312.7 Forced sewer test. Forced sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer and applying a pressure of 5 psi (34.5 kPa) greater than the pump rating, and maintaining such pressure for 15 minutes.]~~

*Section [M] 314.2.1, Condensate disposal, is amended with the following text:*

**[M] 314.2.1 Condensate disposal.** Condensate disposal shall be in accordance with Chapter 34, Section 34-274 of the City Code of San Antonio. Primary drain lines located in any unconditioned space, except for crawl spaces, shall be insulated with foam plastic rubber based insulation or approved material with a minimum thickness of 3/8 inch. ~~Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a horizontal slope in the direction of discharge of not less than one eighth unit vertical in 12 units horizontal (1 percent slope). Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance.]~~

*Section [M] 314.2.4.1, Ductless mini-split system traps, is amended as follows:*

**[M]314.2.4.1 Ductless mini-split system traps.** Ductless mini-split equipment that produces condensate shall be in accordance with their manufacturers' recommendations. ~~[provided with an in-line check valve located in the drain line, or a trap.]~~

*Section 401.3, Water conservation, is deleted and replaced with the following text:*

**401.3 Water conservation.** The maximum discharge flow rates for plumbing fixture fittings shall be in accordance with applicable standards referenced in Chapter 15 and listed in Table

604.4, but in no case shall they exceed the maximum requirements of the Texas Commission of Environmental Quality (TCEQ), Chapter 372, titled "Environmental Performance Standards for Plumbing Fixtures" and/or the requirements set forth by these amendments.

*Table 403.1, MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES, Note e is deleted in its entirety and replaced with the following text and Note f is deleted:*

e. Service sinks are not required for an occupant load of 15 or fewer or as otherwise approved by the code official.

~~f. The required number and type of plumbing fixtures for outdoor public swimming pools shall be in accordance with Section 609 of the International Swimming Pool and Spa Code.]~~

*Section 404, ACCESSIBLE PLUMBING FACILITIES, is deleted. Refer to TDLR Architectural Barriers Texas Accessibility Standards (TAS) Chapter 6.*

*Section 405.3.1, Water closets, urinals, lavatories and bidets, is amended as follows:*

**405.3.1 Water closets, urinals, lavatories and bidets.** A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition, vanity or other obstruction. Where partitions or other obstructions do not separate adjacent fixtures, fixtures shall not be set closer than 30 inches (762 mm) center to center between adjacent fixtures. There shall be not less than a 21-inch (533 mm) clearance in front of a water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall be not less than 30 inches (762 mm) in width and not less than 60 inches (1524 mm) in depth for floor-mounted water closets and not less than 30 inches (762 mm) in width and 56 inches (1422 mm) in depth for wall-hung water closets.

*Section 410.2, Small occupancies, is amended as follows:*

**410.2 Small Occupancies.** Drinking fountains shall not be required for an occupant load of 30 ~~[15]~~ or fewer.

*Section 410.4, Substitution, is amended as follows:*

**410. 4 Substitution.** Where buildings with a use classification of A-2, B (clinics only), E (day care only), I-1, I-2 (Nursing Homes only), R-3 and R-4 as defined in the International Building Code ~~[restaurants]~~ provide drinking water in a container free of charge, drinking fountains shall not be required ~~[in those restaurants]~~. In other occupancies, where drinking fountains are required, water dispensers, or water in other containers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.

*Section 424.1, Approval, is amended by adding ~~Section 416.5 Tempered water for public hand-washing facilities, is amended as follows:~~*

**~~416.5 Tempered water for public hand-washing facilities.~~** ~~[Tempered water shall be delivered from lavatories and group wash fixtures in public toilet facilities provided for customers, patrons and visitors.] Tempered water where provided shall be delivered through an approved water-~~

~~temperature limiting device that conforms to ASSE 1070 or CSA B125.3. Section 424.1.1, Non-water using urinals, as follows:~~

~~**424.1.1 Non-water using urinals.** Non-water urinals shall conform to ASME A112.19.2/CSA B 45.1, ASME 112.19.19 or CSA B45.5/IAPMO Z124. Non-water urinals shall provide a trap seal that complies with the International Plumbing Code. Non-water urinals shall permit the uninhibited flow of waste through the urinal to the sanitary drainage system. Non-water urinal installations shall be designed to have an active plumbing fixture drain discharge ahead of the urinal drain by means of a vertical wet vent above the urinal drain tee. Refer to section 912.1.1 Vertical Wet Vent Permitted in the International Plumbing Code. (Texas House Bill 2667 (Legislative Session 81 (R))). In addition, the installation of an appropriate sized water distribution and fixture supply piping must be installed in the wall at a location immediately adjacent to the non-water urinal so that a water supplied urinal may be placed at a future date.~~

Section 502.3<sub>2</sub> Water heaters installed in attics, is amended as follows:

**502.3 Water heaters installed in attics.** Storage type water heaters shall not be installed in an attic unless accessible from a door opening on the same floor level in one-and two-family residential occupancies and townhomes. Attics containing a water heater shall be provided with an opening an unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater.

Section 502<sub>2</sub> INSTALLATION, is amended by adding Section 502.6, Water heaters installed under stairways and landings, as follows:

**502.6 Water heaters installed under stairways and landings.** An electric water heater is the only type of water heater that may be installed under a stairway or landing.

Section 502<sub>2</sub> INSTALLATION, is amended by adding Section 502.7, Water heaters installed in garages, as follows:

**502.7 Electric ~~W~~water heaters installed in garages.** ~~Electric ~~W~~water heaters~~ having an ignition source shall be elevated ~~such that the source of ignition is~~ not less than 18 inches (457 mm) above the garage floor.

**Exception:** ~~Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.~~

Section 504.1<sub>2</sub> Antisiphon devices, is amended as follows:

**504.1 Antisiphon devices.** An approved means, such as a [~~cold water "dip" tube with a hole at the top or a~~] vacuum relief valve installed in the cold water supply line above the top of the heater or tank, shall be provided to prevent siphoning of any storage water heater or tank.

*Section 504.6. Requirements for discharge piping, is amended as follows:*

**504.6 Requirements for discharge piping.** The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap located in the same room as the water heater.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
5. Discharge to [~~the floor, to the pan serving the water heater or storage tank, to~~] a waste receptor or to the outdoors. Discharge to the floor of a garage or basement will only be allowed if approved by the code official. Terminate to the exterior a minimum of six inches (152 mm) and a maximum of 12 inches (304 mm) above the finish grade.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is accessible [~~readily observable by the building occupants~~].
8. Not be trapped.
9. To be installed so as to flow by gravity.
10. Terminate not more than 6 inches (152 mm) above and not less than two times the discharge pipe diameter above the floor or *flood level rim* of the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials listed, rated and *approved* for such use in accordance with ASME A112.4.1.
14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place.

*Section 604.4. Maximum flow and water consumption, Exceptions, is amended as follows, ~~all other Code text remains as is:~~*

**604.4 Maximum flow and water consumption.** The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

**Exceptions:**

- [1. ~~Blowout design water closets having a maximum water consumption of 3 ½ gallons (13 L) per flushing cycle.~~]
1. [~~2.~~] Vegetable sprays.
  2. [~~3.~~] Clinical sinks having a maximum water consumption of 4 ½ gallons (17 L) per flushing cycle.
  3. [~~4.~~] Service sinks.
  4. [~~5.~~] Emergency showers.

*Table 604.4, MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS, is amended as follows:*

**TABLE 604.4  
MAXIMUM FLOW RATES AND CONSUMPTION FOR  
PLUMBING FIXTURES<sup>d</sup> AND FIXTURE FITTINGS**

<b>PLUMBING FIXTURE OR FIXTURE FITTING</b>	<b>MAXIMUM FLOW RATE OR QUANTITY<sup>b</sup></b>
Lavatory, private	<u>1.5</u> [ <del>2.2</del> ] gpm at 60 psi
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Shower head <sup>a</sup>	<u>2.0</u> [ <del>2.5</del> ] gpm at 80 psi
Sink faucet	2.2 gpm at 60 psi
Urinal	<u>0.5</u> [ <del>1.0</del> ] gallon per flushing cycle
Water closet <sup>e</sup>	<u>1.28</u> [ <del>1.6</del> ] gallons per flushing cycle

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m.  
1 pound per square inch = 6.895 kPa.

- a. A hand-held shower spray is a shower head. All associated heads shall be appropriate for the flow rate.



b. Consumption tolerances shall be determined from referenced standards.

~~e. Gravity flush water closets shall have a maximum average water consumption of 1.28 gallons per flushing cycle. Water closets shall be High Efficiency Toilets as published by the Environmental Protection Agency.~~

dc. Where the Environmental Protection Agency has accepted that specific plumbing fixtures, by make and model, meet or exceed WaterSense standards, such fixtures installed will be from the most current listing available at the time of installation.

Section 604.9, Water hammer, is amended as follows:

**604.9 Water hammer.** The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer's specifications. Water-hammer arrestors shall conform to ASSE 1010. Water-hammer arrestors shall be installed to protect all washing machines, kitchen sinks, dishwashers, tubs and shower locations from water hammer. A separate tub and shower set back to back may be served by a single set of water-hammer arrestors, provided that the continuation of the water line from one fixture (where the arrestors are located) to the other fixture does not exceed 8 linear feet as measured along the pipe.

Table 605.3, WATER SERVICE PIPE, is amended to reflect changes. Unaltered sections of the Table remain in full force:

**TABLE 605.3  
WATER SERVICE PIPE**

MATERIAL	STANDARD
Copper or copper alloy tubing (Type K, WK, L, <u>or</u> WL [ <del>;</del> <del>M or WM</del> ])	[ <del>ASTM B 75; ASTM B 88; ASTM B 251;</del>  ASTM B 447]  <u>AWWA C900-07</u>

Table 605.4, WATER DISTRIBUTION PIPE, is amended to reflect changes. Unaltered sections of the Table remain in full force:

**TABLE 605.4 WATER DISTRIBUTION PIPE**

MATERIAL	STANDARD
Copper or copper alloy tubing (Type K, WK, L, <u>or</u> WL [ <del>;</del> <del>M or WM</del> ])	ASTM B 75; ASTM B 88; ASTM B 251;  ASTM B 447

*Section 605.24.2. Plastic pipe or tubing to other piping material, is amended as follows:*

**605.243.2 Plastic pipe or tubing to other piping material.** Joints between different types of plastic pipe or between plastic pipe and other piping material shall be made with an approved adapters or transition fittings. Schedule 40 plastic socket molded (female adapter) fittings are prohibited when connecting to pipe threads.

*Section 606.2. Location of shutoff valves, is amended as follows:*

**606.2 Location of shutoff valves.** Shutoff valves shall be installed in the following locations:

1. On the fixture supply at [tø] each fixture other than bathtubs and showers in one-and two-family residential *occupancies*, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, Boarding houses and similar *occupancies*.

~~[2.—On the water supply pipe to each sillcock.]~~

2. ~~[3.]~~ On the water supply pipe to each appliance or mechanical equipment.

*Section 607.1 Where required, is amended as follows:*

~~**607.1 Where required.** In residential occupancies, hot water shall be supplied to plumbing fixtures and equipment utilized for bathing, washing, culinary purposes, cleansing, laundry or building maintenance. In nonresidential occupancies, hot water shall be supplied for culinary purposes, cleansing, laundry or building purposes. In nonresidential occupancies, hot water or tempered water shall be supplied for bathing and washing purposes. In nonresidential occupancies, hot water or tempered water is not required for public hand-washing purposes.~~

*Section 607.2 Hot or tempered water supply to fixtures, is amended as follows, all other Code text remains as is:*

~~**607.2 Hot or tempered water supply to fixtures.** The developed length of hot or tempered water piping, from the source of hot water to the fixtures that require hot or tempered water, shall not exceed 100 [50] feet (30,480 mm [15 240 mm]). Recirculating system piping and heat-traced piping shall be considered sources of hot or tempered water.~~

*Section 607.3, Thermal expansion control, is amended as follows, all other Code text remains as is:*

**607.3 Thermal expansion control.** Where a storage water heater is supplied with cold water that passes through an on-site check valve, pressure reducing valve, or backflow preventer, a thermal expansion tank shall be connected to the water heater cold water supply pipe at a point that is downstream of all check valves, pressure reducing valves and backflow preventers. Thermal expansion tanks shall be sized in accordance to the manufacturer's instructions and sized such that the pressure in the water distribution system



shall not exceed that required by section 604.8. Thermal expansion control is limited to the use of expansion tanks (per water conservation requirements of 1998, Ordinance 89128).

Table 608.1, APPLICATION OF BACKFLOW PREVENTERS, is amended to reflect changes. Unaltered sections of the Table remain in full force:

**TABLE 608.1 APPLICATION OF BACKFLOW PREVENTERS**

<b><u>DEVICE</u></b>	<b><u>DEGREE OF HAZARD</u></b>	<b><u>APPLICATION</u></b>	<b><u>APPLICABLE STANDARDS</u></b>
<u>Backflow preventer for carbonated beverage machines</u>	<u>Low hazard</u>	<u>Backpressure or backsiphonage</u> <u>Sizes 1/4"-3/8"</u>	<u>ASSE [1022] 1015</u>

Section 608.134, Backflow protection, is amended by adding sections 608.134.110, Listing, and 608.134.121, More than one assembly, as follows:

**608.143.110 Listing.** All backflow prevention assemblies, where not otherwise covered in this Code, shall conform to listed standards and be acceptable to the code official, with jurisdiction over the selection and installation of backflow prevention assemblies.

**608.134.121 More than one assembly.** Where more than one (1) backflow preventer is installed on a single premise, and the backflow preventers are installed in one location, each separate backflow preventer shall be permanently marked in an approved manner to identify the location of the system that the backflow preventer serves.

Section 608.145, Location of backflow preventers, is amended by adding Section 608.145.3, Access, as follows:

**608.154.3 Access.** All backflow preventers shall be readily accessible

Section 608.176.1.1, Carbonated Beverage dispensers, is amended as follows:

**608.176.1.1 Carbonated Beverage dispensers.** The water supply connection to each carbonated beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1015 [1022] or by an *air gap*. The portion of the backflow preventer device downstream from the second check valve of the device and the piping downstream there-from shall not be affected by carbon dioxide gas.

Section 608.167.2, Connections to boilers, is amended as follows:

**608.167.2 Connections to non-potable boilers.** The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent complying with

ASSE 1013. [~~1012 or CAN/CSAB64.3.~~] Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or a reduced pressure principle backflow preventer, complying with ASSE 1013, CAN/CSAB64.4 or AWWA C511.

*Section 608.167.5, Connections to lawn irrigation systems, is amended as follows:*

**608.167.5 Connections to lawn irrigation systems.** The potable water supply to lawn irrigation systems shall be protected against backflow by [~~an atmospheric type vacuum breaker,~~] a pressure vacuum breaker assembly, a double-check valve assembly or a reduced pressure principle backflow prevention assembly. [~~Valves shall not be installed downstream from an atmospheric vacuum breaker.~~] Where chemicals are introduced into the system or there is an on-site sewage facility (OSSF) system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly. The irrigation system shall be designed and installed in accordance with City Ordinance #100322 and #2008-08-07-0653.

*Section 702.3, Building sewer pipe, is amended as follows:*

**702.3 Building sewer pipe.** Building sewer pipes three inch and four inch shall be a minimum of Schedule 40 PVC or SDR26. Sewer lines six inch and larger shall be a minimum of SDR 35 PVC. Cast-iron and Stainless steel 316L may also be used for all sizes. Polyethylene (PE) plastic pipe (SDR-PR) ASTM F 714 may be used for replacement of underground sewers by pipe-bursting methods in Section 717. [~~Building sewer pipe shall conform to one of the standards listed in Table 702.3.~~]

*Table 702.3, Building Sewer Pipe, is repealed.*

*Section 705.1, General, is amended by adding section 705.1.1, Joint couplings, as follows:*

**705.1.1 Joint Couplings.** All underground or under slab mechanical joint coupling installations shall be shielded and Wide-Bodied.

*Section 706.3, Installation of fittings, is amended as follows:*

**706.3 Installation of fittings.** Fittings shall be installed to guide sewage and waste in the direction of flow. Change in directions shall be made by fittings installed in accordance with Table 706.3. Change in direction by combination fittings, side inlets or increasers shall be installed in accordance with Table 706.3 based on pattern of flow created by the fitting. Double sanitary tee patterns shall not receive the discharge of back-to-back water closets, [~~and~~] fixtures or appliances with or without pumping action discharge.

**Exception:** Back-to-back water closet connections to double sanitary tees shall be permitted where the horizontal *developed length* between the outlet of the water closet and the connection to the double sanitary tee pattern is 18 inches (457 mm) or greater.

*Section 706.4 Heel or side inlet quarter bends, is amended as follows:*

~~706.4 Low heel [Heel or side] inlet quarter bends. Low heel [Heel] inlet quarter bends, in the upright position, shall be an acceptable means of connection for single fixtures, however, they cannot be used for wet venting. [, except where the quarter bend serves a water closet. A low heel inlet shall not be used as a wet vented connection. Side inlet quarter bends shall be an acceptable means of connection for drainage, wet venting and stack venting arrangements.]~~

Section 708.1.2, *Building sewers*, is deleted and replaced with the following text:

**708.1.2 Building sewers.** Building sewers smaller than 8 inches (203mm) shall have cleanouts located not more than 100 feet (30,480 mm) apart measured from the upstream entrance of the cleanout. The required cleanout fitting shall be a directional Tee-Wye drainage type fitting, unless otherwise approved by the code official. For building sewers 8 inches (203 mm) and larger, shall have a manhole located not more than 200 feet (60,960 mm) from the junction of the building drain and building sewer, at each change in direction and at intervals of not more than 400 feet (122 m) apart. The interval length shall be measured from the cleanout or manhole opening, along the developed length of the piping to the next drainage fitting providing access for cleaning, a manhole or the end of a building sewer.

Section 708.1.4, *Changes of direction*, is deleted and replaced with the following text:

**708.1.4 Changes of direction.** An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees (2.36 rad). [Where a horizontal drainage pipe, a building drain or a building sewer has a change of horizontal direction greater than 45 degrees (0.79 rad), a cleanout shall be installed at the change of direction. Where more than one change of horizontal direction greater than 45 degrees (0.79 rad) occurs within 40 feet (12 192 mm) of developed length of piping, the cleanout installed for the first change of direction shall serve as the cleanout for all changes in direction within that 40 feet (12 192 mm) of developed length of piping.]

Section 708.1.7, *Manholes*, is amended as follows:

**708.1.7 Manholes.** Manholes and manhole covers shall be of an approved type. Manhole covers located inside a building shall have gas-tight covers that require tools for removal. Manhole covers shall be identified as "SEWER" and shall not indicate a utility company thereon.

Section 708.1, *Cleanouts required*, is amended by adding section 708.1.12, *Individual fixture*, as follows:

**708.1.12 Individual fixture.** All washing machines and kitchen sinks shall have an accessible clean out.

*Section 802.4, Waste Receptors*, is amended by adding an exception as follows:

**802.4 Waste Receptors.**

**Exception:** Waste receptors may be installed in a plenum. The trap shall be deep seal type and shall be protected by one of the methods in sections 1002.4.1.1 thru 1002.4.1.4.

*Section 712, ~~SUMPS AND EJECTORS~~, is amended by adding a new Subsection 712.5, ~~Dual pump system~~, as follows:*

~~**712.5 Dual pump system.** All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves a water closet, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure.~~

*Section 802.1.1 ~~Food handling~~, is amended as follows:*

~~**802.1.1 Food handling.** Equipment and fixtures utilized for the storage, preparation and handling of food shall discharge through an indirect waste pipe by means of an air gap. Each well of a multiple-compartment shall discharge independently to a waste receptor or as approved by the code official.~~

*Section 802.1.8 ~~Food utensils, dishes, pots and pan sinks~~, is amended as follows:*

~~**802.1.8 Food utensils, dishes, pots and pan sinks.** Sinks, in other than dwelling units, used for washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break to the drainage system or as approved by the code official.~~

*Section 903.1, ~~Roof extension~~, is amended as follows:*

**903.1 Roof extension.** Open vent pipes that extend through a roof shall be terminated [not less than] at least 6 [NUMBER] inches ( 152 mm) above the roof. Where a roof is to be used for an assembly or as a promenade, observation deck, sunbathing deck, or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

*Section 905.4, ~~Vertical rise of vent~~, is amended as follows:*

**905.4 Vertical rise of vent.** Every dry vent shall rise vertically to a point not less than a minimum of 6 inches (152 mm) above the *flood level rim* of the highest trap or trapped fixture being vented. When structural conditions require horizontal vents to be installed below the flood level rim of the fixture they serve, they shall have a cleanout installed on the riser in an accessible location.

**Exception:** Vents for interceptors located outdoors.

*Section 915.1, ~~Type of fixtures~~, is amended as follows:*

**915.1 Type of fixtures.** A *combination waste and vent system* shall not serve fixtures other than floor drains, sinks, lavatories, and drinking fountains. Combination waste and vent systems shall not receive the discharge from a [food waste disposer or] clinical sink.

*Section 915.2.3, ~~Connection~~, is amended as follows:*

**915.2.3 Connection.** The combination waste and vent system shall have a minimum of two vents, one at the start of the system and one at the end of the system before the last fixture [be provided with a dry vent connected at any point within the system or the system shall connect to a horizontal drain that is vented in accordance with one of the venting methods described in this chapter serves vented fixtures located on the same floor]. *Combination waste and vent systems* connecting to building drains receiving only the discharge from a one or more stack or stacks shall be provided with a dry vent. The vent connection to the combination waste and vent pipe shall extend vertically to a point not less than 6 inches (152 mm) above the flood level rim of the highest fixture being vented before offsetting horizontally. The horizontal length of a combination waste and vent system shall be unlimited.

*Section 916.2 Vent connection, is amended as follows:*

**916.2 Vent connection.** ~~The island fixture vent shall connect to the fixture drain as required for an individual or common vent. The vent shall rise vertically to above the drainage outlet of the fixture being vented before offsetting horizontally or vertically downward. The return bend used under the drain board shall be a one piece fitting or an assembly of a 45 degree, 90 degree and a 45 degree elbow in the order named. The vent or branch vent for multiple island fixture vents shall extend to a minimum of 6 inches (152 mm) above the highest island fixture being vented before connecting to the outside vent terminal or as approved by the code official.~~

*Section 916.3 Vent installation below the fixture flood level rim, is amended as follows:*

**916.3 Vent installation below the fixture flood level rim.** ~~The vent located below the flood level rim of the fixture being vented shall be installed as required for drainage piping in accordance with Chapter 7, except for sizing. The vent shall be sized in accordance with Section 916.2. The lowest point of the island fixture vent shall connect full size to the drainage system. The connection shall be to a vertical drain pipe or to the top half of a horizontal drain pipe and shall include a foot vent off of the vertical vent prior to connection to the vertical drain pipe or to the top half of a horizontal drain pipe. The foot vent shall be routed to the nearest wall and either run independently to the atmosphere or connect to another vent. Cleanouts shall be provided in the island fixture vent to permit rodding of all vent piping located below the flood level rim of the fixtures. Rodding in both directions shall be permitted through a cleanout.~~

*Section 917.1, Where permitted, is amended by adding section 917.1.1, Engineering certification, as follows:*

**917.1.1 Engineering certification.** Single stack vent systems are considered to be an alternative engineering design system and shall be installed in strict accordance with the engineered design. Upon completion of this alternative design system, the design engineer shall submit a letter of the inspection of the systems compliance with the alternative design. The compliance letter shall be signed, sealed and dated, by the design engineer. Signage shall be permanently placed on site identifying the plumbing system as an alternative

engineering design Single Stack Vent System and any alterations to the system shall be reviewed by an engineer.

~~Section 1002.4.1 Trap Seal Protection, is amended as follows, all other section text remains as is:~~

~~**1002.4.1 Trap Seal Protection.** Trap seals of emergency floor drain traps and trap seals subject to evaporation shall be protected by one of the methods in Sections 1002.4.1.1 through 1002.4.1.4 or alternate methods approved by the code official.~~

~~Section 1003.2, Approval, is amended as follows:~~

~~**1003.2 Approval.** The size, type and location of each interceptor shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator. All interceptors shall be stamped or labeled by the manufacturer with an indication of its size in gallons or its full discharge rate in gallons per minute (gpm). The full discharge rate to such an interceptor shall be determined at full flow. Each interceptor shall be rated equal to or greater than the incoming flow.~~

~~Section 1003.3.2, Food waste disposers restriction, is amended as follows:~~

~~**1003.3.2 Food waste disposers restriction and Automatic hood wash/dishwasher units.** All commercial food waste grinder/disposal units shall be connected to and discharge directly into a gravity grease interceptor. All commercial Automatic hood wash/dishwasher units shall discharge into a gravity grease interceptor. [Where food waste grinders connect to grease interceptors, a solids interceptor shall separate the discharge before connecting to the grease interceptor.] A food waste disposer shall not discharge to a grease interceptor. Where food waste disposers connect to grease interceptors, a solids interceptor shall separate the discharge before connecting to the grease interceptor. Solids interceptors and grease interceptors shall be sized and rated for the discharge of the food waste disposer. Emulsifiers, chemicals, enzymes and bacteria shall not discharge into the food waste disposers. Solids interceptors and grease interceptors shall be sized and rated for the discharge of the food waste disposers. Emulsifiers, chemicals, enzymes and bacteria shall not discharge into the food waste disposers.~~

~~Section 1003.5 Sand interceptors in commercial establishments, is amended by adding Section 1003.5.1, Where required, as follows:~~

~~**1003.5.1 Where required.** Sand interceptors shall be installed in the drainage systems of the following establishments: garages, car washes, service stations, or any place of business where heavy solids or solids greater than 0.5 inch may be introduced into the sanitary sewer system. The sizing criteria for a sand interceptor shall be based on the required GPM x 12-minute retention times to obtain the tank size in gallon capacity.~~

~~Section 1003.6 Clothes washer discharge interceptor, is amended as follows and all other text remains as written:~~



~~**1003.6 Clothes washer discharge interceptor.** Clothes washers shall discharge through an intercepter that is provided with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids 1/2 inch (12.7 mm) or larger in size, string, rags, buttons or other materials detrimental to the public sewage system. A professional engineer may design for specific operational requirements; however, the plans must be submitted with a professional engineer's seal for approval. The design shall be based on a 12 minute retention time.~~

*Section 1003.9 Venting of interceptors and separators, is amended as follows:*

~~**1003.9 Venting of interceptors and separators.** Interceptors and separators shall be designed so as not to become air bound. Interceptors and separators shall be vented in accordance with one of the methods in Chapter 9. Gravity type interceptors and separators shall have a minimum two inch relief vent on the tank itself.~~

*SECTION 1003 INTERCEPTORS AND SEPARTATORS, is amended by adding Sections 1003.11, Automatic car washes, 1003.12, Silver recovery units, 1003.13, Neutralizing devices, and 1003.14, Solid interceptors, as follows:*

~~**1003.11 Automatic car washes.** Automatic car washes (with high pressure sprays and/or brushes) shall install an interceptor no small than 50 gallons per minute for a four bay vehicle wash. The size of the interceptor shall increase 10 gallons per minute for each additional wash bay over four. Single bay or portable washer type vehicle washes shall install an interceptor no smaller than 20 gallons per minute. The sizing criteria for automatic car washes shall be based on the flow rate in gallons per minute times a 12 minute retention time.~~

~~**1003.12 Silver recovery units.** Silver recovery units shall be installed in waste line(s) leading from x ray processing, photographic processing, and/or any procedures in establishments such as medical labs, photo finishers, printers, graphic arts production facilities, hospital, veterinary hospitals, or other establishments where silver may be introduced into the sanitary sewer system.~~

~~**1003.13 Neutralizing devices.** In no case shall corrosive liquids, spent acids, or other harmful chemicals which might destroy or injure a drain, sewer, soil or waste pipe, or which might create noxious fumes, discharge into the sanitary sewer system without being thoroughly neutralized by passing through a properly constructed and approved neutralizing medium, consisting of limestone or marble chips, so as to make its contents non injurious before discharge into the sanitary sewer system.~~

~~**1003.14 Solid interceptors.** Solid interceptors shall be installed when pretreatment of waste streams is necessary to prevent solids greater than 0.5 inch (12.7 mm) in diameter, which may cause line stoppage, from entering the sanitary sewer system.~~

*SECTION 1004, MATERIALS, JOINTS AND CONNECTIONS, is amended by adding Section 1004.2, Sample well, as follows:*

**1004.2 Sample well.** An effluent sampling well for all interceptors shall be required. For new construction, the sample well shall have a riser a minimum of six-6 inches (153 mm) in diameter and shall be installed after the confluence of all wasted streams from the facility and prior to discharging into the sanitary sewer collection system. The well shall be perpendicular to the effluent lateral to allow observation of the flow stream and provide for sampling of waste water. For remodeling of an existing structure requiring installation of an interceptor, the option to use an existing 4 inch (102 mm) diameter sample well may be permitted in lieu of a 6 inch (153 mm) sample well.

SECTION 1202, MEDICAL GASES, is amended by adding Section 1202.2, Medical gases not regulated by NFPA 99, as follows;

**1202.2 Medical gases not regulated by NFPA 99.** Where medical gases are installed in other than human medical care facilities such as, but not limited to, veterinary clinics, educational, instructional, and training facilities, etc, the installation shall comply with the minimum standards of the International Plumbing Code such as, but not limited to, the piping materials, support, testing, etc. The piping systems shall be appropriately labeled with the contents every 20 feet.

Section 1301.5, Potable water connections, is amended as follows:

**1301.5 Potable water connections.** Where a potable system is connected to a nonpotable water system, the potable water supply shall be protected against backflow in accordance with Section 608 and shall comply with the laws, rules and ordinances applicable to the application.

Section 1301.9.54, Makeup water, is amended as follows:

**1301.9.54 Makeup water.** Where an uninterrupted supply is required for the intended application, potable or reclaimed water shall be provided as a source of make-up water for the storage tank. The makeup water supply shall be protected against backflow in accordance with section 608. A full-open valve located on the makeup water supply line to the storage tank shall be provided. Inlets to the storage tank shall be controlled by fill valves or other automatic supply valves installed to prevent the tank from overflowing and to prevent the water level from dropping below a predetermined point. Where makeup water is provided, the water level shall not be permitted to drop below the water source water inlet or the intake of any attached pump. Where nonpotable systems are supplied with makeup water from a potable source, the potable makeup shall be protected by both an air gap and a RP backflow device in accordance with Section 608.



**Sec. 10-83. - Fee schedule.**

Plumbing, Gas, Sewer	
Plumbing License and Registration Fees	
<del>Water Treatment Contractor Annual State License Registration Fee</del>	<del>\$85.00</del>
Annual Irrigation Contractor Registration Fee	\$85.00
Plumbing, Gas, Sewer Permit Fees	
Plumbing Inspection (Basic Fee). See section 10-39 for new residential construction plumbing inspection fee.	\$50.00
Fixture; Roof Drain; Reverse Osmosis, <u>Fire Sprinkler Head</u> (per unit)	\$7.00
Grease Trap; Oil Separator; Sand Trap; Lint Trap; Neutralization Tank (or tank receiving discharge of liquid waste from fixtures); Drain, Appurtenance; Appliance	
0—500 gallons	\$12.00
>500 gallons	\$17.00
Water Heater, Vent (Gas/electric)	\$8.00
Back-flow Prevention Device	
1/4" - 3/4"	\$15.00
1"	\$20.00
1 1/4"	\$45.00
1 1/2"	\$55.00
2"+	\$75.00
Water Softener	\$17.00

Underground Waterline	
0—100ft	\$10.00
101—250ft	\$15.00
251—500ft	\$25.00
501—1000ft	\$45.00
1001—2000ft	\$75.00
2001—3000ft	\$100.00
Over 3001ft (plus additional \$25 for each 200ft or part thereof over 3001ft)	\$125.00
Irrigation System Inspection Fee	\$50.00
Residential Landscape Irrigation System Permit Fee	\$50.00
Commercial Landscape Irrigation System Permit Fee	\$100.00
Gas Inspection (Basic Fee). See section 10-39 for new residential construction gas inspection fee.	\$50.00
1—5 openings (fee for each of the first five opening)	\$10.00
>5 openings (fee for each opening over five)	\$3.00
Gas Test; Extension (with 1 opening); Replace Gas Line; Split Meter; Move Meter; Butane Conversion (each)	\$8.00
Sewer Inspection (Basic Fee). See section 10-39 for new residential construction sewer inspection fee.	\$50.00
0—60 ft.	\$10.00
61—150 ft	\$20.00

151—300 ft	\$35.00
301—500 ft.	\$50.00
501—750 ft.	\$70.00
751—1,000 ft.	\$110.00
>1,000 ft.(plus \$20.00 for each 150ft or part thereof over 1000ft	\$125.00
Reclaim Water Line Openings Inspection	\$50.00
1—4 openings (flat fee)	\$40.00
>4 openings (fee for each opening over four)	\$5.00
Medical Gas Inspection (Basic Fee) (oxygen - O <sub>2</sub> ; nitrous oxide - N <sub>2</sub> O; medical compress air - MedAir Nitrogen - N <sub>2</sub> ; vacuum - Vac; carbon dioxide - CO <sub>2</sub> ; helium - He)	\$50.00
1—5 openings (flat fee)	\$13.00
>5 openings (fee for each opening over five)	\$3.00
Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Special Services for Plumbing	
After-hour Inspection Fee (per hour with 1 hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00

Inspection Schedule Fee (Free on-line)	\$3.00
Re-inspection Fee	<del>\$50</del> <u>1.050</u>
Permit Processing Fee	\$10.00
<del>Permit extension</del> <u>Completion permit</u> fee: 50% of permit (plus cost of permit)	
Plumbing Plan Review only (without building plan number)—Per hour/1 hour minimum	\$100.00
Open Permit Review Fee	\$3.00/Permit
Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)	
<del>Commercial Existing Backflow Test and Maintenance Report:</del>	
<del>1—6 reports per address</del>	<del>\$5.00</del>
<del>6—10 reports per address</del>	<del>\$30.00</del>
<del>11—20 reports per address</del>	<del>\$35.00</del>
<del>21—30 reports per address</del>	<del>\$40.00</del>
<del>31—40 reports per address</del>	<del>\$45.00</del>
<del>41+ reports per address, plus five dollars (\$5.00) per each group of ten (10) test and maintenance reports or part thereof</del>	<del>\$45.00</del>
<del>Residential Existing Backflow Test and Maintenance Report (per address)</del>	<del>5.00</del>

**Secs. 10-84—10-90. - Reserved.**

**ARTICLE X. - ENERGY CONSERVATION CODE**

The city council approves and adopts the recommendations of the mayor's sustainable task force:

*The city supports the adoption and implementation of energy provisions that result in energy savings of 15% or greater than the currently adopted code in 2008 (IECC 2000 with 2001 supplement and ASHRAE 90.1 1999), the goal of 30% energy savings in 2012 over the currently adopted code in 2008 (IECC 2000 with 2001 supplement and ASHRAE 90.1 1999), the goal of net-zero carbon by 2030 with the intent to provide flexibility to permit the use of innovative approaches and techniques to achieve the effective use of energy and to reduce greenhouse gas and ozone precursor emissions in the city and which is not intended to abridge safety, health, or environmental requirements contained in other applicable codes or ordinances.*

The city approves the goals of the following recommendations of the sustainable building task force:

- (1) That the development services department, office of public utilities within finance, and the office of sustainability coordinate with CPS Energy and San Antonio Water System (SAWS) to evaluate a new construction residential and commercial financial incentive program to include the provision of specific rebates or other incentives, with an ultimate goal of achieving net zero carbon by 2030 and be designed to reward improved performance in a scaled fashion, within the current limitations of all applicable laws and regulations.*
- (2) That CPS Energy and SAWS provide existing rebate and incentive information to the city to coordinate and promote incentives to provide one-stop information.*
- (3) That the office of sustainability provide information on sustainable building practices and incentives to encourage residential and commercial developers to exceed minimum code requirements and serve as a clearinghouse for green building information from a wide and ever-increasing variety of sources.*
- (4) That the city office of sustainability coordinate education awareness with other agencies or organizations that include workshops, trainings, and seminars which will provide sustainable building practices for residential and commercial buildings that exceed minimum code requirements.*
- (5) That the city office of sustainability promote an annual San Antonio Green Leadership awards program to recognize all new residential and commercial builders, architects, and others that significantly exceed the minimum code and to post those names on the city's website and through additional public media outlets.*
- (6) That CPS Energy and SAWS evaluate incentives and rebates to support energy and water conservation for programs that exceeds code and include such programs in a unified city-wide promotion.*
- (7) That energy incentives be provided to achieve 30% or greater savings above the currently adopted energy code; and*
- (8) That the Building-Related and Fire Codes Appeals and Advisory Board (BRFCAAB) review the city's current energy code as needed but not less often than every three years*

*and recommend changes to make periodic progress toward the goal of net-zero carbon by 2030.*

*(13) That the city office of sustainability would monitor the implementation of the recommendations of the mayor's task force on sustainable buildings, review COSA sustainability energy policies and goals, and measure periodic progress toward the goal of net-zero carbon by 2030.*

*(14) That the city office of sustainability would recommend the establishment or modification of interim goals to attain agreed long-term goals and make recommendations to city management, City Council, and the BRFCAB as needed but not less often than every three years. Interim and long-term goals would be evaluated and recommended for amendment as required on the basis of sustainable environmental and community benefits, return on investment and practical impact on the regulated community.*

**Sec. 10-91. - Adoption of *International Energy Conservation Code* (~~2015~~2018).**

The ~~2015~~2018 edition of the *International Energy Conservation Code*, promulgated by the International Code Council, Chapters 2[CE] through 5[CE], Chapters 2[RE] through 5[RE] and both the commercial and residential Chapters 6 (referenced standards), is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-92. Provisions of this article are in addition to the provisions of the *International Energy Conservation Code*. The following provisions coinciding with the provisions of the *International Energy Conservation Code* supersede, repeal, or delete, when indicated, the corresponding provisions of the *International Energy Conservation Code*.

All references within the model codes to any building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, fuel gas, mechanical, plumbing, energy conservation, or existing building code specifically adopted by reference in articles II through XIII of this chapter.

**Sec. 10-92. - Amendments to the adopted chapters of the *International Energy Conservation Code* (~~2015~~2018).**

Additions to the *International Energy Conservation Code* (IECC) are shown as underlined text. Deletions of the IECC are shown as bracketed [~~striketroughs~~].

*Section C402.3, Roof solar reflectance and thermal emittance, is amended to read as follows (exceptions are unchanged):*

**C402.3 Roof solar reflectance and thermal emittance.** Low-sloped roofs, with a slope less than or equal to 2 units vertical per 12 units horizontal, directly above cooled conditioned spaces in Climate Zones 1, 2 and 3 shall comply with one or more of the options in Table C402.3. Roof surfaces with a slope greater than 2 units vertical per 12 units horizontal, directly above cooled conditioned spaces shall have a minimum reflectance of 0.35 or a minimum Solar Reflective Index of 29.

Section C402.4.2, *Minimum skylight fenestration area, Exception is amended by adding a sixth exception as follows. All other language in Section C402.4.2 remains:*

**Exception:** Skylights above *daylight zones* of enclosed spaces are not required in:

1. Buildings in *Climate Zones* 6 through 8.
2. Spaces where the designed *general lighting power* densities are less than 0.5 W/ft<sup>2</sup> (5.4 W/m<sup>2</sup>).
3. Areas where it is documented that existing structures or natural objects block direct beam sunlight on not less than-at-least half of the roof over the enclosed area for more than 1,500 daytime hours per year between 8 a.m. and 4 p.m.
4. Spaces where the *daylight zone* under rooftop monitors is greater than 50 percent of the enclosed space floor area.
5. Spaces where the total area minus the area of sidelight daylight zones adjacent to vertical fenestration is less than 2,500 square feet (232 m<sup>2</sup>), and where the lighting is controlled in accordance with-according to Section C405.2.35.
6. In warehouses protected by Early Suppression Fast Response (ESFR) fire sprinklers where vertical wall fenestration is provided with a minimum areas equal to that determined by Section C402.4.2.

Section C404.6.1, *Circulation systems, is amended to read as follows:*

**C404.6.1 Circulation systems.** Heated-water circulation systems shall be provided with a circulation pump. The system return pipe shall be a dedicated return pipe or a cold water supply pipe. Gravity and thermo-syphon circulation systems shall be prohibited. Controls for circulating hot water system pumps shall comply with one of the following:

1. Controls for circulating hot water system pumps shall start the pump based on the identification of a demand for hot water within the occupancy. The controls shall automatically turn off the pump when the water in the circulation loop is at the desired temperature and when there is not a demand for hot water.
2. Controls for circulating hot water system pumps shall include a timer clock switch operating pumps based on time of day/night. Controls shall also include a return water temperature sensor switch to pause the re-circulating pump whenever the return water is hot.

Section C405.5,6 ~~*Dwelling Electrical meter energy consumption*~~ (Mandatory), is modified to read as follows:

**C405.56 Dwelling Electrical meter energy consumption** (Mandatory). Each dwelling unit located in a Group R-2 multi-family building shall have a separate electrical meter.

Section C501.6, *Historic buildings, is amended to read as follows:*

**C501.6 Historic buildings.** ~~No~~ provisions of this code relating to the construction, *repair, alteration, restoration and movement of structures, and change of occupancy shall not* be

mandatory for *historic buildings*. [~~provided a report has been submitted to the code official and signed by a registered design professional or a representative of the State Historic Preservation Office or the historic preservation authority having jurisdiction, demonstrating that compliance with that provision would threaten, degrade or destroy the historic form, fabric or function of the building.~~]

*Section C503.3.1, Roof replacement, is amended to read as follows:*

**C503.3.1 Roof replacement.** *Roof replacements* shall comply with ~~Table Section~~ C402.1.3, ~~or C402.1.4, C402.1.5 or C407~~ where the existing roof assembly is part of the *building thermal envelope* and contains insulation entirely above the roof deck. New skylights are not required to be provided as part of a roof replacement where the existing building did not have skylights. Where new skylights are installed at the option of the owner as part of the roof replacement, they shall meet Section C503.3.3.

*Section R402.4.1.1, Installation, is amended to read as follows:*

**R402.4.1.1 Installation.** The components of the *building thermal envelope* as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria ~~listed indicated~~ in Table R402.4.1.1, as applicable to the method of construction. [~~Where required by the code official, an~~] An approved third party shall inspect all components and verify compliance. Insulation letters shall not be submitted to the *Building Official* prior to the inspection being performed and shall be submitted on a form approved by the *Building Official*.

*Section R402.4.1.2, Testing, is amended by amending the first paragraph to read as follows. All other language in Section ~~R~~C402.4.1.2 remains:*

**R402.4.1.2 Testing.** The *building* or dwelling unit shall be tested and verified as having an air leakage rate ~~of~~ not exceeding five air changes per hour in *Climate Zones* 1 and 2, and three air changes per hour in *Climate Zones* 3 through 8. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E 779 or ASTM E 1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). ~~Testing~~ [~~Where required by the code official, testing~~] Testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *Building Official* [~~code official~~]. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*.

*Section R402.6, Radiant Barrier, is added to read as follows:*

**R402.6 Radiant Barrier.** In new dwellings, a roof radiant barrier with an emittance of 0.10 or less as tested in accordance with ASTM C-1371 or ASTM E-408 is required above conditioned spaces. The radiant barrier shall be installed according to the manufacturer's instructions.

**Exceptions:**

1. Roofs covered with materials that have a solar reflectance of 0.4 or greater.



2. Residential buildings with sealed attics such as foam type insulation or similar.
3. Residential buildings with all mechanical equipment and all ductwork located wholly within the conditioned space.

*R403.3.1, Insulation (Prescriptive), is amended by adding a second exception as follows.*

**R403.3.1 Insulation (Prescriptive).** Supply and return ducts in attics shall be insulated to an R-value of not less than ~~minimum of~~ R-8 wherefor ducts 3 inches (76 mm) in diameter and larger-greater and not less than R-6 wherefor ducts smaller-less than 3 inches (76 mm) in diameter. Supply and return ducts in other portions of the *building* shall be insulated to a minimum not less than ~~of~~ R-6 for ducts where 3 inches (76 mm) in diameter or-greater and not less than R-4.2 for ducts smaller-where less than 3 inches (76 mm) in diameter.

**Exceptions:**

1. Ducts or portions thereof located completely inside the *building thermal envelope*.
2. Supply and return ducts in attics shall be insulated to an R-value of not less than-a minimum of R-6 wherefor ducts 3 inches (76 mm) in diameter and greaterlarger, where the seasonal energy efficiency ratio (SEER) of the installed cooling equipment is higher than the minimum required by federal law for climate zone 2.

*Section R403.5.1.1, Circulation systems, is amended to read as follows:*

**R403.5.1.1 Circulation systems.** Heated water circulation systems shall be provided with a circulation pump. The system return pipe shall be a dedicated return pipe or a cold water supply pipe. Gravity and thermo-syphon circulation systems shall be prohibited. Controls for circulating hot water system pumps shall comply with one of the following:

1. Controls for circulating hot water system pumps shall start the pump based on the identification of a demand for hot water within the occupancy. The controls shall automatically turn off the pump when the water in the circulation loop is at the desired temperature and when there is no demand for hot water.
2. Controls for circulating hot water system pumps shall include a timer clock switch operating pumps based on time of day/night. Controls shall also include a return water temperature sensor switch to pause the re-circulating pump whenever the return water is hot.

*Section R404.1, Lighting equipment (Mandatory), is amended to read as follows:*

**R404.1 Lighting equipment (Mandatory).** Not less than 75 [90] percent of the permanently installed lighting fixtures shall contain only high-efficacy lamps. Starting 18 months after adoption of this code, not less than 90 percent of the permanently installed lighting fixtures shall contain only high-efficacy lamps.

*Table R406.4, Maximum energy Rating Index, is amended as follows:*

**TABLE R406.4  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
1	<del>572</del>
2	<del>59-63</del> [ <del>572</del> ]
3	<del>574</del>
4	<del>54-62</del>
5	<del>55-61</del>
6	<del>54-61</del>
7	<del>583</del>
8	<del>583</del>

Sections R501.6, Historic buildings, is amended to read as follows:

**R501.6 Historic buildings.** ~~No p~~Provisions of this code relating to the construction, *repair, alteration, restoration and movement of structures, and change of occupancy shall not be mandatory for historic buildings*-. [ ~~provided that a report has been submitted to the code official and signed by the owner, a registered design professional, or a representative of the State Historic Preservation Office or the historic preservation authority having jurisdiction, demonstrating that compliance with that provision would threaten, degrade or destroy the historic form, fabric or function of the building.~~ ]

**Secs. 10-93—10-100. - Reserved.**

**ARTICLE XI. - FIRE PREVENTION**

**Sec. 10-101. - Fire prevention.**

See chapter 11 of this Code.

**Secs. 10-102—10-110. - Reserved.**

**ARTICLE XII. - LICENSING AND REGISTRATION**

**Sec. 10-111. - Billboard operator license.**

- (a) **License required.** All persons engaging in the business of erecting, painting, servicing or maintaining billboards or any other off-premises advertising sign shall, for the purposes of this chapter, be considered billboard operators and must be licensed to do business by the city. A license holder supplying his license for a firm or corporation doing business under this chapter shall not supply his license to a second firm or corporation. Any permit issued to the license holder shall be for work being done by the license holder and his firm or corporation. The licensing requirement shall not be applicable to employees or subcontractors performing work under the supervision of the licensed billboard operator.
- (b) **Examination required; application.** Before a billboard operator license may be issued, each person seeking such a license shall take an examination and file an application for the examination with the *Building Official*.
- (c) **Qualifications.** Prior to taking the examination required by this chapter, each applicant shall demonstrate to the *Building Official* an ability to read and write English, and show proof of at least four (4) years practical experience at the trade working under a billboard operator. The applicant shall also submit to the *Building Official* an affidavit, duly sworn, setting forth his experience. Proof of the applicant's experience shall be included with the affidavit.
- (d) **Examination fee; test score; issuance of license.** Examinations are administered by an approved third party, and the associated examination fees are paid directly to the approved third party by the applicant. After the *Building Official* has approved the application, the applicant has passed the required examination, and the applicant has paid the license fee in accordance with the city approved fee schedule, the *Building Official* shall issue the applicant a billboard operator license.
- (e) **Vehicle identification.** Any contractor engaged in erecting, installing, servicing, or maintaining a billboard shall ensure that all vehicles required to be on the job are identified with the contractor/company name and license number. Lettering on the vehicle shall be at least two (2) inches high, and shall be in full view and legible at all times.

**Sec. 10-112. - Commercial sign operator license.**

- (a) **License required.** Any person engaged in the business of erecting, painting, maintaining or servicing commercial signs must be licensed as a commercial sign operator by the city.
- (b) **Examination required; application.** Before a billboard operator's license may be issued, each person seeking such a license shall take an examination and file an application for the examination with the *Building Official*.
- (c) **Qualifications.** Prior to taking the examination required by this chapter, each applicant shall demonstrate to the *Building Official* an ability to read and write English, and show proof of at least two (2) years of experience in commercial sign installation working under a licensed commercial sign operator, or a licensed commercial sign operator from another city provided that the licensing qualifications and examinations are similar in design and quality to that of the city as determined by the *Building Official*, or can show proof of at least four

(4) years of experience in commercial sign installation, provided the verification of experience shall be provided to the *Building Official* in a manner established by written policy. The applicant shall also submit to the *Building Official* an affidavit, duly sworn, setting forth his experience. Proof of the applicant's experience shall be included with the affidavit.

- (d) **Examination fee; test score; issuance of license.** Examinations are administered by an approved third party, and the associated examination fees are paid directly to the approved third party by the applicant. After the *Building Official* has approved the application, the applicant has passed the required examination, and the applicant has paid the license fee in accordance with the city approved fee schedule, the *Building Official* shall issue the applicant a commercial sign operator license.

**Sec. 10-113. — ~~City~~ Electrical contractors and electrical sign contractors, installers, maintenance electricians; licenses and registrations.**

- (a) **Effect of state licensing.** Upon the state's enforcement of House Bill 1487, passed by the 78th session of the Texas Legislature that established the state licensing of electricians, the city no longer licenses electricians through testing administered by the city.

**Exception:** The *Building Official* will continue to renew those electrical licenses issued prior to the state's electrical license program.

All provisions and regulations of this chapter shall apply to ~~referencing a~~ licenses issued by the city ~~shall also cover a license issued by and/or~~ the state.

- (b) **State licensed electrical contractors and electrical sign contractors, registration.** State licensed electrical contractors and electrical sign contractors shall register with the city before performing any electrical work or electrical sign work regulated by this chapter or chapter 28, Signs and billboards. ~~The annual fee for such registration shall be established by city ordinance.~~

- (c) **~~City~~ Licensing and insurance required.**

(1) **Qualifications of electricians.** It shall be a violation of this chapter for a person who does not hold a license to engage in the electrical construction and/or electrical sign construction, for which a permit is required, or to undertake to execute such construction or to cause the undertaking of such construction.

(2) **Misrepresentation.** It shall be a violation of this chapter for any person to represent themselves with any class of license or registration set forth in this Code or to use the words "electrical contractor," "master electrician," "master sign electrician," "electrician," or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered/licensed within the meaning of the word used as provided in this chapter.

(3) **General liability and completed operation insurance.**

- a. A licensed contractor shall furnish the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to the *Building Official* or to any customer who requests it.

An electrical contractor, electrical sign contractor, ~~residential appliance installation contractor~~—or the holder of an annual electrical maintenance permit must continuously maintain on file with the *Building Official* in a form of a certificate addressed to the city showing the above referenced persons carrying the following types and amounts of insurance:

(1) The insurance must be at least \$300,000 per occurrence (combines for property damage and bodily injury

(2) Be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and

(3) Be at least \$300,000 aggregate for products and completed operations.

~~bodily injury liability insurance of at least three hundred thousand dollars (\$300,000.00) and property damage liability insurance of at least three hundred thousand dollars (\$300,000.00) for both general liability and completed operations insurance. This amount shall equal the same amount as the state, should requirements be changed by the state.~~

- b. The holder of any contractor's license is responsible for providing evidence of a new or renewal policy of any required insurance coverage upon termination or renewal of any policy.
- c. Any insurance certificate required by this Code must be written through a company licensed to issue the insurance in the state and the insurance ~~must~~ may be approved by office of the city attorney.

~~d. Terms concurrent with license. Insurance policy terms may be concurrent with the two-year license terms and the insurance policy term may be prorated when it is approved by the code official as other than the two-year term.~~

**(d) Communication, ready access, and vehicle identification.**

- (1) **Means of communication.** Every electrical or electrical sign contractor shall maintain an established place of business, as defined in subsection 10-113(d)(2) and shall establish a means to receive messages from the *Building Official* during the regular business hours. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, a pager or a cellular telephone.
- (2) **Master present for business.** Master electricians or master sign electricians, on behalf of an electrical or electrical sign contractor, licensed by the city or the state, shall be present during construction related to that type of license. "Present" shall mean: on site, in the office, or available to be reached during the times of 7:45 a.m. and 4:30 p.m. Central Standard time. Upon request of the *Building Official*, master electricians shall make themselves available to meet on the job site.

- (3) **Identification of vehicles.** Each person engaged in electrical construction work shall identify all vehicles used for the transportation of materials, supplies, equipment or hand tools in the performance of such work with signs showing the name and type of business, the contractor's master electrician's license number and the state contractor's license number, if applicable, under which such electrical construction or electrical sign work is being conducted. For contractors operating with local license numbers, the number should be prefixed with EM or SM and those operating with state licenses shall have the TECL or TSCL. The signs shall be kept current at all times and shall be painted or comprised of permanently affixed decals displayed on each side of the vehicle. All letters and numbers shall be a minimum of two (2) inches in height and shall be in full view and legible at all times. It shall be a violation of this chapter to use vehicles that do not comply with this section.
- (e) **City ~~C~~lassifications of licenses and registrations.** The following are the classifications of ~~City~~ licenses and registrations regulated by this Code:
- (1) **Licenses:**
- a. Electrical contractor.
  - b. Electrical sign contractor.
  - ~~c. Residential appliance installation contractor.~~
  - ~~dc.~~ Master electrician.
  - ~~ed.~~ Master sign electrician.
  - ~~fe.~~ Journeyman electrician.
  - ~~g. Journeyman sign electrician.~~
  - ~~h. Electrical apprentice.~~
  - ~~i. Electrical sign apprentice.~~
  - ~~j. Maintenance electrician.~~
  - ~~k. Residential wireman.~~
  - ~~l. Residential appliance installer.~~
- (2) **Registrations:**
- a. Electrical maintenance technician.
  - ~~b. Electrical sign technician. New electrical sign technician registrations are no longer offered.~~
- (f) **Documentation.** The *Building Official* shall adopt rules regarding the form of documentation that will be accepted as proof of compliance with any experience, verification of registration or license status, or other pertinent information the *Building Official* feels is relevant for inclusion.
- (g) **Record of issuance.** The *Building Official* shall maintain a record that is available to the general public of all licenses and registrations issued pursuant to this chapter.



(h) **City Licenses, registration cards and certificates.**

- (1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a city registration or license.
  - (2) Each such registration card shall expire at midnight of the renewal date. A new card shall be issued provided that the registration or license holder has complied with the regulations of this Code pertaining to renewals.
  - (3) Each registration certificate or card, when issued to an electrical contractor, electrical sign contractor, ~~or residential appliance installation contractor~~ shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration certificate or card and shall notify the code official if the licensee is no longer in its employment. No further permits will be issued to the firm based upon the previous license holder's name who is no longer employed by the firm.
  - (4) It shall be a violation of this Code for any person to alter or amend in any manner, lend, rent, or transfer a registration certificate or card, and for any person to make use of any such rights for which the person is not registered or licensed.
  - (5) Each electrical contractor, electrical sign contractor, or residential appliance installation contractor shall display the registration certificate in a conspicuous place in the firm's place of business. Each holder of a registration card shall carry the registration card on his person at all times while performing electrical work, electrical sign work or residential appliance installation covered by this Code and shall present it to the *Building Official* upon demand.
- (i) **License expiration, renewal, and continuing education.** A license may be renewed at any time within thirty (30) days before the expiration date, unless such license has been revoked or canceled by the *Building Official*. Applicants shall show proof of having satisfactorily completed an accredited four-hour code study course, approved by the *Building Official*, for each year of renewal within the twenty-four (24) months immediately preceding such renewal. All electrical and sign licenses shall expire at midnight on the anniversary date of their issuance and shall be subject to renewal for a two-year period of time.
- (j) **Licenses not transferable.** No license shall be transferred and no holder of any license shall allow his name or license to be used by any other person, either for the purpose of doing electrical construction or obtaining a permit under the penalty of forfeiture of license and payment of fines.
- (k) Cancellation and suspension of City licenses and registration; appeals.** Any license or registration granted under this chapter may be canceled, revoked or suspended by the *Building Official* if the holder of such license or registration violates provisions of this chapter or any ordinance of the city relating to electrical work.
- (1) A contractor's certificate of registration or license may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered contractor is convicted of any penal offense arising out of or related to the performance of an electrical contract or the registered contractor suffers a judgment against them in a civil

action predicated upon fraud in connection with the performance of an electrical contract.

(2) The *Building Official* may also administratively cancel or suspend a certificate of registration or license after a hearing before the *Building Official* for any one or more of the following reasons:

- a. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of:
  - i. A felony, or
  - ii. Misdemeanor involving moral turpitude;
- b. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state;
- c. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;
- d. Three (3) separate violations of this chapter, provided the violations occur within the previous 12-month period;
- e. Upon judicial determination of an abandonment or willful failure to perform any electrical contract or project in or undertaken by a registered electrical contractor, or willful deviation from or disregard of plans or specifications in any material respect;
- f. Upon judicial determination that the contractor knowingly made substantial misrepresentation on the part of the electrical contractor in the procurement of a
- g. Upon judicial determination of fraud on the part of the electrical contractor in the execution of or in the material alteration of any electrical contract or mortgage, promissory note or other document relating to the contract;
- h. Upon judicial determination that the electrical contractor knowingly prepared or accepted any mortgage, promissory note or other evidence of indebtedness pertaining to an electrical transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the electrical construction work;
- i. With knowledge, the electrical contractor directly or indirectly published any advertisement relating to electrical construction which contains assertions, representations or statements which are false, deceptive or misleading;
- j. Failure of the electrical contractor to notify the *Building Official* of any change in the ownership, management, or business name;
- k. Conducting an electrical contractor business in any name other than the one registered;
- l. Obtaining an electrical permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.



- (3) The *Building Official* may take any of the following actions against the holder of the license or certificate of registration:
- a. No suspension.
  - b. Suspension for thirty (30) days.
  - c. Suspension for sixty (60) days.
  - d. Suspension for ninety (90) days.
  - e. Suspension for one hundred eighty (180) days.
  - f. Cancellation.
- (4) The *Building Official* shall send the registered electrical contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.
- (5) A written decision to cancel or suspend a certificate of registration or license shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building-related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.
- (6) Board appellate process.
- a. A registered or licensed contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
  - b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
  - c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.
  - d. A cancellation shall prevent the electrical contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a contract. In performing currently permitted obligations while cancelled, the contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one-year period, a contractor may apply for a new certificate of registration. No provision of this section shall be interpreted to mean that a new certificate of registration will be issued after a prior certificate of registration has

been cancelled. A denied applicant for a new certificate of registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.

e. A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under the electrical contract. The contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

~~(k) **Revocation of licenses.** Any license or registration granted under this chapter may be canceled, revoked or suspended by the *Building Official* if the holder of such license or registration violates provisions of this chapter or any ordinance of the city relating to electrical work. When a license or registration is suspended, a new license or registration shall not be granted to the same person in violation of the terms of the suspension. Prior to taking any action identified in this section, the *Building Official* shall give at least fifteen (15) days of written notice to the license or registration holder to afford the individual or business an opportunity to present evidence that such action is not warranted. Notice may be personally delivered or deposited postage paid, certified or registered mail with the United State Postal Service addressed to the last address shown on the records of the department.~~

**(l) License prerequisite to issuance of permit.** A permit for electrical work or electrical sign work shall not be issued to any person unless such person is the holder of a license to perform the class of work described in such permit as provided in this chapter. An annual electrical maintenance permit required by this chapter shall not be issued unless the owner of the property provides evidence that the maintenance work will be performed by individuals qualified in accordance with subsection 10-6(c) of this chapter.

**(m) Change of name.** Upon payment of the fee set by ordinance, posting of any necessary bonds and compliance with any other requirements of this chapter, the holder of a valid license may apply to the *Building Official* for a change on the name of a license.

**(n) Continuation of the business upon death, disability or termination of the business's master.** Upon the death, disability or termination of electrical contractor or electrical sign contractor business, such business will be allowed to complete existing work for which permits had been obtained prior to the severance of such master provided insurance is posted, if applicable, and sufficient evidence is submitted to and approved by the *Building Official* as to the ability of the business to complete the work in accordance with the requirements of this chapter. Monthly approval may be granted by the *Building Official* for a period not to exceed six (6) months. On or before the expiration of such period the business shall associate a new master of the appropriate classification or cease operations.

**(o) Electrical contractors, electrical sign contractors and residential appliance installation contractor; responsibilities.**

- (1) Every electrical or electrical sign contractor, before engaging in electrical or electrical sign work, must procure a master electrician or master electrician sign license for the conduct of such work. Electrical work is regulated by this Code. Electrical sign work is regulated by chapter 28, Signs and billboards.
    - a. Electrical contractor work shall not include the manufacture of any sign regulated by this Code or chapter 28.
    - b. Electrical sign contractor work shall not include the extensions of, or additions to, an existing branch circuit.
  - (2) A licensed contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of his work. Lettering shall be of a contrasting color and at least two (2) inches in height.
    - a. An electrical contractor's license number shall be preceded by the letters "EM" or "TECL" depending on whether the business is operating under a local license or state license.
    - b. An electrical sign contractor's license number shall be preceded by the letters "SM" "TSCL" for city licenses or state licenses respectively.
    - ~~c. A residential appliance installation contractor's license number shall be preceded by the letters "TICL."~~
  - (3) All of a contractor's non-exempt work shall be performed by licensed or registered individuals. A contractor is responsible for compliance with applicable codes for all such work performed on its behalf.
  - (4) The licensed contractor's name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: "Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: [www.tdlr.texas.gov](http://www.tdlr.texas.gov)~~[www.license.state.tx.us/complaints](http://www.license.state.tx.us/complaints)~~" shall be listed on all proposals, invoices and written contracts.
  - (5) A licensed contractor shall maintain employee records and records of all work performed on its behalf for a period of four (4) years after completion of the work, and shall make those records available to the code official at the contractor's place of business during normal business hours for inspection and copying.
  - (6) A licensed contractor and its designated master electrician ~~or residential appliance installer~~ are responsible for supervision of all licensees or registered persons performing work on behalf of the contractor to assure compliance with applicable statutes and rules and, in particular, standards of conduct set out in these rules.
- (p) **Master electrician and master sign electrician.**
- (1) Responsibility. The master electrician of record shall be liable and responsible for the layout and technical supervision of any work that requires the securing of a permit under the master's license. Failure of the master to properly provide for the supervision and control of work being performed on behalf of the business may cause the work being performed under permit to be discontinued by the *Building Official*.

(2) Limitation on multiple business affiliations. Any master electrician or master sign electrician affiliated with a business as herein provided shall not engage in the operation of a second electrical or electrical sign business, under the provisions of this Code, unless it is under the same name and insurance of the first business. Any permit issued to a business must be for work being done by that business. Any master electrician or master sign electrician obtaining permits for any person, business or entity will be notified to appear before the *Building Official* for consideration of a complaint.

(q) **Journeyman electrician and journeyman sign electrician; performance of work; supervision and ratio.** A journeyman electrician ~~may~~ shall perform electrical or electrical sign work under the general supervision of a master electrician or master sign electrician on behalf of an electrical or electrical sign contractor. A journeyman electrician or journeyman sign electrician ~~may direct and shall directly~~ supervise the work of an electrical apprentice provided that a ratio of ~~twelve (12)~~ eight (8) electrical apprentices to one journeyman electrician is not exceeded.

~~(r) **Electrical apprentice and electrical sign apprentice; performance of work.** An apprentice may perform electrical under the direct supervision of a master electrician, master sign electrician, journeyman electrician, journeyman sign electrician, residential wireman, or electrical sign technician.~~

(rs) **Maintenance electrician and electrical maintenance technician; performance of work.** A maintenance electrician may perform all of the work under the annual electrical maintenance permit permitted by subsection 10-6(c). A registered electrical maintenance technician may perform all of the work permitted by subsection 10-6(c) but may not perform work involving voltages or amperages that exceed the limits described in subsections 10-6(c)(2)a.—f.

~~(t) **Residential wireman; supervision and ratio.** A residential wireman may direct and supervise the work of an electrical apprentice provided that a ratio of two (2) electrical apprentices to one residential wireman is not exceeded.~~

~~(u) **Registered sign technician; performance of work.** A sign technician may perform electrical sign work under the general supervision of a master sign electrician on behalf of an electrical sign contractor.~~

**Sec. 10-114. - ~~San Antonio~~ City mechanical licenses.**

(a) **Licensing.** Any person performing any ~~type-form~~ of mechanical work in the city shall have in his possession a valid and authenticated mechanical license issued by the *Building Official* or a valid mechanical license issued by the state, except as otherwise provided under subsection 10-114(g) or as exempted under federal or state law. The city no longer licenses mechanical contractors through testing administered by the city.

Exception: The *Building Official* will continue to renew those mechanical licenses based on completing continued education program.

**(b) City licensing and insurance required.**

**(1) Qualifications of mechanical contractors.** It shall be a violation of this chapter for a person who does not hold a license to undertake to execute mechanical construction or to cause the undertaking of such construction.

**(2) Misrepresentation.** It shall be a violation of this chapter for any person to represent themselves with any class of license or registration set forth in this Code or to use the words "mechanical" contractor", "master mechanical contractor", "master HVAC contractor," or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered/licensed within the meaning of the word used as provided in this chapter.

**(3) General liability insurance.**

a. A city mechanical licensed contractor shall furnish the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to the *Building Official* and to any customer who requests it.

b. City licensed mechanical contractors must continuously maintain on file with the *Building Official* in a form of a certificate addressed to the city showing the above referenced persons carrying the following types and amounts of insurance

(1) The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);

(2) be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and

(3) be at least \$300,000 aggregate for products and completed operations.

c. The holder of any city contractor's license is responsible for providing evidence of a new or renewal policy of any required insurance coverage upon termination or renewal of any policy.

d. Any insurance certificate required by this Code must be written through a company licensed to issue the insurance in the state and the insurance may be approved by office of the city attorney.

e. Insurance amount requirements for State issued Air Conditioning and Refrigeration Licenses class A or B of any endorsement shall be regulated by the Texas Department of Licensing and Regulation (TDLR) section 75.40 of the Administrative Rules

**(ca) Communication, ready access, and vehicle identification Contact information.**

**(1) Means of communication.** Every licensed contractor must maintain a bona fide company address and telephone to enable the *Building Official* to contact the contractor in case of a job discrepancy. Any person holding a mechanical license and doing work in the city must be registered and shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate license renewal records. Acceptable means of for receiving communications

~~include, but are not limited to, a person available at the place of business, an answering machine, voicemail, an email or a cellular telephone. All mechanical contractors holding a master's license from the city shall display, on both sides of any vehicles being used for or in connection with mechanical installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the mechanical master's license number issued by the city. The sign shall have the numbers not less than two (2) inches (50.8 mm) in height.~~

(2) Master present for business. Master mechanical contractors licensed by the city or the state, shall be present during construction related to that type of license. "Present" shall mean: on site, in the office, or available to be reached during the times of 7:45 a.m. and 4:30 p.m. Central Standard time. Upon request of the *Building Official*, master mechanical contractors shall make themselves available to meet on the job site.

(3) Identification of vehicles. Each person engaged in mechanical construction work shall identify all vehicles used for the transportation of materials, supplies, equipment or hand tools in the performance of such work with signs showing the name and type of business, the contractor's license number and the state contractor's license number, if applicable, under which such construction is being conducted. For contractors operating with local license numbers, the number should be prefixed with "HM" and those operating with state licenses shall have the appropriately identified with the prefixes designated by the State (TDLR). The signs shall be kept current at all times and shall be painted or comprised of permanently affixed decals displayed on each side of the vehicle. All letters and numbers shall be a minimum of two (2) inches in height and shall be in full view and legible at all times. It shall be a violation of this chapter to use vehicles that do not comply with this section.

~~(b) Certificate of insurance.~~ Any person applying for a master mechanical license or mechanical permit shall present a certificate of insurance issued by an insurance company authorized to do business in the state, certifying that the applicant is insured to the limits of at three hundred thousand dollars (\$300,000.00) public liability insurance per occurrence and three hundred thousand dollars (\$300,000.00) property damage liability insurance per occurrence. Insurance amount requirements for State issued Air Conditioning and Refrigeration Licenses class A or B of any endorsement shall be regulated by the Texas Department of Licensing and Regulation (TDLR) section 75.40 of the Administrative Rules.

(ed) City classifications of licenses and registrations. The following are the classifications of city licenses and registrations regulated by this Code ~~Duplicate licenses~~. Any person whose license was destroyed or lost may obtain a duplicate license upon payment of the fee set forth in the fee schedule adopted by the city.

(1) Licenses:

- a. Master mechanical contractor license
- b. Journeyman mechanical license

(e) Documentation. The *Building Official* shall adopt rules regarding the form of documentation that will be accepted as proof of compliance with any experience,



verification of registration or license status, or other pertinent information the *Building Official* feels is relevant for inclusion.

**(f) Record of issuance.** The *Building Official* shall maintain a record that is available to the general public of all licenses and registrations issued pursuant to this chapter.

**(g) City license cards.**

(1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a city registration or license.

(2) All city licenses shall expire on December 31 of each year. Licenses shall be renewed prior to the expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the Development Services Department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date has the right to appeal to the Building-Related and Fire Codes Appeals and Advisory Board.

(3) Each card, when issued to a mechanical contractor, shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration certificate or card and shall notify the code official if the licensee is no longer in its employment. No further permits will be issued to the firm based upon the previous license holder's name who is no longer employed by the firm.

(4) It shall be a violation of this Code for any person to alter or amend in any manner, lend, rent, or transfer a registration certificate or card, and for any person to make use of any such rights for which the person is not registered or licensed.

(5) Each holder of a city issued card shall carry the registration card on his person at all times while performing mechanical work covered by this Code and shall present it to the *Building Official* upon demand.

**(h) Continuing Education requirements for mechanical contractors, license expiration, and renewal.** A license may be renewed at any time within thirty (30) days before the expiration date, unless such license has been revoked or canceled by the *Building Official*. Applicants shall show proof of having satisfactorily completed the required continuing education as follows:

(1) Mechanical contractors licensed by the state must maintain the required amount of continuing education mandated by state law in order to perform work in the city.

(2) Mechanical contractors licensed by the city will be required to attend eight (8) hours of continuing education annually.

a. This training is mandatory for maintenance of city license.

b. Training curriculum will be established by the *Building Official*, will be in accordance with state law and will be reviewed by the board annually.

c. Annual training will be conducted by the Development Services Department.

d. A licensee may not receive continuing education credit for attending the same course more than once.

e. A fee, established by ordinance in the Development Services Department fee schedule, shall be paid by the licensee for each course.

(i) Licenses not transferable. No license shall be transferred and no holder of any license shall allow his name or license to be used by any other person, either for the purpose of doing mechanical work or obtaining a permit under the penalty of forfeiture of license and payment of fines.

~~(d) Expiration date of license. All city licenses shall expire on December 31 of each year. Licenses shall be renewed prior to the expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the development services department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date must appear before the building related and fire codes board of appeals and show cause why his license should be renewed.~~

**(je) Certain acts prohibited.** In addition to other provisions of this Code, it shall be unlawful for any person to do any of the following acts:

- (1) To display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any mechanical work, knowing such instrument to be fictitious or to have canceled, revoked suspended or altered;
- (2) To lend or knowingly permit the use of any license for the doing of any mechanical work to any person not entitled thereto, under the provisions of this chapter;
- (3) To display or represent as one's own a license for the doing of any mechanical work when such license has not been lawfully issued to the person so displaying the same;
- (4) To fail or refuse to surrender to the *Building Official* on demand any license for the doing of any mechanical work, which has been suspended, canceled or revoked as provided for in this chapter;
- (5) To apply for or have in one's possession more than one current license of the same type provided for in this chapter;
- (6) To use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
- (7) To employ as a master or technician in mechanical work any person not licensed as provided in this chapter;
- (8) To perform any character of mechanical work for which a license is required by this chapter while such license is suspended, canceled or revoked.

(k) Cancellation and suspension of licenses; appeals. Any license or registration granted under this chapter may be canceled, revoked or suspended by the *Building Official* if the holder of



such license or registration violates provisions of this chapter or any ordinance of the city relating to mechanical work.

(1) A contractor's certificate of registration or license may be cancelled or suspended by the Building Official after a hearing before the Building Official if the registered contractor is convicted of any penal offense arising out of or related to the performance of a mechanical contract or the registered contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a mechanical contract.

(2) The Building Official may also administratively cancel or suspend a license registration or license after a hearing before the Building Official for any one or more of the following reasons:

- a. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of:
- b. Misdemeanor involving moral turpitude;
- c. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;
- d. Three (3) separate violations of this chapter, provided the violations occur within the previous 12-month period;
- e. Upon judicial determination of an abandonment or willful failure to perform any mechanical contract or project in or undertaken by a registered mechanical contractor, or willful deviation from or disregard of plans or specifications in any material respect;
- f. Upon judicial determination that the contractor knowingly made substantial misrepresentation on the part of the mechanical contractor in the procurement of a contract;
- g. Upon judicial determination of fraud on the part of the mechanical contractor in the execution of or in the material alteration of any mechanical contract or mortgage, promissory note or other document relating to the contract;
- h. Upon judicial determination that the mechanical contractor knowingly prepared or accepted any mortgage, promissory note or other evidence of indebtedness pertaining to an mechanical transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the mechanical construction work;
- i. With knowledge, the mechanical contractor directly or indirectly published any advertisement relating to mechanical construction which contains assertions, representations or statements which are false, deceptive or misleading;
- j. Failure of the mechanical contractor to notify the Building Official of any change in the ownership, management, or business name;
- k. Conducting an mechanical contractor business in any name other than the one registered;

- l. Obtaining an mechanical permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.
- (3) The *Building Official* may take any of the following actions against the holder of the license or certificate of registration:
  - a. No suspension.
  - b. Suspension for thirty (30) days.
  - c. Suspension for sixty (60) days.
  - d. Suspension for ninety (90) days.
  - e. Suspension for one hundred eighty (180) days.
  - f. Cancellation.
- (4) The *Building Official* shall send the registered mechanical contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.
- (5) A written decision to cancel or suspend a certificate of registration or license shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building-related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.
- (6) Board appellate process.
  - a. A registered or licensed contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
  - b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
  - c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.
  - d. A cancellation shall prevent the contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a contract. In performing currently permitted obligations while cancelled, the contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one-year period, a contractor may apply for a new license registration. No provision of this section shall be interpreted to mean that a new license registration will be issued after a prior

license registration has been cancelled. A denied applicant for a new license registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.

- e. A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under the mechanical contract. The contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.
- (l) Change of name.** Upon payment of the fee set by ordinance, posting of any necessary insurance and compliance with any other requirements of this chapter, the holder of a valid license may apply to the *Building Official* for a change on the name of a license.
- (m) Continuation of the business upon death, disability or termination of the business's master.** Upon the death, disability or termination of a city mechanical contractor, such business will be allowed to complete existing work for which permits had been obtained prior to the severance of such master provided insurance is posted, if applicable, and sufficient evidence is submitted to and approved by the *Building Official* as to the ability of the business to complete the work in accordance with the requirements of this chapter. Monthly approval may be granted by the *Building Official* for a period not to exceed six (6) months. On or before the expiration of such period the business shall associate a new master of the appropriate classification or cease operations.
- (n) Master mechanical contractor limitations on multiple business affiliations.**
- (1) Any master mechanical contractor affiliated with a business as herein provided shall not engage in the operation of a second mechanical contracting business, under the provisions of this Code, unless it is under the same name and insurance of the first business. Any permit issued to a business must be for work being done by that business. Any master mechanical contractor obtaining permits for any person, business or entity will be notified to appear before the Building Official for consideration of a complaint.**
- (o) Journeymen mechanical; performance of work; supervision and ratio.** A mechanical journeymen shall perform mechanical work under the general supervision of a master mechanical contractor. A journeymen shall directly supervise the work of a mechanical apprentice provided that a ratio of eight (8) apprentices to one journeymen is not exceeded.
- (p) Development Services Inspection Supervisor.** The mechanical inspections supervisor of the Development Services Department shall also serve as the master of record for mechanical work performed by City employed mechanical workers.
- ~~**(f) Continuing education requirements for state licensed mechanical contractors and San Antonio licensed mechanical contractors.**~~

- ~~(1) Mechanical contractors licensed by the state must maintain the required amount of continuing education mandated by state law in order to perform work in the city.~~
- ~~(2) Mechanical contractors licensed by the city will be required to attend eight (8) hours of continuing education annually.~~
  - ~~a. This training is mandatory for maintenance of city license.~~
  - ~~b. Training curriculum will be established by the *Building Official*, will be in accordance with state law and will be reviewed by the board annually.~~
  - ~~c. Annual training will be conducted by the development services department.~~
  - ~~d. A licensee may not receive continuing education credit for attending the same course more than once.~~
  - ~~e. A fee, established by ordinance in the development services department fee schedule, shall be paid by the licensee for each course.~~
- ~~(g) HVAC inspections supervisor. The HVAC inspections supervisor of the development services department shall also serve as the master of record for mechanical work performed by city HVAC workers.~~

**Sec. 10-115. - Residential ~~b~~Building and Home Improvement contractor registrations.**

~~(a) Registration. Any person performing any form of residential construction or home improvement work in the city shall have in their possession a valid and authenticated home builder registration card issued by the *Building Official*.~~

~~(a) Title and scope of section; definition.~~

~~(1) This section shall be known as the residential building contractor registration section and may be cited as such.~~

~~(2) For the purposes of this section and other sections of this chapter pertinent to registration, the term "employee" shall not apply to consultants, contract labor, or subcontractors employed by the registered residential building contractor. Such individuals or entities shall be considered contractors and, as such, shall be required to obtain their own registrations or licenses as required by the state or the city.~~

~~(3) For the purposes of this section and other sections of this chapter pertinent to licensing, the term "direct employee" shall mean an employee of a registered residential building contractor working on a residential building.~~

~~(b) Registration required; exceptions. Any person who is required to secure a building permit to construct, structurally alter or enlarge any one or two family detached dwelling or townhouse including detached accessory buildings in excess of four hundred (400) square feet in area thereto as regulated by the IRC in the city shall have in his possession a valid and authenticated residential building contractor certificate of registration issued by the *Building Official* of the city. All such work shall be performed by a registered residential building contractor or by licensed building trade subcontractor(s), not otherwise~~

~~required to be registered under this section, of the residential building contractor holding a valid building permit and under the direction of that registered residential building contractor.~~

**Exceptions:**

- (1) Any person who will own, occupy or rent a detached single-family dwelling for a period of twelve (12) months after completion of the building permit and final inspection for the single-family dwelling or accessory building thereto.
- (2) Building trade subcontractors who are performing work for the residential building contractor are not required to be registered under this section (e.g. framing subcontractor, flooring subcontractor, drywall subcontractor, painting subcontractor, etc.).
- (3) Any person who will repair, replace, or modify non-structural building components to an existing residential detached accessory structure not exceeding 300 square feet.

**(b) Residential Home Builder/Home Improvement registration and insurance required.**

(1) Qualifications of building contractors. It shall be a violation of this chapter for a person who does not hold a current city registration to engage in the building construction for which a permit is required, or to undertake to execute such construction or to cause the undertaking of such construction.

(2) Misrepresentation. It shall be a violation of this chapter for any person to represent themselves with any registration set forth in this Code or to use the words "building contractor", "homebuilder contractor", or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered within the meaning of the word used as provided in this chapter.

**(3) General liability and insurance.**

a. A registered contractor shall furnish and present the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to the *Building Official* or to any customer upon request.

b. City registered homebuilder contractors must maintain insurance of the following types and amounts:

(1) The insurance must be at least \$500,000 per occurrence (combined for property damage and bodily injury);

(2) be at least \$1,000,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage);

(3) be at least \$500,000 aggregate for products and completed operations; and

(4) The City of San Antonio must be listed as Certificate Holder on the Certificate of Liability insurance.

c. City registered home improvement contractors must maintain insurance of the following types and amounts:

- (1) The insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);
- (2) be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage);
- (3) be at least \$300,000 aggregate for products and completed operations; and
- (4) The City of San Antonio must be listed as Certificate Holder on the Certificate of Liability insurance.

d. The holder of any city contractor's registration is responsible for providing evidence of a new or renewal policy of any required insurance coverage upon termination or renewal of any policy.

e. Any insurance certificate required by this Code must be written through a company licensed to issue the insurance in the state and the insurance may be approved by office of the city attorney.

**(c) Communication, ready access, and vehicle identification.**

**(1) Means of communication.** Every registered contractor must maintain a bona fide company address and telephone to enable the *Building Official* to contact the contractor in case of a job discrepancy. Any person holding a registration and doing work in the city shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate registration records. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, a pager or a cellular telephone.

**(d) Responsibilities.** A registered residential building contractor shall be responsible for exercising such supervision and control of his operations as is necessary to secure full compliance with the provisions of the adopted International Residential Code (IRC) and other applicable laws of the city, state and United States.

**(e) Penalties.** A violation of this section shall constitute a Class C misdemeanor offense with a fine not to exceed five hundred dollars (\$500.00) per violation. Each day or portion thereof out of compliance with the registration requirements set above shall constitute a separate offense.

**(f) Documentation.** The *Building Official* shall adopt rules regarding the form of documentation that will be accepted as proof of compliance with any experience, verification of registration status, or other pertinent information the *Building Official* feels is relevant for inclusion.

**(g) Record of issuance.** The *Building Official* shall maintain a record that is available to the general public of all registrations issued pursuant to this chapter.

**(h) City registration cards.**

**(1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a city registration.**

- (2) Registrations shall be renewed prior to the expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form returned to the Development Services Department with the appropriate renewal fee prior the expiration date. All city registrations shall expire two (2) years after issuance. Registrations shall be renewed prior to expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form and insurance information returned to the department with the appropriate renewal fee prior to registration expiration date.
- (3) Each registration card, when issued to a contractor, shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration and shall notify the code official if the registration holder is no longer in its employment. No further permits will be issued to the firm based upon the previous registration holder's name who is no longer employed by the firm.
- (4) It shall be a violation of this Code for any person to alter or amend in any manner, lend, rent, or transfer a registration card, and for any person to make use of any such rights for which the person is not registered.
- (5) Each holder of a city issued card shall carry the registration card on his person at all times while performing construction work covered by this Code and shall present it to the *Building Official* upon demand.
- (i) **Registrations not transferable.** No registration shall be transferred and no holder of any registration shall allow his name or registration to be used by any other person, either for the purpose of performing construction work or obtaining a permit under the penalty of forfeiture of registration and payment of fines.
- (j) **Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered contractor to:
- (1) Display or cause a permit to be displayed or to have in one's possession a registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;
- (2) Lend or permit the use of any registration for doing any construction work to any person not entitled to it;
- (3) Allow any person to display or to represent as one's own city registration for any construction work when the registration has not been lawfully issued to the person displaying it;
- (4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;
- (5) Perform any contractor work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;
- (6) Perform any work for which a permit is required without having the permit or after the permit has been canceled;



- (7) Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;
- (8) Permit any construction work covered by this section to be performed by any person not properly registered, while in control of premises covered by this section;
- (9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*;
- (10) Place or leave the property in such condition that it injures or endangers persons or property authorized to be on the construction site.

**(k) Application procedures; requirements.**

- (1) An applicant for an original registration or renewal must submit an application to the *Building Official* on a form established by the department. Each applicant must fully disclose in the application whether the applicant has:
  - a. Entered a plea of guilty or nolo contendere (no contest) to:
    - 1. Any felony charge, or
    - 2. A misdemeanor involving moral turpitude;
  - b. Been convicted of:
    - 1. A felony, or
    - 2. A misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;
  - c. Entered a plea of guilty or nolo contendere (no contest) or been convicted of:
    - 1. Any felony, or
    - 2. Misdemeanor arising out of a violation of the building code or local amendments thereto in the state whether or not said violation involves moral turpitude;
  - d. Lost or is suspended from residential building contractor privileges in any jurisdiction in the state.

A failure to disclose under subsection 10-115(e)(1) shall be sufficient grounds to deny the application.

- (2) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the *Building Official* shall conduct a criminal background check on the applicant or any person responsible for the application. The applicant will submit to the *Building Official* an officially sealed criminal history record information maintained by the department of Federal Bureau of Investigation.
- (3) A person may not be issued a registration unless the person:

- a. Is at least eighteen (18) years of age; and
- b. Is a United States citizen or a lawfully admitted alien; and
- c. The *Building Official* is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.

**Commentary:** Full disclosure includes an interest in or ownership of any entity engaged in the residential building contractor business that has lost or been suspended from residential building constructor privileges.

**(l) Duties and powers of *Building Official*.**

- (1) There is hereby vested in the *Building Official* the duty of examining the applications for contractor registrations, including the issuance, reissuance, renewal, suspension, or cancellation of such registration.
- (2) The *Building Official* shall establish procedures consistent with this Code for the issuance of registrations for residential contractors.
- (3) The *Building Official* shall have the duty to keep all registration application records. The *Building Official* shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.

**(m) Appealing a denial of registration.**

- (1) If either an original or renewal registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within ten (10) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The applicant or their representative shall then have fifteen (15) working days from receipt of notice to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
- (2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.

**(n) Fees; registration period.** The application fee for contractor registration shall be as set forth in this section.

- (1) A Home Builder Registration fee of one hundred seventy dollars (\$170.00) is required and said registration shall be valid for a period of two (2) years. The registration holder shall be required to re-register every two-year period of time and pay a fee of one hundred seventy dollars (\$170.00) for each two-year period of time to maintain registration.
- (2) A Home Improvement Registration fee of one hundred fifty dollars (\$150.00) is required and said registration shall be valid for a period of two (2) years. The registration holder shall be required to re-register every two-year period of time and pay a fee of one hundred fifty dollars (\$150.00) for each two-year period of time to maintain registration.

**(o) Cancellation and suspension of registration; appeals.**

- (1) A contractor's registration may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered contractor is convicted of any penal offense arising out of or related to the performance of a residential building contract or the registered contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a residential contract.
- (2) The *Building Official* may also administratively cancel or suspend a registration after a hearing before the *Building Official* for any one or more of the following reasons:

  - a. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of:

    1. A felony, or
    2. Misdemeanor involving moral turpitude;
  - b. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state;
  - c. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;
  - d. Failure to disclose required information under subsection 10-115(k);
  - e. Three (3) separate violations as detailed in subsection 10-115(j) of this chapter, provided the violations occur within the previous 12-month period;
  - f. Upon judicial determination of an abandonment or willful failure to perform any residential contract or project in or undertaken by a registered contractor, or willful deviation from or disregard of plans or specifications in any material respect;
  - g. Upon judicial determination that the residential contractor knowingly made substantial misrepresentation on the part of the residential contractor in the procurement of a residential contract;
  - h. Upon judicial determination of fraud on the part of the residential contractor in the execution of or in the material alteration of any residential contract or mortgage, promissory note or other document relating to the contract;
  - i. Upon judicial determination that the residential contractor knowingly prepared or accepted any mortgage, promissory note or other evidence of indebtedness pertaining to a residential transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the residential construction work;
  - j. With knowledge, the residential contractor directly or indirectly published any advertisement relating to residential construction which contains assertions, representations or statements which are false, deceptive or misleading;
  - k. Failure of the residential contractor to notify the *Building Official* of any change in the ownership, management, or business name;

- l. Conducting a residential contractor business in any name other than the one registered;
- m. Obtaining a building permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.
- (3) The *Building Official* may take any of the following actions against the holder of the certificate of registration:
  - a. No suspension.
  - b. Suspension for thirty (30) days.
  - c. Suspension for sixty (60) days.
  - d. Suspension for ninety (90) days.
  - e. Suspension for one hundred eighty (180) days.
  - f. Cancellation.
- (4) The *Building Official* shall send the registered residential contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.
- (5) A written decision to cancel or suspend a registration shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building-related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.
- (6) Board appellate process.
  - a. A registered contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
  - b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
  - c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.
  - g. A cancellation shall prevent the residential building contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a residential contract. In performing currently permitted obligations while cancelled, the residential

contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one-year period, a residential contractor may apply for a new registration. No provision of this section shall be interpreted to mean that a new registration will be issued after a prior registration has been cancelled. A denied applicant for a new registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.

h. A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under the residential contract. The residential contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

(p) **Change of name.** Upon payment of the fee set by ordinance, posting of any necessary bonds and compliance with any other requirements of this chapter, the holder of a valid registration may apply to the *Building Official* for a change on the name of a registration.

(q) **Continuation of the business upon death, disability or termination of the business's registration holder.** Upon the death, disability or termination of a registered contractor, such business will be allowed to complete existing work for which permits had been obtained prior to the severance of such registered holder provided insurance is posted, if applicable, and sufficient evidence is submitted to and approved by the *Building Official* as to the ability of the business to complete the work in accordance with the requirements of this chapter. Monthly approval may be granted by the *Building Official* for a period not to exceed six (6) months. On or before the expiration of such period the business shall associate a registered contractor of the appropriate classification or cease operations.

(r) **Contractor limitations on multiple business affiliations.**

(1) Any contractor affiliated with a business as herein provided shall not engage in the operation of a second contracting business, under the provisions of this Code, unless it is under the same name and insurance of the first business. Any permit issued to a business must be for work being done by that business. Any contractor obtaining permits for any person, business or entity will be notified to appear before the *Building Official* for consideration of a complaint.

~~(e) **Authority; responsibilities.** A residential building contractor registration is authority granted to the person, company, association, or other entity to whom it is issued to engage in the business of contracting in accordance with subsection 10-115(b). The registered residential building contractor shall be responsible for exercising such supervision and~~

~~control of his construction operations as is necessary to secure full compliance with the provisions of the IRC and other applicable laws of the city, state and United States.~~

~~(d) **Penalties.** A violation of this section shall constitute a Class C misdemeanor offense with a fine not to exceed five hundred dollars (\$500.00) per violation. Each day or portion thereof out of compliance with the registration requirements set above shall constitute a separate offense.~~

~~(e) **Application procedures; requirements.**~~

~~(1) An applicant for an original certificate of registration or renewal must submit an application to the *Building Official* on a form established by the department. Each applicant must fully disclose in the application whether the applicant has:~~

~~a. Entered a plea of guilty or nolo contendere (no contest) to:~~

~~a. Any felony charge, or~~

~~b. A misdemeanor involving moral turpitude;~~

~~b. Been convicted of:~~

~~a. A felony, or~~

~~b. A misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;~~

~~c. Entered a plea of guilty or nolo contendere (no contest) or been convicted of:~~

~~a. Any felony, or~~

~~b. Misdemeanor arising out of a violation of the building code or local amendments thereto in the state whether or not said violation involves moral turpitude;~~

~~d. Lost or is suspended from residential building contractor privileges in any jurisdiction in the state.~~

~~A failure to disclose under subsection 10-115(e)(1) shall be sufficient grounds to deny the application.~~

~~(2) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the *Building Official* may conduct a criminal background check on the applicant or any person responsible for the application. The *Building Official* may obtain criminal history record information maintained by the department of public safety, the Federal Bureau of Investigation, or any other local, state, or national government entity.~~

~~(3) A person may not be issued a certificate of registration unless the person:~~

~~a. Is at least eighteen (18) years of age; and~~

~~b. Is a United States citizen or a lawfully admitted alien; and~~

~~c. The *Building Official* is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.~~

~~**Commentary:** Full disclosure includes an interest in or ownership of any entity engaged in the residential building contractor business that has lost or been suspended from residential building constructor privileges.~~

~~(4) **Certificate of insurance.** Any person applying for a residential building contractor certificate of registration shall present a certificate of insurance issued by an insurance company authorized to do business in the state, certifying that the applicant is insured with at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility as follows:~~

~~a. The insurance must be at least four hundred thousand dollars (\$400,000.00) per occurrence (combined for property damage and bodily injury);~~

~~b. Be at least one million dollars (\$1,000,000.00) aggregate (total amount the policy will pay for property damage and bodily injury coverage); and~~

~~c. Be at least four hundred thousand dollars (\$400,000.00) aggregate for products and completed operations.~~

~~(5) **Expiration date of certificate of registration.** All city certificates of registration for residential building contractors shall expire two (2) years after issuance. Certificates of registration shall be renewed prior to expiration date. Each person holding a valid residential building contractor certificate of registration shall renew same in sufficient time to have the certificate renewal form and insurance information returned to the department with the appropriate renewal fee prior to registration expiration date.~~

~~(f) **Duties and powers of *Building Official*.**~~

~~(1) There is hereby vested in the *Building Official* the duty of examining the applications for residential building contractor certificates of registration, including the issuance, reissuance, renewal, suspension, or revocation of such certificates of registration.~~

~~(2) The *Building Official* shall establish procedures consistent with this Code for the issuance of certificates of registration for residential building contractors.~~

~~(3) The *Building Official* shall have the duty to keep all registration application records. Such records shall be open to the public for inspection during regular business hours. The *Building Official* shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.~~

~~A decision to grant or deny an application for registration shall be made within ten (10) working days after receiving the completed application. Incomplete applications shall not be considered.~~

~~(g) **Appealing a denial of registration.**~~

~~(1) **Appeal to board.** If either an original or renewal certificate of registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds~~



~~for the refusal within five (5) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The registered residential building contractor or their representative shall then have fifteen (15) working days from receipt of notice to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.~~

~~(2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.~~

~~(h) **Fees; registration period.** The application fee for contractor registration shall be one hundred seventy dollars (\$170.00) and said registration shall be valid for a period of two (2) years. The certificate holder shall be required to re-register every two year period of time and pay a fee of one hundred seventy dollars (\$170.00) for each two-year period of time to maintain registration.~~

~~(i) **Certificates not assignable or transferable.** A certificate of registration issued pursuant to this section shall not be assignable or transferable.~~

~~(j) **Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered residential building contractor to:~~

~~(1) Display or cause a permit to be displayed or to have in one's possession any certificate of registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;~~

~~(2) Lend or permit the use of any certificate of registration for doing any construction work to any person not entitled to it;~~

~~(3) Allow any person to display or to represent as one's own city certificate of registration for any construction work when the certificate of registration has not been lawfully issued to the person displaying it;~~

~~(4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;~~

~~(5) Perform any residential building contractor work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;~~

~~(6) Perform any construction work for which a permit is required without having the permit or after the permit has been canceled;~~

~~(7) Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;~~

~~(8) Permit any construction work covered by this section to be performed by any person not properly licensed or registered, while in control of premises covered by this section;~~

~~(9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*;~~

~~(10) Place or leave the property in such condition that it injures or endangers persons or property authorized to be on the construction site.~~

~~(k) **Cancellation and suspension of registration; appeals.**~~

~~(1) A contractor's certificate of registration may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered residential building contractor is convicted of any penal offense arising out of or related to the performance of a residential building contract or the registered residential building contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a residential building contract.~~

~~(2) The *Building Official* may also administratively cancel or suspend a certificate of registration after a hearing before the *Building Official* for any one or more of the following reasons:~~

~~a. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of:~~

~~a. A felony, or~~

~~b. Misdemeanor involving moral turpitude;~~

~~b. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state;~~

~~c. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;~~

~~d. Failure to disclose required information under subsection 10-115(e);~~

~~e. Three (3) separate violations as detailed in subsection 10-115(j) of this chapter, provided the violations occur within the previous 12-month period;~~

~~f. Upon judicial determination of an abandonment or willful failure to perform any residential building contract or project in or undertaken by a registered residential building contractor, or willful deviation from or disregard of plans or specifications in any material respect;~~

~~g. Upon judicial determination that the residential building contractor knowingly made substantial misrepresentation on the part of the residential building contractor in the procurement of a residential building contract;~~

~~h. Upon judicial determination of fraud on the part of the residential building contractor in the execution of or in the material alteration of any residential building contract or mortgage, promissory note or other document relating to the contract;~~

~~i. Upon judicial determination that the residential building contractor knowingly prepared or accepted any mortgage, promissory note or other evidence of~~

- ~~indebtedness pertaining to a residential building transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the residential building construction work;~~
- ~~j.— With knowledge, the residential building contractor directly or indirectly published any advertisement relating to residential building construction which contains assertions, representations or statements which are false, deceptive or misleading;~~
  - ~~k.— Failure of the residential building contractor to notify the *Building Official* of any change in the ownership, management, or business name;~~
  - ~~l.— Conducting a residential building contractor business in any name other than the one registered;~~
  - ~~m.— Obtaining a building permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.~~
- ~~(3) The *Building Official* may take any of the following actions against the holder of the certificate of registration:~~
- ~~a.— No suspension.~~
  - ~~b.— Suspension for thirty (30) days.~~
  - ~~c.— Suspension for sixty (60) days.~~
  - ~~d.— Suspension for ninety (90) days.~~
  - ~~e.— Suspension for one hundred eighty (180) days.~~
  - ~~f.— Cancellation.~~
- ~~(4) The *Building Official* shall send the registered residential building contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.~~
- ~~(5) A written decision to cancel or suspend a certificate of registration shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.~~
- ~~(6) Board appellate process:~~
- ~~a.— A registered contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.~~

- ~~b.—A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.~~
- ~~c.—Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.~~
- ~~g.—A cancellation shall prevent the residential building contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a residential building contract. In performing currently permitted obligations while cancelled, the residential building contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one year period, a residential building contractor may apply for a new certificate of registration. No provision of this section shall be interpreted to mean that a new certificate of registration will be issued after a prior certificate of registration has been cancelled. A denied applicant for a new certificate of registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.~~
- ~~h.—A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under the residential building contract. The residential building contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.~~

**Sec. 10-116. - Home improvement contractor registration Reserved.**

**~~(a) Registration required; penalties.~~**

- ~~(1) A home improvement contractor, prior to entering into a contract with the owner for any home improvement work requiring the issuance of building permits whether or not said person is required to register with the state must file an application for a certificate of registration with the city unless otherwise exempt under subsection 10-116(3).~~
- ~~(2) A violation of this article shall constitute a Class "C" misdemeanor offense with a fine of not less than one dollar (\$1.00) and no more than five hundred dollars (\$500.00) per violation. Each day out of compliance with the registration requirements set above shall constitute a separate offense.~~

**Exemptions:**

- ~~a. An individual who performs labor or services as an employee of a registered contractor or an individual who performs labor or services as an employee or subcontractor of a registered contractor who does not deal directly with the general public as a home improvement contractor;~~
- ~~b. A homeowner, tenant or an employee of a homeowner or tenant performing work on their own residence;~~
- ~~c. A plumber, electrician, or other skilled tradesman licensed under the laws of the state, this chapter or other ordinances of the city who is acting exclusively within the scope of the craft for which he or she is currently licensed;~~
- ~~d. A contractor performing home improvement work where the total amount to be paid does not exceed two hundred dollars (\$200.00);~~
- ~~e. A contractor performing home improvement work not requiring an application for building permit.~~

~~**(b) Application procedures.**~~

- ~~(1) An applicant for an original certificate of registration or renewal must submit an application to the *Building Official* on a form established by the department.~~
- ~~(2) Each applicant must fully disclose in the application whether the applicant has:~~
  - ~~a. Entered a plea of guilty or nolo contendere (no contest) to:
    - ~~a. Any felony charge, or~~
    - ~~b. A misdemeanor involving moral turpitude;~~~~
  - ~~b. Been convicted of:
    - ~~a. A felony, or~~
    - ~~b. A misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;~~~~
  - ~~c. Entered a plea of guilty or nolo contendere (no contest) or been convicted of:
    - ~~a. A felony, or~~
    - ~~b. Misdemeanor arising out of a violation of the building code or local amendments thereto in the state whether or not said violation involves moral turpitude;~~~~
  - ~~d. Has lost or is suspended from home improvement privileges in any jurisdiction in the state. Full disclosure includes an interest in or ownership of any entity engaged in the business of making home improvements that has lost or been suspended from home improvement privileges.~~
- ~~(3) A failure to disclose under subsection (b) shall be sufficient grounds to deny the application.~~
- ~~(4) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the *Building Official* may~~

~~conduct a criminal background check on the applicant or any person responsible for the application. The *Building Official* may obtain criminal history record information maintained by the department of public safety, the Federal Bureau of Investigation, or any other local, state, or national government entity.~~

~~(5) A person may not be issued a certificate of registration unless the person:~~

~~a. Is at least eighteen (18) years of age; and~~

~~b. Is a United States citizen or a lawfully admitted alien; and~~

~~c. The *Building Official* is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.~~

~~(c) **Building Official duties and powers.** The *Building Official*, in addition to the powers listed in section 10-5 of this chapter, shall have the duty to keep all registration application records. Such records shall be open to the public for inspection during regular business hours. A decision to grant or deny an application for registration shall be made within ten (10) working days after receiving the completed application. Incomplete applications shall not be considered.~~

~~(d) **Appealing a denial of registration.**~~

~~(1) **Appeal to board.** If either an original or renewal certificate of registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within five (5) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The registered contractor or their representative shall have the right to appeal in accordance with section 10-14 of this chapter.~~

~~(2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.~~

~~(e) **Fees, registration period.**~~

~~(1) The application fee for contractor registration shall be seventy five dollars (\$75.00) and said registration shall be valid for a period of one year. The certificate holder shall be required to re-register every successive year and pay a fee of seventy five dollars (\$75.00) to maintain the certification.~~

~~(2) Appeals fees shall be seventy five dollars (\$75.00).~~

~~(3) The application and registration fees and appeals fees shall be reflected in the fee schedule of the city.~~

~~(f) **Certificate not assignable or transferable.** A certificate of registration issued pursuant to this article shall not be assignable or transferable.~~

~~(g) **Violations under this article.** The following list shall constitute a non-exclusive list of violations under this article. It is unlawful for any registered contractor to:~~

- ~~(1) Display or cause a permit to be displayed or to have in one's possession any certificate of registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;~~
- ~~(2) Lend or permit the use of any certificate of registration for doing any construction work to any person not entitled to it;~~
- ~~(3) Display or to represent as one's own city certificate of registration for any construction work when the certificate of registration has not been lawfully issued to the person displaying it;~~
- ~~(4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;~~
- ~~(5) Perform any home improvement contracting work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;~~
- ~~(6) Perform any construction work for which a permit is required without having the permit or after the permit has been canceled;~~
- ~~(7) Fail or refuse to make the necessary repair or changes as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;~~
- ~~(8) Permit any construction work covered by this article to be performed by any person not properly licensed or registered, while in control of premises covered by this chapter;~~
- ~~(9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*; or~~
- ~~(10) Place or leave the property in such condition that it injures or endangers persons or property.~~
- ~~(h) **Cancellation and suspension of registration; appeals.** To the extent not in conflict, processes shall follow subsection 10-115(k).~~

**Sec. 10-117. - Irrigation systems and irrigators.**

- (a) License required.** An irrigation contractor is required to hold a license issued under V.T.C.A., Water Code Ceh. 37 and V.T.C.A., Occupations Code § 1903.251.
- (b) Registration.**
  - (1) All irrigation contractors, prior to doing any irrigation system installation in the territorial limits or extraterritorial jurisdiction (ETJ) of the city shall be required to be registered with the development services department of the city.



- (2) An irrigation contractor's registration must be submitted on forms available from the development services department and shall include the following information:
  - a. The irrigation contractor's full name;
  - b. The irrigation contractor's license number;
  - c. The irrigation contractor's business name;
  - d. The irrigation contractor's business address;
  - e. The irrigation contractor's business telephone number; and
  - f. The irrigation contractor's telefax number.
- (3) The irrigation contractor shall provide a certificate of insurance by an insurance company authorized in the state certifying that the irrigation contractor is insured to the limit of at least:
  - a. Three hundred thousand dollars (\$300,000.00) public liability per occurrence; and
  - b. Three hundred thousand dollars (\$300,000.00) property liability per occurrence and product/completed operations.

In lieu of insurance, the irrigation contractor may provide a bond in the amount of ten thousand dollars (\$10,000.00) conditioned that the irrigation contractor shall faithfully observe all applicable laws.

- (4) The irrigation contractor shall renew registration annually upon submission of the registration form and payment of the fee.
  - (5) A licensed plumber may be issued an irrigation permit.
- (c) **Permits and inspections.** All irrigation contractors, prior to doing any irrigation system installation in the territorial limits or extraterritorial jurisdiction (ETJ) of the city shall apply and be issued permits from the development services department on forms provided by said department.

The irrigation system shall be installed in accordance with the following:

- (1) City Code of San Antonio, Texas;
- (2) Local Government Code;
- (3) Texas Water Code;
- (4) Texas Occupations Code; and
- (5) Texas Commission on Environmental Quality (TCEQ).

The irrigation system shall be inspected prior to covering the sprinkler heads as requested by the installer.

Any defects in the installation determined during the inspection shall be corrected before the inspection is considered approved. The city plumbing inspector shall document on the inspection records the static pressure and water source of the irrigation system. If the irrigation system is

being constructed as part of the building permit, a certificate of occupancy shall not be issued until all inspections have been approved.

(d) **Minimum standards and specifications.** V.T.C.A., Occupations Code § 1903.053 entitled "Standards" and the rules adopted by the Texas Commission on Environmental Quality (TCEQ) Page 1 Chapter 344 - Landscape Irrigation Rule Project No. 2007-027-344-CE are hereby incorporated by reference as minimum standards and specifications for the design, installation, and the operation of irrigation systems.

(e) **Violations and enforcement.**

(1) It shall be a violation to install an irrigation system in the city without first obtaining an irrigation system permit from the development services department. Any violation of this article shall be a Class C misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00) per violation. Each day or portion thereof during which a violation of any of the provisions of this article is committed shall constitute a separate offense. A fine or criminal penalty prescribed by this section does not apply to a violation in the ETJ.

(2) **Civil enforcement.**

a. The city may seek civil enforcement against such violators in the corporate limits of the city and in the ETJ. Enforcement in the ETJ is authorized pursuant to and under the authority granted by V.T.C.A., Local Government Code §§ 212.001 et seq.

b. Any person who commits a violation under this article shall be subject to a civil penalty of up to one thousand dollars (\$1,000.00) per violation per day.

~~(f) **Staffing.** The development services department shall employ at least one person who shall hold an irrigation contractor's license issued by the state. Such person shall have a minimum of five (5) years of experience in the installation of irrigation systems. All city plumbing inspectors shall receive a minimum of six (6) hours of irrigation/water conservation instruction per year.~~

~~(g) **Fee schedule.** Irrigation related fees shall be as set forth in the city fee schedule.~~

**Sec. 10-118. — State Licensed Responsible ~~m~~Master ~~p~~Plumber ~~license~~ registration.**

(a) **License.** Before any person shall engage in the business of plumbing within the city, said person shall have a current responsible master plumber's license obtained from the Sstate ~~b~~Board of ~~p~~Plumbing ~~e~~Examiners and the required insurance. The state license shall be registered with the city by submitting the appropriate registration as required by the city. ~~Where any plumbing is being done, properly licensed individuals shall, at all times, be present on the job and in actual control and in charge of the plumbing being done.~~

(b) **Insurance required.** Per state law, a political subdivision that requires a responsible master plumber or an agent of a responsible master plumber to obtain a permit before performing plumbing in the political subdivision shall verify through the board's Internet website, or by

contacting the board by telephone, that the responsible master plumber has on file with the board a certificate of insurance.

**(c) Communication and ready access. Contact information.**

**(1) -Means of Communication.** Every ~~A~~ responsible master plumber doing plumbing work in the city must maintain a bona fide company address and telephone to enable the *Building Official* to contact the master plumber in case of a job discrepancy. Any person holding a responsible master plumber license ~~and doing plumbing work in the city must be registered and~~ shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate license-registration renewal records.

**(2) Master present for business.** The responsible master plumber is responsible for the general on-the-job or off-the-job oversight, direction and management of plumbing work and individuals performing plumbing work to fulfill his or her responsibility to the client and employer. In addition, responsible master plumbers licensed by the state, shall be present during construction related to that type of license. "Present" shall mean: on site, in the office, or available to be reached during the times of 7:45 a.m. and 4:30 p.m. Central Standard time. Upon request of the *Building Official*, the responsible master plumber shall make themselves available to meet on the job site.

**(d) Enforcement.** Each locally designated plumbing inspector shall enforce the State Board Licensing Law and Board Rules and municipal ordinances and should file complaints with the Board and with local prosecutors. (Chapter 1301, Texas Occupations Code, 22 Texas Administrative Code Chapters 361, 363, 365, and 367).

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**(e) Requirements for plumbing companies and responsible mater plumbers.** Every responsible master plumber doing plumbing work in the city shall abide by the State Board Licensing Law and Board Rules and municipal ordinances. (Chapter 1301 Occupations Code, 22 Texas Administrative Code Chapters 361, 365, and 367).

**(c) Display of license and company name.** ~~All responsible master plumbers holding a master plumber's license registered with the city shall:~~

~~(1) Display, on both sides of any vehicles being used for or in connection with plumbing installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the master plumber license number issued by the state. The sign shall be permanent, have the numbers not less than two (2) inches (50.8 mm) in height and be of contrasting colors with the truck, and shall be plainly legible at a distance of not less than one hundred (100) feet. A magnetic sign on a vehicle is not a permanent sign.~~

~~(2) Display the framable certificate of license in their place of business and all licensees shall carry the pocket card license with them while engaged in plumbing work.~~

- ~~(d) **Certificate of insurance.** Any person applying for a master plumber license registration or plumbing permit shall present a certificate of insurance. The certificate of insurance must:~~
- ~~(1) Be written by a company licensed to do business in the state;~~
  - ~~(2) Provide for commercial general liability insurance for the master plumber for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and~~
  - ~~(3) Provide for coverage of not less than three hundred thousand dollars (\$300,000.00) for all claims arising in a one-year period.~~
- ~~(e) **Expiration date of license.** All city license registrations shall expire on December 31 of each year. License registrations shall be renewed prior to the expiration date.~~
- ~~(f) **Certain acts prohibited.** In addition to other provisions of this Code, it shall be unlawful for any person to do any of the following acts:~~
- ~~(1) To display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any plumbing work, knowing such instrument to be fictitious or to have canceled, revoked suspended or altered;~~
  - ~~(2) To lend or knowingly permit the use of any license for the doing of any plumbing work to any person not entitled thereto, under the provisions of this chapter;~~
  - ~~(3) To display or represent as one's own a license for the doing of any plumbing work when such license has not been lawfully issued to the person so displaying the same;~~
  - ~~(4) To apply for or have in one's possession more than one current license of the same type provided for in this chapter;~~
  - ~~(5) To use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;~~
  - ~~(6) To employ as a master in plumbing work any person not licensed as provided in this chapter;~~
  - ~~(7) To perform any character of plumbing work for which a license is required by this chapter while such license is suspended, canceled or revoked.~~

**Sec. 10-119. - Demolition contractor licenses and bonding; demolition permit requirementsregistration.**

- ~~(a) (a) — **License requiredRegistration.** It shall be unlawful for any person to maintain, own or operate a demolition contracting business, unless a license is first obtained as provided herein. Such licenses, when issued, shall be valid for a period of two (2) years from the date of issuance, shall not be assignable or transferable except as specifically authorized, and shall be posted in a conspicuous place in the office of the licensee. It shall~~

be unlawful for any person to maintain, own or operate a demolition contracting business, unless a registration issued by the *Building Official* is first obtained as provided herein.

**Exceptions:**

- (1) A person who demolishes fences 6 feet or less in height, playground equipment, above ground swimming pools, sidewalks or driveways, decks, oil derricks, shade cloth structures, or mechanical equipment, residential or commercial sheds less than 300 square feet and similar accessory structures.
- (2) A property owner may demolish single story residential structures if the demolition is to be performed by the property owner with proof of ownership.

**(b) Demolition registration, insurance required, and bond.**

- (1) Registration. It shall be a violation of this chapter for a person who does not hold a current city registration to engage in the demolition work for which a permit is required, or to undertake to execute such work or to cause the undertaking of such work.
- (2) Misrepresentation. It shall be a violation of this chapter for any person to represent themselves with any registration set forth in this Code or to use the words "demolition contractor", or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered within the meaning of the word used as provided in this chapter.

**(3) General liability and insurance.**

a. A registered demolition contractor shall furnish and present the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to the *Building Official* or to any customer upon request.

b. City registered demolition contractors must maintain insurance of the following types and amounts:

(1) Automobile liability insurance with limits of personal injury one hundred thousand dollars (\$100,000.00) each person, three hundred thousand dollars (\$300,000.00) each accident, property damage fifty thousand dollars (\$50,000.00) each accident.

(2) Public liability (bodily injury) insurance with limits not less than three hundred thousand dollars (\$300,000.00) for each occurrence.

(3) Public liability (property damage) insurance with limits of not less than one hundred thousand dollars (\$100,000.00) for each accident and two hundred thousand dollars (\$200,000.00) in the aggregate.

c. The policy shall:

(1) Include the hazards of explosion and collapse coverage.

(2) Provide that the same shall not be cancelled until a ten-day or non-renewal has been served upon the city Development Services Department.

(3) The City of San Antonio must be listed as Certificate Holder on the Certificate of Liability insurance.

(4) Applicant shall file with the *Building Official* certificates of insurance executed by the insurance carrier issuing said policies certifying that said insurance is in full force and effect and that the demolition operations are covered by such policies.

(4) Indemnity Bond. Before such permit shall be issued, the person, firm, association or corporation applying therefore shall execute and deliver to the city, to be kept on file in the city clerk's office, a good and sufficient bond of indemnity, issued by a surety company licensed to do business in the state, in the sum of five thousand dollars (\$5,000.00) to be approved by the city attorney and conditioned that the person, firm, association or corporation making such application shall promptly pay in and unto the city any and all costs, damages and expenses which said city may incur or suffer, including, but not limited to, damages to streets, sidewalks, utilities, or other public places by reason of carelessness or negligence in the performance of such demolition, or by reason of any defects caused from or arising from careless, negligent or imperfect demolition procedures, or any and all acts and omissions of said applicant, his agents, servants, or subcontractors.

**(c) Communication, ready access, and vehicle identification.**

(1) Means of communication. Every registered contractor must maintain a bona fide company address and telephone to enable the *Building Official* to contact the contractor in case of a job discrepancy. Any person holding a registration and doing work in the city shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate registration records. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, a pager or a cellular telephone.

**(d) Responsibilities.** A registered demolition contractor shall be responsible for exercising such supervision and control of his operations as is necessary to secure full compliance with the provisions of the adopted city requirements and all other applicable laws of the city, state and United States.

**(e) Penalties.** It shall be unlawful for any person to demolish any building or structure in the city or cause the same to be done, contrary to or in violation of any of the provisions of this Code or any currently adopted building code. Any person, firm or corporation violating any of these provisions shall be deemed guilty of a separate offense for each day or portion thereof during which any violation is committed, continued, or permitted, and each separate violation shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

**(f) City registration cards.**

(1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a city registration.

- (2) Registrations shall be renewed prior to the expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form returned to the Development Services Department with the appropriate renewal fee prior to the expiration date. All city registrations shall expire two (2) years after issuance. Registrations shall be renewed prior to expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form and insurance information returned to the department with the appropriate renewal fee prior to registration expiration date.
- (3) Each registration card, when issued to contractor shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration and shall notify the code official if the registration holder is no longer in its employment. No further permits will be issued to the firm based upon the previous registration holder's name who is no longer employed by the firm.
- (4) It shall be a violation of this Code for any person to alter or amend in any manner, lend, rent, or transfer a registration card, and for any person to make use of any such rights for which the person is not registered.
- (5) Each holder of a city issued card shall carry the registration card on his person at all times while performing work covered by this Code and shall present it to the *Building Official* upon demand.
- (g) **Registrations not transferable.** No registration shall be transferred and no holder of any registration shall allow his name or registration to be used by any other person, either for the purpose of performing demolition work or obtaining a permit under the penalty of forfeiture of said registration and payment of fines.
- (h) **Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered contractor to:
- (1) Display or cause a permit to be displayed or to have in one's possession a registration for doing any demolition work, knowing it to be fictitious or to have been canceled, suspended or altered;
  - (2) Lend or permit the use of any registration for doing any demolition work to any person not entitled to it;
  - (3) Allow any person to display or to represent as one's own city registration for any construction work when the registration has not been lawfully issued to the person displaying it;
  - (4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;
  - (5) Perform any contractor work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;
  - (6) Perform any work for which a permit is required without having the permit or after the permit has been canceled;



- (7) Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;
- (8) Permit any work covered by this section to be performed by any person not properly registered, while in control of premises covered by this section;
- (9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*;
- (10) Place or leave the property in such condition that it injures or endangers persons or property authorized to be on the site.

**(i) Application procedures; requirements.**

- (1) An applicant for an original registration or renewal must submit an application to the *Building Official* on a form established by the department.
- (2) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant.
- (3) A person may not be issued a registration unless the person:
  - a. Is at least eighteen (18) years of age; and
  - b. Is a United States citizen or a lawfully admitted alien

**(j) Duties and powers of *Building Official*.**

- (1) There is hereby vested in the *Building Official* the duty of examining the applications for contractor registrations, including the issuance, reissuance, renewal, suspension, or cancellation of such registration.
- (2) The *Building Official* shall establish procedures consistent with this Code for the issuance of registration for demolition contractors.
- (3) The *Building Official* shall have the duty to keep all registration application records. The *Building Official* shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.

**(k) Appealing a denial of registration.**

- (1) Appeal to board. If either an original or renewal registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within ten (10) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The applicant or their representative shall then have fifteen (15) working days from receipt of notice to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
- (2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.

(l) Fees and registration period. The application fee for contractor registration shall be as set forth in this section.

(1) An initial Registration fee of eighty five dollars (\$85.00) is required and said registration shall be valid for a period of two (2) years. The registration holder shall be required to re-register every two-year period of time and pay a fee of thirty-five dollars (\$35.00) for each two-year period of time to maintain registration.

(m) Cancellation and suspension of registration; appeals.

(1) A contractor's registration may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered contractor is convicted of any penal offense arising out of or related to the performance of a demolition contract or the registered contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a demolition contract.

(2) The *Building Official* may also administratively cancel or suspend a registration after a hearing before the *Building Official* for any one or more of the following reasons:

a. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state;

b. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;

c. Three (3) separate violations as detailed in subsection 10-119(h) of this chapter, provided the violations occur within the previous 12-month period;

d. Upon judicial determination of an abandonment or willful failure to perform any demolition contract or project in or undertaken by a registered contractor, or willful deviation from or disregard of plans or specifications in any material respect;

e. With knowledge, the demolition contractor directly or indirectly published any advertisement relating to demolition work which contains assertions, representations or statements which are false, deceptive or misleading;

f. Failure of the demolition contractor to notify the *Building Official* of any change in the ownership, management, or business name;

g. Conducting a demolition contractor business in any name other than the one registered;

h. Obtaining a demolition permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.

i. Upon judicial determination of fraud on the part of a contractor in the execution of or in the material alteration of any contract or mortgage, promissory note or other document relating to said contract;

(3) The *Building Official* may take any of the following actions against the holder of the certificate of registration:

a. No suspension.

- b. Suspension for thirty (30) days.
- c. Suspension for sixty (60) days.
- d. Suspension for ninety (90) days.
- e. Suspension for one hundred eighty (180) days.
- f. Cancellation.

(4) The *Building Official* shall send the registered contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.

(5) A written decision to cancel or suspend a registration shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building-related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.

(6) Board appellate process.

- a. A registered contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
- b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
- c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.
- d. A cancellation shall prevent the contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a contract. In performing currently permitted obligations while cancelled, the contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one-year period, a contractor may apply for a new registration. No provision of this section shall be interpreted to mean that a new registration will be issued after a prior registration has been cancelled. A denied applicant for a new registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.
- e. A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations

under the contract. The contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

**(n) Demolition permit; in general.**

- (1) No person, firm, association or corporation shall demolish any building or structure in the city, or cause the same to be done, without first obtaining a demolition permit for each such building or structure authorized by the city.
- (2) Every demolition permit shall be valid during the time outlined in the permit. If demolition is not complete, the Director of Development Services may extend the permit upon request of the applicant.

**(o) Application requirements.**

- (1) Applications for demolition permits shall require the following information:
  - a. Name and address of demolition contractor.
  - b. Name and address of building and property owners including a notarized letter authorizing demolition of building or structure.
  - c. Except for single-family residence and other single story buildings where it is not possible for debris to fall on public walkways or thoroughfares, the *Building Official* shall require an engineering report, prepared by a qualified registered professional engineer, of the building or structure to be demolished so as to determine the condition of the framing, floors and walls, copy of which is to be filed with the *Building Official*.
  - d. The demolition contractor shall be required to prepare a complete plan and schedule for demolition to be filed with the *Building Official*. Should the plan and schedule be changed at any time, the changes must be approved by the *Building Official* and a copy of such changes must be filed with the *Building Official*.
  - e. The location site of the disposal of debris and the proposed route to be used to disposal site.
  - f. Applicant shall submit the current demolition registration number and bond materials of the demolition contractor who has been hired to perform the work. All demolition contractors, as defined in this chapter, shall be registered and bonded. Any substitution of contractor listed in the application shall be reported to the *Building Official* with appropriate registration and bonding materials. A failure to notify the *Building Official* shall result in administrative and/or criminal and/or civil penalties. It shall be an affirmative defense to prosecution that substitute contractor was registered and bonded at the time.
  - g. Supplemental materials as prescribed by the *Building Official*.

**(p) Miscellaneous provisions.**

- (1) No structural or load-supporting members, which would affect the stability of the structure, shall be cut or removed from any story until all construction materials above such a story have been completely demolished and removed.
- (2) No material shall be dropped to any point outside the exterior walls of the structure except in enclosed chutes.
- (3) In masonry construction, the demolition of exterior walls and floor construction shall be removed and dropped into the storage space before commencing the removal of exterior walls and floor in the story below.
- (4) In buildings with a structural steel frame member type construction, the steel framing may be left in place during the demolition of masonry. Where this is done, all steel beams girders and similar structural supports shall be cleared of all loose material as the masonry demolition progresses downward.
- (5) No wall, chimney or other structural part shall be left at the end of each shift in such condition that it may collapse due to wind, vibration or any other cause.
- (6) Upon the completion of demolition operations, the site shall be completely cleared of rubbish, brush, weeds and other debris. The site must be left free of ponds and underground tanks shall be removed. Basement slabs shall be broken up to allow drainage and septic tanks, wells, cesspools, and cisterns shall be broken open and filled in.
- (7) Security service during non-working hours shall be provided by the contractor.
- (8) Where shown to be necessary in the plan for demolition, the city shall coordinate and approve the blocking of walkways, thoroughfares and alleys to protect the public.
- (9) The city council may issue a permit for selective use of explosives for demolition purposes if the contractor has complied with all of the conditions of this chapter and if the plan for selective demolition by the use of explosives is conducted in accordance with §§ 1926.900—1926.914 inclusive of Subpart "U" of the Rules and Regulations of the Occupational Safety and Health Administration of the Department of Labor, 29 CFR, part 1926, subpart U.

~~(b) Rules of construction—Computation of time used in this section.~~

- ~~(1) In computing a period of days, the first day is excluded and the last day is included.~~
- ~~(2) Days shall mean working days exclusive of federal holidays and weekends unless otherwise stated.~~

~~(c) License display; renewals; duplicates.~~

- ~~(1) All licenses shall be for a period of two (2) years.~~
- ~~(2) No license shall be assignable or transferable. The owner of a business and all partners of a partnership and all officers of a corporation who are actively engaged in the demolition business must qualify for a license. Licenses will be issued to the owner of a business, partnership or corporation, or his/her registered agent.~~

- ~~(3) Each license issued pursuant to this chapter shall be posted and kept in some easily accessible, conspicuous place located in the principal business office as printed in the license.~~
- ~~(4) Any license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed in this chapter, be renewed for an additional period of two (2) years from its expiration, upon filing of an application for such renewal, on a form to be prescribed by the *Building Official*. This provision in no way limits the number of times a license may be renewed.~~
- ~~(5) A duplicate license may be issued for one lost, destroyed or mutilated upon application on a form prescribed by the *Building Official* and the payment of the fee prescribed by this chapter. Each such duplicate license shall have the word "duplicate" stamped across the face of the instrument and shall bear the same number as the one it replaces.~~
- ~~(6) All owned vehicles used in business shall have posted on each side in letters of three (3) inches minimum height in contrasting colors stating name of contractor and his demolition contractor's license number.~~

~~(d) **Demolition license requirements and applicable procedures.** Applicants for the licenses required by this chapter shall establish the following requirements in writing to the satisfaction of the *Building Official*:~~

- ~~(1) The existence and maintenance of a bona fide office, equipped with telephone, for the conducting of his business;~~
- ~~(2) That neither the applicant, nor any partner or corporate officer in the demolition contracting business on whose behalf the application is submitted, has ever been convicted of any penal offense arising out of or related to the performance of demolition contracts nor convicted of a felony or a misdemeanor involving moral turpitude during an eight year period immediately preceding the date of the applications;~~
- ~~(3) That applicant, or the entity upon whose behalf the application is submitted, is qualified by either training or experience to conduct a demolition contracting business;~~
- ~~(4) That neither applicant, nor any partner or corporate officer in the demolition business upon whose behalf the application is made, has been convicted of a violation of this chapter.~~

~~In addition to the foregoing requirements, the *Building Official* may require that the application include information reasonably pertinent to the determination of the applicant's fitness to be issued such license, or any renewal thereof. Applications for licensure shall be submitted in a form prescribed by the *Building Official*. The *Building Official* shall investigate and examine the qualifications and fitness of the applicant, and within a period of thirty (30) days from receipt of an application in proper form and the fee, the *Building Official* will issue or refuse a license to the applicant.~~

~~*Refusal procedures:* The *Building Official* shall furnish the applicant a refusal in writing by registered or certified mail to the applicant's last known mailing address, setting forth the grounds for the refusal. Refusal will be justified by any of the minimum license requirements listed above, any outside information calling into question an applicant's fitness to be issued such~~

~~a license, or a renewal, or any of the reasons contained in subsection 10-119(f), revocation of licenses.~~

~~(e) **Appellate procedure when license denied.** The applicant or his representative may file a written notice of appeal with the city clerk upon a denial of an application for licensure appealing such determination to the board of adjustment. No specific format is mandated for the written notice of appeal. The notice of appeal shall be filed within ten (10) days with appropriate copy to the *Building Official*. The postal date stamped on the refusal letter envelope shall govern and control the start of the ten-day period. Judicial review of a board of adjustment decision shall follow V.T.C.A., Local Government Code § 211.011.~~

~~(f) **Revocation of licenses.**~~

~~(1) A demolition contractor's license shall be revoked by the *Building Official* after a hearing in the event said licensee, or any proprietor, partner, or corporate officer is convicted of any penal offense arising out of or related to the performance of a contract or suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a demolition contract.~~

~~(2) The *Building Official* shall, after a hearing, revoke a license for any one or more of the following reasons:~~

~~a. Conviction of the licensee or any proprietor, partner or corporate officer therein of a felony or misdemeanor involving moral turpitude;~~

~~b. The making of any false statement as to a material matter in an application for license, renewal thereof or hearing in connection with same;~~

~~c. Conviction of a violation of the currently adopted building code or local amendments of the city;~~

~~d. Violation of any provision of this chapter;~~

~~e. Upon judicial determination of an abandonment or willful failure to perform any demolition contract or project in or undertaken by a contractor, or willful deviation from or disregard of plans or specifications in any material respect;~~

~~f. Upon judicial determination of substantial misrepresentation on part of contractor in the procurement of a demolition contract;~~

~~g. Upon judicial determination of fraud on the part of a contractor in the execution of or in the material alteration of any contract or mortgage, promissory note or other document relating to said contract;~~

~~h. Failure of contractor to notify the *Building Official* or designee of any change in the ownership, management, business name, or location of their registered business office; or~~

~~i. Licensed contractor obtaining permit(s) for an unlicensed contractor or one whose license has been revoked or denied.~~

~~(3) The hearing shall be in a standard form prescribed by the *Building Official*. Notification to the licensee of said hearing before the *Building Official* shall be mailed to the~~



~~licensee by certified or registered mail, at licensee's last known mailing address. The notification shall give not less than ten (10) days notice of the hearing.~~

~~(4) A person requesting to appeal the decision of the *Building Official* must submit their appeal request in writing and the fee within ten (10) days of the revocation. Upon receipt of the appeal request and fee, the appeal shall be placed on the first open date of the board of adjustment's docket. If the person makes a written request for a copy of the revocation order from the *Building Official*, such copy shall be issued.~~

~~(5) Judicial review of a board of adjustment decision shall follow V.T.C.A., Local Government Code § 211.011.~~

~~**(g) Demolition permit; in general.**~~

~~(1) No person, firm, association or corporation shall demolish any building or structure in the city, or cause the same to be done, without first obtaining a demolition permit for each such building or structure authorized by the city.~~

~~(2) Every demolition permit shall be valid during the time outlined in the permit. If demolition is not complete, the director of development services may extend the permit upon request of the applicant.~~

~~**(h) Application requirements.** Applications for demolition permits shall require the following information:~~

~~(1) Name and address of demolition contractor.~~

~~(2) Name and address of building and property owners including a notarized letter authorizing demolition of building or structure.~~

~~(3) Except for single family residence and other single story buildings where it is not possible for debris to fall on public walkways or thoroughfares, the *Building Official* shall require an engineering report, prepared by a qualified registered professional engineer, of the building or structure to be demolished so as to determine the condition of the framing, floors and walls, copy of which is to be filed with the *Building Official*.~~

~~(4) The demolition contractor shall be required to prepare a complete plan and schedule for demolition to be filed with the *Building Official*. Should the plan and schedule be changed at any time, the changes must be approved by the *Building Official* and a copy of such changes must be filed with the *Building Official*.~~

~~(5) The location site of the disposal of debris and the proposed route to be used to disposal site.~~

~~(6) Approval from risk management that insurance and bond are current.~~

~~(7) Applicant shall submit the current demolition license number and bond materials of the demolition contractor who has been hired to perform the work. All demolition contractors, as defined in this chapter, shall be licensed and bonded. Any substitution of contractor listed in the application shall be reported to the *Building Official* with appropriate licensing and bonding materials. A failure to notify the *Building Official* shall result in administrative and/or criminal and/or civil penalties. It shall be an~~

~~affirmative defense to prosecution that substitute contractor was licensed and bonded at the time.~~

~~(8) Supplemental materials as prescribed by the *Building Official*.~~

~~(i) **Revocation; appeals.** The *Building Official* may revoke a demolition permit required by this chapter when the conditions under which the permit is granted have been violated. Revocation is discretionary on the *Building Official* and contractor shall be afforded an appellate hearing in front of the board of adjustment. A person requesting to appeal the decision of the *Building Official* must submit a written request and the fee within ten (10) days of the revocation. If the person makes a written request to the director for the decision detailing revocation in writing, such decision shall issue. If a decision is made by the board of adjustment to overturn the revocation of the demolition permit, the decision shall stay any issuance of a demolition permit until the business day following the day after the decision of an administrative official or the final vote of the board of adjustment overturning the revocation.~~

**(g) Demolition fee schedule.**

Demolition <u>Registration Fees</u>	
<del>Demolition License Fees</del>	
Demolition Contractor	
Initial—City <del>License</del> <u>Registration/2 year registration</u>	\$85.00
Renewal—City <del>License</del> <u>Registration/2 year renewal</u>	<del>\$35</del> 35.00
Duplicate—City <del>License</del> <u>Registration Card</u> (plus tax)	\$5.00
Demolition Permit Fees	
Residential	\$75.00
Commercial	
Single-story	\$100.00
2—3 stories	\$200.00
>3 stories	\$650.00

<del>Recovery of Expenditures for Demolition:</del>	
<del>Non-asbestos—Residential, per hour</del>	<del>\$600.00</del>
<del>Asbestos—Residential, per hour</del>	<del>\$800.00</del>
<del>Non-asbestos—Non-residential, per hour</del>	<del>\$925.00</del>
<del>Asbestos—Non-residential, per hour</del>	<del>\$1,100.00</del>

~~(k) — Insurance. Applicant for demolition permits shall maintain and cause to be maintained the following types of insurance:~~

- ~~(1) Workmen's compensation insurance—Statutory requirements.~~
- ~~(2) Automobile liability insurance with limits of personal injury one hundred thousand dollars (\$100,000.00) each person, three hundred thousand dollars (\$300,000.00) each accident, property damage fifty thousand dollars (\$50,000.00) each accident.~~
- ~~(3) Public liability insurance and insurance coverage for their employees, agents and contractors, from a company authorized to do business in the state, in the following amounts:  
Comprehensive general liability insurance:
  - ~~a. Public liability (bodily injury) insurance with limits not less than three hundred thousand dollars (\$300,000.00) for each occurrence.~~
  - ~~b. Public liability (property damage) insurance with limits of not less than one hundred thousand dollars (\$100,000.00) for each accident and two hundred thousand dollars (\$200,000.00) in the aggregate.~~
  - ~~c. The policy shall:
    - ~~1. Include the hazards of explosion and collapse coverage.~~
    - ~~2. Provide that the same shall not be cancelled until a ten-day or non-renewal has been served upon the city clerk or the city.~~~~
  - ~~d. Applicant shall file with the city clerk certificates of insurance executed by the insurance carrier issuing said policies certifying that said insurance is in full force and effect and that the demolition operations are covered by such policies.~~~~

~~(l) Indemnity bond. Before such permit shall be issued, the person, firm, association or corporation applying therefore shall execute and deliver to the city, to be kept on file in the city clerk's office, a good and sufficient bond of indemnity, issued by a surety company licensed to do business in the state, in the sum of five thousand dollars (\$5,000.00) to be approved by the city attorney and conditioned that the person, firm, association or~~

~~corporation making such application shall promptly pay in and unto the city any and all costs, damages and expenses which said city may incur or suffer, including, but not limited to, damages to streets, sidewalks, utilities, or other public places by reason of carelessness or negligence in the performance of such demolition, or by reason of any defects caused from or arising from careless, negligent or imperfect demolition procedures, or any and all acts and omissions of said applicant, his agents, servants, or subcontractors.~~

**~~(m) Miscellaneous provisions:~~**

- ~~(1) No structural or load-supporting members, which would affect the stability of the structure, shall be cut or removed from any story until all construction materials above such a story have been completely demolished and removed.~~
- ~~(2) No material shall be dropped to any point outside the exterior walls of the structure except in enclosed chutes.~~
- ~~(3) In masonry construction, the demolition of exterior walls and floor construction shall be removed and dropped into the storage space before commencing the removal of exterior walls and floor in the story below.~~
- ~~(4) In buildings with a structural steel frame member type construction, the steel framing may be left in place during the demolition of masonry. Where this is done, all steel beams girders and similar structural supports shall be cleared of all loose material as the masonry demolition progresses downward.~~
- ~~(5) No wall, chimney or other structural part shall be left at the end of each shift in such condition that it may collapse due to wind, vibration or any other cause.~~
- ~~(6) Upon the completion of demolition operations, the site shall be completely cleared of rubbish, brush, weeds and other debris. The site must be left free of ponds and underground tanks shall be removed. Basement slabs shall be broken up to allow drainage and septic tanks, wells, cesspools, and cisterns shall be broken open and filled in.~~
- ~~(7) Security service during non working hours shall be provided by the contractor.~~
- ~~(8) Where shown to be necessary in the plan for demolition, the city shall coordinate and approve the blocking of walkways, thoroughfares and alleys to protect the public.~~
- ~~(9) The city council may issue a permit for selective use of explosives for demolition purposes if the contractor has complied with all of the conditions of this chapter and if the plan for selective demolition by the use of explosives is conducted in accordance with §§ 1926.900—1926.914 inclusive of Subpart "U" of the Rules and Regulations of the Occupational Safety and Health Administration of the Department of Labor, 29 CFR, part 1926, subpart U.~~

**~~(n) Criminal penalties for violation.~~** ~~It shall be unlawful for any person to demolish any building or structure in the city or cause the same to be done, contrary to or in violation of any of the provisions of this Code or any currently adopted building code. Any person, firm or corporation violating any of these provisions shall be deemed guilty of a separate offense for each day or portion thereof during which any violation is committed, continued, or~~

~~permitted, and each separate violation shall be punishable by a fine not to exceed five hundred dollars (\$500.00).~~

- ~~(o) **Waiting period.** A demolition permit shall not be issued prior to the business day following the day after the decision of an administrative official or the final vote of the board of adjustment authorizing the issuance of the demolition permit if the application for such permit:~~
- ~~(1) Results in the initiation of an application for a determination of historic significance; or~~
  - ~~(2) Requires a recommendation from the historic and design review commission; or~~
  - ~~(3) Is subject to consideration by any other board or commission of the city and either subsection (o)(1), or subsection (o)(2) applies to the demolition.~~

**Sec. 10-120. - Licensed Registered house mover.**

- ~~(a) **General Registration.** It shall be unlawful for any person to maintain, own or operate a house moving contracting business, unless a registration issued by the *Building Official* is first obtained as provided herein.~~

~~(b) **House mover registration, insurance, security, and bond required.**~~

- ~~(1) **Compliance with section.** No person except a licensed house mover, shall move any building or structure over, across or along any street, public way or public place within the city except as specifically provided in this article.~~

~~**Exception:**~~

~~Nothing contained in this article shall require a license or bond for the movement of oversized equipment, or buildings or structures of a temporary nature, when such equipment, building, or structures are within the legal road limit as required by the state statutes; nor shall bond and license be required of one passing through the city enroute between two (2) other incorporated cities, except those cities in the county.~~

- ~~(2) **Misrepresentation.** It shall be a violation of this chapter for any person to represent themselves with any registration set forth in this Code or to use the words "home mover", "house mover" or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered within the meaning of the word used as provided in this chapter.~~

~~(3) **General liability and insurance.**~~

- ~~a. A registered house moving contractor shall furnish and present the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to the *Building Official* or to any customer upon request.~~
- ~~b. City registered house moving contractors must maintain insurance of the following types and amounts:~~

(1) (\$10,000.00) for each person for bodily injury, twenty thousand dollars (\$20,000.00) for bodily injury liability for each accident, and five thousand dollars (\$5,000.00) for property damage liability for each accident.

(2) Comprehensive general liability specifically including coverages for hazards of explosion and collapse in the amount of three hundred thousand dollars. (\$300,000.00).

c. The policy shall:

(1) Provide that the same shall not be cancelled until a ten-day or non-renewal has been served upon the city.

(2) The City of San Antonio must be listed as certificate holder on the Certificate of Liability insurance.

(3) Applicant shall file with the *Building Official* certificates of insurance executed by the insurance carrier issuing said policies certifying that said insurance is in full force and effect and that the moving operations are covered by such policies.

(4) **Bond.** Before a house mover's license is issued, the applicant shall file with the *Building Official* a surety bond in the amount of two thousand dollars (\$2,000.00), saving and protecting the city harmless from any and all damages and to pay for any and all damages to public property, that may arise from the use of any of the streets, alleys, boulevards or other public places in the moving of any building or structure. Such bond shall contain a provision for a ten-day written notice to the city of cancellation by the surety.

(c) **Responsibilities.** A registered house moving contractor shall be responsible for exercising such supervision and control of his operations as is necessary to secure full compliance with the provisions of the adopted city requirements and all other applicable laws of the city, state and United States.

(d) **Penalties.** It shall be unlawful for any person to move any building or structure in the city or cause the same to be done, contrary to or in violation of any of the provisions of this Code or any currently adopted city or State laws. Any person, firm or corporation violating any of these provisions shall be deemed guilty of a separate offense for each day or portion thereof during which any violation is committed, continued, or permitted, and each separate violation shall be punishable by a fine not to exceed five hundred dollars (\$500.00).

(e) **City registration cards.**

(1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a city registration.

(2) Registrations shall be renewed prior to the expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form returned to the Development Services Department with the appropriate renewal fee prior to the expiration date. All city registrations shall expire two (2) years after issuance. Registrations shall be renewed prior to expiration date. Each person holding a valid registration shall renew same in sufficient time to have the renewal form and insurance

information returned to the department with the appropriate renewal fee prior to registration expiration date.

(3) Each registration card, when issued to contractor shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration and shall notify the code official if the registration holder is no longer in its employment. No further permits will be issued to the firm based upon the previous registration holder's name who is no longer employed by the firm.

(4) It shall be a violation of this Code for any person to alter or amend in any manner, lend, rent, or transfer a registration card, and for any person to make use of any such rights for which the person is not registered.

(5) Each holder of a city issued card shall carry the registration card on his person at all times while performing work covered by this Code and shall present it to the *Building Official* upon demand.

**(f) Registrations not transferable.** No registration shall be transferred and no holder of any registration shall allow his name or registration to be used by any other person, either for the purpose of performing house moving operations or obtaining a permit under the penalty of forfeiture of said registration and payment of fines.

**(g) Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered contractor to:

(1) Display or cause a permit to be displayed or to have in one's possession a registration for performing any house moving work, knowing it to be fictitious or to have been canceled, suspended or altered;

(2) Lend or permit the use of any registration for doing any house moving operations to any person not entitled to it;

(3) Allow any person to display or to represent as one's own city registration for any house moving operation when the registration has not been lawfully issued to the person displaying it;

(4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;

(5) Perform any house moving operations for which a registration is required without having the registration or while the registration is suspended, expired or canceled;



(6) Perform any house moving operation for which a permit is required without having the permit or after the permit has been canceled;

(7) Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the violation is corrected;

(8) Permit any work covered by this section to be performed by any person not properly registered, while in control of premises covered by this section;

(9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*;

**(h) Application procedures; requirements.**

(1) An applicant for an original registration or renewal must submit an application to the *Building Official* on a form established by the department.

(2) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant.

(3) A person may not be issued a registration unless the person:

a. Is at least eighteen (18) years of age; and

b. Is a United citizen or a lawfully admitted alien

**(i) Duties and powers of Building Official.**

(1) There is hereby vested in the *Building Official* the duty of examining the applications for contractor registrations, including the issuance, reissuance, renewal, suspension, or cancellation of such registration.

(2) The *Building Official* shall establish procedures consistent with this Code for the issuance of registration for demolition contractors.

(3) The *Building Official* shall have the duty to keep all registration application records. The *Building Official* shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.

**(j) Appealing a denial of registration.**

(1) Appeal to board. If either an original or renewal registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within ten (10) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The applicant or their representative shall then have fifteen (15) working days from receipt of notice to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.

(2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.

**(k) Fees and registration period.** The application fee for contractor registration shall be as set forth in this section.

(1) An initial registration fee of one hundred and twenty dollars (\$120.00) is required and said registration shall be valid for a period of two (2) years. The registration holder shall be required to re-register every two-year period of time and pay a fee of one hundred and twenty dollars (\$120.00) for each two-year period of time to maintain registration.

(2) The moving of any building or structure over, across or along any street, public way or public place within will commence only after a permit has been issued by the *Building Official*. Permit fees are outlined in Fee Schedule subsection 10-31.

**(l) Cancellation and suspension of registration; appeals.**

(1) A contractor's registration may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered contractor is convicted of any penal offense arising out of or related to the performance of a contract or the registered contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a moving contract.

(2) The *Building Official* may also administratively cancel or suspend a registration after a hearing before the *Building Official* for any one or more of the following reasons:

a. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state;

b. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;

c. Three (3) separate violations as detailed in subsection 10-120(g) of this chapter, provided the violations occur within the previous 12-month period;

- d. Upon judicial determination of an abandonment or willful failure to perform any moving contract or project in or undertaken by a registered contractor, or willful deviation from or disregard of plans or specifications in any material respect;
- e. With knowledge, the house moving contractor directly or indirectly published any advertisement relating to house moving work which contains assertions, representations or statements which are false, deceptive or misleading;
- f. Failure of the contractor to notify the *Building Official* of any change in the ownership, management, or business name;
- g. Conducting a house moving contractor business in any name other than the one registered;
- h. Obtaining a moving permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.
- i. Upon judicial determination of fraud on the part of a contractor in the execution of or in the material alteration of any contract or mortgage, promissory note or other document relating to said contract.

(3) The *Building Official* may take any of the following actions against the holder of the certificate of registration:

- a. No suspension.
- b. Suspension for thirty (30) days.
- c. Suspension for sixty (60) days.
- d. Suspension for ninety (90) days.
- e. Suspension for one hundred eighty (180) days.
- f. Cancellation.

(4) The *Building Official* shall send the registered contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The *Building Official* is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.

(5) A written decision to cancel or suspend a registration shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the *Building Official's* decision to the building-related and fire codes board of appeals. The decision of the *Building Official* shall be final after expiration of this time.

(6) Board appellate process.

- a. A registered contractor shall have the right to appeal the *Building Official's* decision in accordance with section 10-14 of this chapter.
- b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
- c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than one hundred eighty (180) days.
- d. A cancellation shall prevent the contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a contract. In performing currently permitted obligations while cancelled, the contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one-year period, a contractor may apply for a new registration. No provision of this section shall be interpreted to mean that a new registration will be issued after a prior registration has been cancelled. A denied applicant for a new registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.
- e. A suspension shall prevent the registered contractor from pulling new permits in the city for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under the contract. The contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

(m) House moving permit; general.

- a. No person, firm, association or corporation shall move building or structure in the city, or cause the same to be done, without first obtaining a permit for each such building or structure authorized by the city.
- b. Every house moving permit shall be valid during the time outlined in the permit. The Director of Development Services may extend the permit upon request of the applicant.
- c. No person shall move any building or structure over, across, or along any street, public way or public place within the city until a permit for such work has been issued as provided in this section.
- d. A registered house mover shall in each case before moving or preparing to move any building or structure, apply to the director of development services by written application for a permit to do so, in which application the building or structure to be moved shall be described with the extreme dimensions of its width, length and height, present location, the place to which it is proposed to be moved, and the location, on the lot at the destination.
- e. Before application for permit is made, the house mover shall notify the public utilities, railroads and other persons whose facilities are involved in such movement.
- f. Before application for permit is made, the house mover shall notify the police department, fire department and public works department, and shall obtain proper clearance from each of these departments in writing. This clearance shall specify the day of the week, hour of the day, the moving is to take place. The route to be taken shall be at the discretion of the police department and public works department.
- g. Warning devices. If it becomes temporarily necessary to leave the building on public property, there shall be placed around the building or structure, and all equipment, red lanterns, flares or other warning devices. No building or structure under any condition shall be allowed to remain in or on the streets, public ways or public places for more than twenty-four (24) hours except weekends. Any building or structure which occupies or moves along or across any portion of public property after sundown shall have sufficient lights and flares continually burning for the protection of the public.
- h. Escort. No person shall move a building or structure across or along any street, public way or public place within the city unless accompanied or escorted by at least one police officer that has been retained by the person for such service.

~~(1) **Compliance with section.** No person except a licensed house mover, shall move any building or structure over, across or along any street, public way or public place within the city except as specifically provided in this article.~~

~~(2) **Warning devices.** If it becomes temporarily necessary to leave the building on public property, there shall be placed around the building or structure, and all equipment, red~~

~~lanterns, flares or other warning devices. No building or structure under any condition shall be allowed to remain in or on the streets, public ways or public places for more than twenty four (24) hours except weekends. Any building or structure which occupies or moves along or across any portion of public property after sundown shall have sufficient lights and flares continually burning for the protection of the public.~~

~~(3) **Escort.** No person shall move a building or structure across or along any street, public way or public place within the city unless accompanied or escorted by at least one police officer that has been retained by the person for such service.~~

~~(4) **Violations.** Any person duly licensed by the city as a house moving contractor, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and each violation shall be punishable as provided in section 1-5 of the City Code and by the suspension of such person's license for thirty (30) days or both.~~

~~(b) **License.**~~

~~(1) **Required; amount.** Every person before engaging in moving a building or structure, shall have made application to the *Building Official* for a license and such license shall have been approved and issued for the current year. The fee for such license shall be fifty dollars (\$50.00) per year, payable on the first day of January of each year, or at the time of issuance. The fee for issuing a duplicate license for one lost, destroyed or mutilated shall be five dollars (\$5.00).~~

~~(2) **Surety bond.** Before a house mover's license is issued, the applicant shall file with the city clerk a surety bond in the amount of two thousand dollars (\$2,000.00), saving and protecting the city harmless from any and all damages and to pay for any and all damages to public property, that may arise from the use of any of the streets, alleys, boulevards or other public places in the moving of any building or structure. Such bond shall contain a provision for a ten day written notice to the city of cancellation by the surety.~~

~~(3) **Liability insurance.** Before a house mover's license is issued, the applicant shall file with the city clerk a public liability property damage insurance policy certificate naming the applicant as the assured and providing for the payment of any liability imposed by law upon such applicant to the extent of ten thousand dollars (\$10,000.00) for each person for bodily injury, twenty thousand dollars (\$20,000.00) for bodily injury liability for each accident, and five thousand dollars (\$5,000.00) for property damage liability for each accident.~~

~~(4) **Investigation; issuance.** Upon execution of the bond and certificate of insurance required in sections (2) and (3), and their approval by the city clerk, the *Building Official* shall inspect, or cause to be inspected, the equipment and facilities to be used by the house moving contractor and shall determine that the size, design and safety factors of any vehicle and other equipment used in the moving of any building or structure, are such that their operation on public property shall not cause damage to the pavement or other public improvements. Upon the approval of such vehicle and other equipment, and the payment of the license fee, the license shall be issued to the person applying for same, and he shall thereafter be known as a licensed house moving contractor.~~

~~(5) **Transfer or assignment.** It shall be unlawful for any person to lend, rent or transfer his license or any rights therein contained to any person for any person to make use of any such rights which are not actually his own, without the approval of the *Building Official*.~~

~~(6) **When not required.** Nothing contained in this article shall require a license or bond for the movement of oversized equipment, or buildings or structures of a temporary nature, when such equipment, building, or structures are within the legal road limit as required by the state statutes; nor shall bond and license be required of one passing through the city enroute between two (2) other incorporated cities, except those cities in the county.~~

~~(c) **Permits.**~~

~~(1) **Required.** No person shall move any building or structure over, across, or along any street, public way or public place within the city until a permit for such work has been issued as provided in this section.~~

~~(2) **Application, information.** A licensed house mover shall in each case before moving or preparing to move any building or structure, apply to the director of development services by written application for a permit to do so, in which application the building or structure to be moved shall be described with the extreme dimensions of its width, length and height, present location, the place to which it is proposed to be moved, and the location, on the lot at the destination.~~

~~(3) **Notice to owners of facilities.** Before application for permit is made, the house mover shall notify the public utilities, railroads and other persons whose facilities are involved in such movement.~~

~~(4) **Notice to departments.** Before application for permit is made, the house mover shall notify the police department, fire department and public works department, and shall obtain proper clearance from each of these departments in writing. This clearance shall specify the day of the week, hour of the day, the moving is to take place. The route to be taken shall be at the discretion of the police department and public works department.~~

~~(d) **Relocation of buildings.**~~

~~(1) **Amounts of security as liquidated damages.** The amount of the security required by subsections (d)(7) and (d)(10) is the liquidated damages payable to the city for failure to comply with subsections (d)(6), (d)(7) and (d)(10), it being recognized that the damages to the city and the public occasioned by such failure will be difficult to determine and that the sum named has been agreed to as the amount of such damages.~~

~~(2) **Inspections and notice.** The *Building Official* shall have periodic inspections made of the relocated building to determine whether the building has been brought into compliance with applicable codes and ordinances. If this is done within the time prescribed in subsection (d)(7), said director shall release the security required hereby. If such work is not completed within ninety (90) days after the permit mentioned in subsection (d)(6) was issued, the *Building Official* shall so notify the permittee and the surety, if any, by United States mails, certified or registered mail.~~



- ~~(3) **Exceptions.** The security provided for herein shall not be required whenever a building is being moved to a location outside of the city or it is being relocated upon the same platted lot or tract of land, nor shall it be required for temporary location of buildings such as construction sheds and subdivision sales offices under temporary or special permits.~~
- ~~(4) **Prohibited relocations.** Nothing herein shall be construed to permit nonresidential use of residential or any relocation of buildings in violation of the zoning ordinance, the fire protection code, or other codes or ordinances of the city.~~
- ~~(5) **Remedy cumulative.** The provisions herein for security and its forfeiture shall be cumulative and not in lieu of any other remedy, penal or otherwise, that the city may have to enforce compliance with pertinent codes and ordinances.~~
- ~~(6) **Security required.**~~
- ~~a. Any person applying for a permit under article I of this chapter to relocate a building on a lot or tract of land located within the city shall furnish security, as provided in subsection (d)(7), to ensure completion of necessary work, to the *Building Official* before any such permit is issued, such security to be filed with the city clerk. It shall be unlawful to relocate such building without compliance herewith.~~
- ~~b. The security shall not be required whenever the building has been constructed within twelve (12) months immediately preceding such permit application in accordance with city ordinances and codes, the building having received the required inspections during such construction. This exception does not apply to remodeling, renovations or repairs but only to new construction.~~
- ~~(7) **Amount, kind of security, exception.**~~
- ~~a. The amount of security required by subsection (d)(6) shall be determined and set by the *Building Official* in any even amounts of one thousand dollars (\$1,000.00) from two thousand dollars (\$2,000.00) to five thousand dollars (\$5,000.00) based on the director's estimate of the cost of repairs necessary to comply with city codes and ordinances and any added requirements imposed by the board of adjustment. If the owner of the building being moved provides an executed repair contract with an independent building contractor, the amount stated in the contract shall be the amount of the required security.~~
- ~~b. However, in no event shall any such security be in an amount less than two thousand dollars (\$2,000.00). The security may be in the form of a deposit of cash or of United States Treasury "bearer" bonds or a surety bond payable to the city. If a surety bond is submitted, it shall be in form approved by the city attorney, issued by a company authorized to do such business in the state, and shall name an agent in the county to receive notices and upon whom service may be had. Such security shall be furnished conditioned upon completion of all work upon such relocated building, necessary to bring it into compliance with the applicable codes and ordinances of the city, within ninety (90) days of issuance of the permit described~~

~~in subsection (d)(7), however, an additional period of thirty (30) days may be granted by the *Building Official* if proper justification for such extension is shown.~~

~~(8) **Utility service.** No utilities shall be provided to a moved building except those necessary for repairs or construction and in no event shall such utilities be provided for a period in excess of ninety (90) days.~~

~~(9) **Certificate of occupancy.** No moved building may be occupied or used in any manner until a certificate of occupancy has been issued by the *Building Official*.~~

~~(10) **Temporary removal; security, notices.**~~

~~a. **Zones for temporary storage.** A building may be moved to a location in J, K, L, M, I-1 or I-2 Zones for temporary storage or rehabilitation purposes for a period not to exceed six (6) months with no utility connections to be made.~~

~~b. **Security.** Security shall be furnished by the applicant for such moving permit in the amount of five hundred dollars (\$500.00) to ensure removal of the building from its temporary location within the six-month period. The security may be in the form of a deposit of cash or of United States Treasury "bearer" bonds or a surety bond payable to the city. If a surety bond is submitted, it shall be in form approved by the city attorney, issued by a company authorized to do such business in the state, and shall name an agent in the county to receive notices and upon whom service may be had. Such security shall be furnished conditioned upon the removal of such building from its temporary location within six (6) months after having been moved thereto.~~

~~c. **Forfeiture of security.** The *Building Official* shall notify the city attorney whenever any person shall have failed to perform the necessary work or removal of a temporary located building, performance of which is the condition of the security required. Thereupon the city attorney shall prepare an appropriate ordinance or resolution for submission to the city council declaring forfeited the security furnished pursuant hereto.~~

~~d. **Notices.** If the building moved to a temporary location has been removed from the premises within the six-month period, the *Building Official* shall release the required surety. If such removal has not been completed within such period, the *Building Official* shall notify the permittee and the surety by certified or registered mail.~~

**Secs. 10-121—10-129. - Reserved.**

## **ARTICLE XIII. - SIGNS AND BILLBOARDS**

### **Sec. 10-130. - Signs and billboards.**

See chapter 28 of this Code and articles I, II, III and XII of this chapter.

**SECTION 4.** All previous provisions of the 2015 International Building Code, International Residential Code for One and Two-Family Dwellings, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, International Fire Code, International Energy Conservation Code, and the 2014 edition of the National Electric Code, and their respective local amendments as adopted by the City of San Antonio, Texas, remain in full force and effect during the period for which they were enacted.

\*\*\*\*\*

**SECTION 5.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision in this ordinance be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 6.** There is no financial impact as a result of the passage of this ordinance.

**SECTION 7.** Penalties for violation of any portion of this ordinance shall be in accordance with Chapter 10, Building Related Codes. \*\*\*\*\*

**SECTION 8.** No other provision of the City Code is amended by this Ordinance. All other provisions remain in effect.

**SECTION 9.** The City Clerk for the City of San Antonio is directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of San Antonio, Texas.

**SECTION 10.** The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted in this Ordinance, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 11.** All referenced model codes and corresponding local amendments identified in this ordinance are effective \*\*\*\*\* 2018, save for the International Energy Conservation Code (IECC) and local amendments which are effective ninety (90) days after the date of the Department of Energy's COMcheck and REScheck design and review publication software, or the \*\*\*\*\* day of \*\*\*\*\* 2018.

**PASSED AND APPROVED** this            day of XXXXXXXXXXXX, 2018.

**M A Y O R**

Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

DRAFT