

City of Houston, Texas, Ordinance No. 2015- 1108

AN ORDINANCE RELATING TO THE ADOPTION OF CONSTRUCTION CODES AND THE FIRE CODE FOR THE PROTECTION AND PRESERVATION OF LIVES AND PROPERTY FROM FIRE AND OTHER PERILS; ADOPTING AMENDMENTS TO THE *CITY OF HOUSTON CONSTRUCTION CODE* AND THE *CITY OF HOUSTON FIRE CODE* AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECTS; CONTAINING A REPEALER; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the *City of Houston Construction Code* is comprised of the following volumes:

The City of Houston Building Code, including as Chapter 46, the *Houston Sign Code*;

The City of Houston Residential Code;

The City of Houston Mechanical Code;

The City of Houston Plumbing Code;

The City of Houston Electrical Code;

The City of Houston Commercial Energy Conservation Code; and

The City of Houston Residential Energy Conservation Code.

Section 2. That the volume of the *City of Houston Construction Code* known as the *City of Houston Building Code* consisting of the 2006 Edition of the *International Building Code* and the *Houston Building Code Modifications 2010*, which regulates and governs the conditions and maintenance of all property, buildings and structures, as adopted by Ordinance No. 2010-847, and amended by Ordinances Nos. 2010-0993, 2010-1016, 2010-1064, 2011-19, 2011-0547, 2011-656, 2011-1168, 2011-1213, and

Codes Adopt Ord

2015-0419, is hereby replaced with the *International Building Code*, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001, on file with the City Secretary's Office and incorporated herein as **Exhibit A**, and is adopted as modified by the document entitled *Houston Amendments to 2012 International Building Code*, which is incorporated herein as **Exhibit A-1**.

Without limitation of other documents that are adopted by reference, the *City of Houston Building Code* includes Chapter 46, the *Houston Sign Code*, which is separately published by the Public Works and Engineering Department.

Section 3. That the volume of the *City of Houston Construction Code* known as the *City of Houston Residential Code*, consisting of 2006 Edition of the *International Residential Code for One- and Two-Family Dwellings* and the *Houston Residential Code Modifications 2010*, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings, as adopted by Ordinance No. 2010-847, and amended by Ordinances Nos. 2010-993, 2010-1016, 2011-656, and 2011-1168, is hereby replaced with the *International Residential Code for One- and Two-Family Dwellings*, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001, on file with the City Secretary's Office and incorporated herein as **Exhibit B**, and is adopted as modified by the document entitled *Houston Amendments to 2012 International Residential Code*, which is incorporated herein as **Exhibit B-1**.

Section 4. That the volume of the *City of Houston Construction Code* known as the *City of Houston Mechanical Code*, consisting of the *2006 Uniform Mechanical Code* and the *Houston Mechanical Code Modifications 2010*, which provide complete requirements for the installation and maintenance of heating, ventilating, cooling, and refrigeration systems, as adopted by Ordinance No. 2010-847, and amended by Ordinance Nos. 2010-1016, 2011-656, 2011-1087, and 2011-1168, is hereby replaced with the *Uniform Mechanical Code*, 2012 Edition, as published by the International Association of Plumbing and Mechanical Officials, 4755 E. Philadelphia St., Ontario, CA 91761-2816, on file with the City Secretary's Office and incorporated herein as **Exhibit C**, and is adopted as modified by the document entitled *Houston Amendments to 2012 Uniform Mechanical Code*, which is incorporated herein as **Exhibit C-1**.

Section 5. That the volume of the *City of Houston Construction Code* known as the *City of Houston Plumbing Code*, consisting of the *2006 Uniform Plumbing Code* and the *Houston Plumbing Code Modifications 2010*, providing basic, uniform plumbing standards among the various practices and diverse local codes, as adopted by Ordinance No. 2010-0847, and amended by Ordinance Nos. 2010-993, 2011-656, and 2011-1168, is hereby replaced with the *Uniform Plumbing Code*, 2012 Edition, as published by the International Association of Plumbing and Mechanical Officials, 4755 E. Philadelphia St., Ontario, CA 91761-2816, on file with the City Secretary's Office and incorporated herein as **Exhibit D**, and is adopted as modified by the document entitled *Houston Amendments to 2012 Uniform Plumbing Code*, which is incorporated herein as **Exhibit D-1**.

Section 6. That the volume of the *City of Houston Construction Code* known as the *City of Houston Electrical Code* remains as adopted by Ordinance No. 2014-0876.

Section 7. That the volume of the *City of Houston Construction Code* known as the *City of Houston Commercial Energy Conservation Code* remains as adopted by Ordinance No. 2011-656 and amended by Ordinance No. 2011-1087.

Section 8. That the volume of the *City of Houston Construction Code* known as the *City of Houston Residential Energy Conservation Code* remains as adopted by Ordinance No. 2011-1087 and amended by Ordinance Nos. 2013-6 and 2014-5.

Section 9. That the *City of Houston Fire Code* consisting of the 2006 Edition of the *International Fire Code* and the *Houston Fire Code Modifications 2010*, as adopted by Ordinance No. 2010-0871, and amended by Ordinance Nos. 2010-1016, 2010-1064, 2011-0547, 2011-1168, 2013-0296, and 2013-0647, is hereby replaced with the *International Fire Code, 2012 Edition*, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, on file with the City Secretary's Office and incorporated herein as **Exhibit F**, and is adopted as modified by the document entitled *Houston Amendments to 2012 International Fire Code*, which is incorporated herein as **Exhibit F-1**.

Section 10. That, for the sake of clarity, the various "Houston Amendments" documents described above have been prepared in a legislative format that depicts certain amendments to the 2012 international or uniform codes by underlining added text and striking through deleted text. The stricken portions are for illustration of text that is not adopted by the City of Houston, and the underlining is for illustration of text

Codes Adopt Ord

added by the City of Houston. In some instances, the changes are described by an Editorial Note, with terms such as "**DELETE**" a certain section or "**REPLACE**" a certain table.

Section 11. The City Council hereby authenticates the copies of the various **Houston Fire Department Standards** that have been placed on file in the Office of the City Secretary in connection with the adoption of this Ordinance. **New standards may be added and current standards amended from time to time.**

Section 12. The *City of Houston Construction Code* and the *City of Houston Fire Code*, as adopted herein are based upon uniform codes promulgated by recognized national code organizations, which have been identified above. Local modifications have been made to various provisions of the uniform codes solely to address imminent threats of destruction of property or injury to persons. However, to the extent that any such local modification provision is determined to be unenforceable for purposes of Chapter 245 of the Texas Local Government Code, then it is the intent of the City Council that the corresponding provision of the corresponding uniform national code be enforced in its place. For that limited purpose, the uniform national codes are also adopted in their entireties without Houston modifications. However, to the extent that any such local modification provision is determined to be unenforceable because of a conflicting state or federal law, then it is the intent of the City Council that the corresponding state or federal law be enforced in its place.

Section 13. That the volumes of the *City of Houston Construction Code* and the *City of Houston Fire Code* may be amended from time to time, in the same manner

Codes Adopt Ord

provided in Section 1-4 of the Code of Ordinances, City of Houston, Texas, provided that the amendment shall refer to the *City of Houston Construction Code* or the *City of Houston Fire Code* and the particular volume thereof that is to be amended. The provisions of Section 1-5 of the Code of Ordinances shall be applicable in the event of the repeal of any portion of the *City of Houston Construction Code* or the *City of Houston Fire Code*, as adopted herein.

Section 14. Copies of the *City of Houston Construction Code* and the *City of Houston Fire Code* shall be retained in the care, custody and control of the Office of the City Secretary and preserved in such form as the City Secretary may consider to be the most expedient.

Section 15. The adoption of this amendment to the *City of Houston Construction Code* and the *City of Houston Fire Code* shall not be construed to remove from office any member of any City Board created under the provisions of Ordinance Nos. 2010-847 and 2010-871, as amended. Each member of any board created under those ordinances shall continue to serve for the duration of his or her term of office in the corresponding position on the corresponding board as recreated in the *City of Houston Construction Code* and the *City of Houston Fire Code*, as amended by this Ordinance.

Section 16. The provisions of the former Construction Code and Fire Code of the City of Houston, Texas, as adopted pursuant to Ordinance Nos. 2010-847 and 2010-871, as previously amended, shall remain in full force and effect for the trial and punishment of all criminal violations thereof occurring before the effective date of this

Ordinance and for the recovery of penalties and forfeitures incurred thereunder, and for the preservation of rights, privileges, obligations, liabilities and remedies established, accrued, accorded or incurred thereunder before the effective date of this Ordinance. All technical provisions thereof relating to the manner and methods of design, equipment and construction of any building or structure for which a completed building permit application is received in the Building Official's Office before the effective date of this Ordinance shall continue to apply to the construction work performed pursuant to the building permit, regardless of whether the building permit is issued before or after the effective date of this Ordinance.

Section 17. Whenever in the *City of Houston Construction Code* or the *City of Houston Fire Code* an act or omission is prohibited or declared to be unlawful or an offense or a misdemeanor, or whenever in the said Codes the doing or performance of any act or duty is required or the failure to do any act is prohibited or declared to be unlawful, and no specific penalty is provided therefor, the violation thereof shall be punishable by a fine of not less than \$250 nor more than \$2000, provided, however, that no penalty shall be greater or lesser than the penalty provided for the same offense under the laws of the state. Each day that any violation continues shall constitute and be punishable as a separate offense. In prosecutions, the various provisions of the said Codes that are designated as an "exception" or as "exceptions" shall not be treated as exceptions within the meaning of Section 2.02 of the Texas Penal Code, and instead, it is the intent of the City Council in adopting this ordinance that they shall

Codes Adopt Ord

constitute "defenses to prosecution" within the meaning of Section 2.03 of the Texas Penal Code.

Pursuant to the provisions of Section 54.001 of the Texas Local Government Code, the City Council hereby finds, and adopts such finding, that each and every regulation enumerated in the said Codes that is punishable, upon violation, by a fine in excess of \$500 governs fire safety and/or public health and sanitation.

Section 18. The provisions of this Ordinance shall not be construed to repeal Ordinance No. 78-2672 (the Annexation Ordinance), passed and approved on December 30, 1978, the provisions of which shall continue to apply to the operation of the *City of Houston Construction Code* and the *City of Houston Fire Code*, as amended by this Ordinance.

Section 19. All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 20. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 21. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on January 1, 2016.

PASSED AND APPROVED this 10th day of November, 2015.

CAPTION PUBLISHED IN DAILY COURT
 REVIEW
 DATE: NOV 17 2015


 Mayor of the City of Houston


 Assistant City Attorney

Prepared by Legal Dept.
 NEK:asw 10/30/2015
 Requested by Dale Rudick, P.E., Director, Department of Public Works and Engineering
 L.D. File No. 0631500219001

AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
	ABSENT	COHEN
	ABSENT-ON PERSONAL BUSINESS	BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

City of Houston, Texas, Ordinance No. 2015- 1289

AN ORDINANCE AMENDING ORDINANCE NO. 2015-1108 RELATING TO THE ADOPTION OF CONSTRUCTION CODE VOLUMES AND THE FIRE CODE FOR THE PROTECTION AND PRESERVATION OF LIVES AND PROPERTY FROM FIRE AND OTHER PERILS; DELAYING THE EFFECTIVE DATE OF THE AMENDMENTS TO THE CITY OF HOUSTON CONSTRUCTION CODE AND THE CITY OF HOUSTON FIRE CODE AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECTS; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, by Ordinance No. 2015-1108, the City of Houston adopted certain revised volumes of the *City of Houston Construction Code* and a revised *City of Houston Fire Code*; and

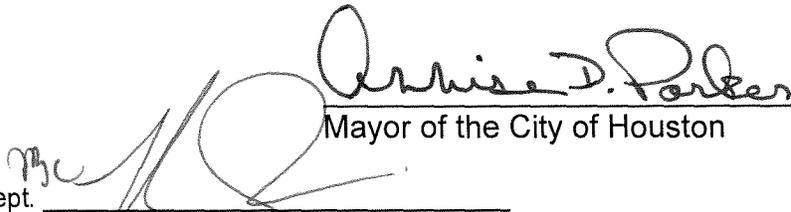
WHEREAS, the City of Houston now wishes to delay the effective date of the revised Code volumes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That Section 21 of City of Houston Ordinance No. 2015-1108 is hereby amended by changing the effective date to February 1, 2016.

Section 2. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND APPROVED this 16th day of December, 2015.



Mayor of the City of Houston

Prepared by Legal Dept. _____
NEK:asw 12/14/2015 Assistant City Attorney
Requested by Dale Rudick, P.E., Director, Department of Public Works and Engineering
L.D. File No. 0631500219001

AYE	NO	
✓		MAYOR PARKER
••••	••••	COUNCIL MEMBERS
✓		STARDIG
ABSENT		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

City of Houston, Texas, Ordinance No. 2015-1316

AN ORDINANCE AMENDING CERTAIN VOLUMES OF THE CITY OF HOUSTON CONSTRUCTION CODE AND THE CITY OF HOUSTON FIRE CODE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the volumes of the City of Houston Construction Code known as the City of **Houston Building Code** and the City of **Houston Residential Code** were adopted by Ordinance No. 2015-1108 on November 10, 2015; and

WHEREAS, the City of **Houston Fire Code** was adopted by Ordinance No. 2015-1108 on November 10, 2015; and

WHEREAS, the Department of Public Works and Engineering, upon request of the Construction Industry Council, has identified certain additional changes that need to be made to the City of Houston Building Code, the City of Houston Residential Code and the City of Houston Fire Code; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That **Section 901.9 of the** volume of the City of Houston Construction Code known as the City of **Houston Building Code**, adopted by Ordinance No. 2015-1108, is hereby amended to read as follows:

"901.9 Fire pumps. Fire pumps shall be listed by Factory Mutual, Underwriters Laboratories or another approved agency and shall not deliver less than the required fire flow and pressure in accordance with the listing. Such pumps shall be automatic operation. (See the *Electrical Code* for additional requirements.) When such pumps are not approved for direct connection to the city main, the source of supply for such pumps shall be sized in accordance with NFPA 20. A tank smaller than the size required by NFPA 20 may be provided when an engineering analysis can show that the refill of the tank will maintain the 150% design flow of the fire pump."

Section 3. That Sections 104.7.3 and 104.7.4 of the City of Houston Fire Code (the "Fire Code") are hereby replaced with the following:

"104.7.3 Contractor service reports. Fire protection service contractors shall provide the most recent inspection report of any facility that they service to the fire code official upon request. This can be done via email or fax. If the date of the inspection report is more than five years prior to the date the report is requested by the *fire code official*, then the contractor shall be required to conduct an inspection and provide the new inspection report to the *fire code official*."

Section 4. That Section 901.11 of the Fire Code is hereby amended to read as follows:

"901.11 Fire pumps. Fire pumps shall be listed by Factory Mutual, Underwriters Laboratories or another *approved* agency. Such pumps shall be automatic operation, and the system flow and pressure shall be sized based on the requirements of NFPA 20. See the *Electrical Code* for additional requirements. When such pumps are not *approved* for direct connection to the city main, the source of supply for such pumps shall be a suction tank served from the city main sized in accordance with NFPA 20. A smaller tank may be provided when an engineering analysis can show that the refill of the tank will maintain the 150% design flow of the fire pump."

Section 5. That Section 1103.8.1 of the Fire Code is hereby amended by replacing the date *January 1, 2016*, with *January 1, 2017*.

Section 6. That Exception 2 to Section 3206.6 of the Fire Code is hereby amended by inserting the words *for new buildings and 50 percent of the perimeter of the entire building for existing buildings* immediately after the words *the entire building*.

Section 7. That Subsection 2 of Section J104.2 of the Fire Code is hereby amended by replacing the word *floors* with the word *building*.

Section 6. That Section P3114.4 of the volume of the City of Houston Construction Code known as the City of Houston Residential Code, adopted by Ordinance No. 2015-1108 is hereby amended to read as follows:

"P3114.4 Location. The *air admittance valves* shall be located not less than 6 inches (152 mm) above the flood level rim of the fixture. The *air admittance valve* shall be located within the maximum *developed length* permitted for the vent. The *air admittance valve* shall be installed not less than 6 inches (152 mm) above insulation materials where installed in *attics*."

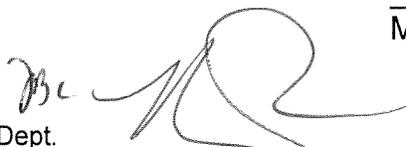
Section 7. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 8. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on February 1, 2016.

PASSED AND APPROVED this 22nd day of December, 2015.



Mayor of the City of Houston



Prepared by Legal Dept. _____
NEK:asw 12/15/2015 Assistant City Attorney
Requested by Dale Rudick, P.E., Director, Department of Public Works & Engineering
L.D. File No. 0631500219001

AYE	NO	
✓		MAYOR PARKER
••••	••••	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGO
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

City of Houston, Texas, Ordinance No. 2018 - 691

AN ORDINANCE AMENDING SECTIONS E103, E105, E106, E114, AND E115 OF THAT VOLUME OF THE CITY OF HOUSTON CONSTRUCTION CODE KNOWN AS THE CITY OF HOUSTON BUILDING CODE RELATING TO PERMIT REQUIREMENTS FOR ENGINEERED GRADING; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, following Hurricane Harvey, the Mayor organized a Redevelopment and Drainage Task Force (the "Task Force"), composed of stakeholders from building and development, engineering and neighborhoods, and charged it with reviewing methods to make construction in the City more resilient; and

WHEREAS, the Task Force held public meetings to consider the issues in development and the current regulations; and

WHEREAS, the Task Force completed its work and presented the findings to the Transportation, Technology, and Infrastructure Committee of City Council on May 29, 2018; and

WHEREAS, the Task Force made recommendations for changes to the Infrastructure Design Manual and the International Building Code (local amendments) to facilitate resilient building that maintains opportunities for the use of, and construction on, private property; and

WHEREAS, after receiving public comment and due consideration and public comment, the City Council finds that the proposed amendments are necessary for the protection of the public health, safety and welfare; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Sections E103.1 and E103.2 of that volume of the City of Houston Construction Code known as the Building Code (the "Building Code") are hereby amended to read as follows:

"E103.1 Permits required. Except as specified in Section E103.2, no person shall do any *grading* without first having obtained a *grading* permit from the *building official*.

E103.2 Exempted work. A *grading* permit is not required for the following if they meet the definition of *regular grading*:

1. When approved by the *building official*, *grading* in an isolated, self-contained area where there is no danger to private or public property.
2. An *excavation* below finished *grade* for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any *fill* made with the material from such *excavation* or exempt any *excavation* having an unsupported height greater than 5 feet (1524 mm) after the completion of such structure.
3. Cemetery graves.
4. Refuse disposal *sites* controlled by other regulations.
5. *Excavations* for wells, tunnels, or utilities.
6. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory *excavations* under the direction of soil engineers or *engineering geologists*.
8. An *excavation* that: (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut *slope* greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% *slope*).
9. A *fill* less than 1 foot (305 mm) in depth and placed on natural terrain with a *slope* flatter than 1 unit vertical in 5 units horizontal (20% *slope*), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course.

Exemption from the 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.”

Section 3. That Section E105.1 of the Building Code is hereby amended by adding, in the appropriate alphabetical order positions, the following definitions:

“ENGINEERED GRADING. Any *grading* in excess of 1,000 cubic yards.”

“REGULAR GRADING. Any *grading* less than or equal to 1,000 cubic yards.”

Section 4. That Sections E106.3, E106.4 and E106.9 of the Building Code are hereby amended to read as follows:

“E106.3 *Grading designation.* *Grading* in excess of 1,000 cubic yards (765 m³) shall be performed in accordance with an approved *grading* plan prepared by a professional engineer licensed in the State of Texas and shall be designated as ‘*engineered grading.*’ *Grading* involving less than or equal to 1,000 cubic yards (765 m³) shall be designated ‘*regular grading*’ unless the permittee chooses to have the *grading* performed as *engineered grading*, or the city engineer or building official determines that the property is located in a Houston special flood hazard area as defined in Chapter 19 of the City Code, special conditions or unusual hazards exist, in which case *grading* shall conform to the requirements for *engineered grading.*

E106.4 *Engineered grading requirements.* Application for a *grading* permit shall be accompanied by two sets of plans and specifications, as well as supporting data consisting of a *soils engineering* report and *engineering geology* report. The plans and specifications shall be prepared and signed by a professional engineer licensed in the State of Texas.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall display the location of the work, the name and address of the owner, and the name of the person who prepared them.

The plans shall include the following information:

1. General vicinity of the proposed *site.*
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations, or finish contours to be achieved by the *grading* and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together

with a map showing the drainage area and the estimated runoff of the area served by any drains.

5. Location of any buildings or structures on the *site* upon which the work is to be performed and the location of any buildings or structures on property adjacent to the *site* that are within 15 feet (4,572 mm) of the property or that may be affected by the proposed *grading* operations.
6. The dates of the *soils engineering* and *engineering geology* reports together with the names, addresses, and phone numbers of the firms or individuals who prepared the reports.

Recommendations included in the *soils engineering* report and the *engineering geology* report shall be incorporated in the *grading* plans or specifications. Specific recommendations contained in the *soils engineering* report and the *engineering geology* report that are applicable to the proposed *grading* shall at minimum be included by reference in the *engineered grading* plans.”

“**E106.9 Issuance.** The provisions of Section 105.3 are applicable to *grading* permits. The *building official* may require that *grading* operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.”

Section 5. That Section E114.1 of the Building Code is hereby amended to read as follows:

“**E114.1 General.** *Grading* operations for which a permit is required shall be subject to inspection by the *building official*. *Professional inspection* of *grading* operations shall be provided by the professional engineer licensed in the State of Texas retained to provide such services in accordance with Section E114.5 for *engineered grading* and as required by the *building official* for *regular grading*.”

Section 6. That Sections E115.1 and E115.2 of the Building Code are amended to read as follows:

“**E115.1 Final reports.** Upon completion of the rough *grading* work and at the final completion of the work, the following reports and drawings and supplements thereto are required for *engineered grading* or when *professional inspection* is performed for *regular grading*, as applicable.

1. An as-built *grading* plan prepared by the professional engineer licensed in the State of Texas retained to provide such services in accordance with Section E114.5 showing original ground surface elevations, *as-graded* ground surface elevations, lot drainage patterns, and the locations and

elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the *soils engineer*. The professional engineers licensed in the State of Texas shall provide a special inspection report to the field inspector that states, to the best of their knowledge, the work within their area of responsibility was done in accordance with the final approved *grading plan* and applicable provisions of this chapter.

2. A report prepared by the *soils engineer* retained to provide such services in accordance with Section E114.5, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during *grading* and their effect on the recommendations made in the approved *soils engineering* investigation report. *Soils engineers* shall provide a special inspection report to the field inspector that states, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved *soils engineering* report and applicable provisions of this chapter.
3. A report prepared by the *engineering geologist* retained to provide such services in accordance with Section E114.5, including a final description of the geology of the *site* and any new information disclosed during the *grading* and the effect of same on recommendations incorporated in the approved *grading plan*. *Engineering geologists* shall provide a special inspection report to the field inspector that states, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved *engineering geologist* report and applicable provisions of this chapter.

E115.2 Notification of completion. The permittee shall notify the *building official* when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved *grading plan*, and the required special inspection reports have been submitted.”

Section 7. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become

inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 8. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on the later of September 1, 2018.

PASSED AND APPROVED this 29th day of August, 2018.


 Mayor of the City of Houston

Prepared by Legal Dept. 
 KM/ems 08/07/2018 Senior Assistant City Attorney
 Requested by: Carol Ellinger Haddock, P.E.
 Director, Houston Public Works Department

L.D. File No. 0641800029001

AYE	NO	
/		MAYOR TURNER
....	COUNCIL MEMBERS
/		STARDIG
/		DAVIS
/		COHEN
/		BOYKINS
/		MARTIN
/		LE
/		TRAVIS
/		CISNEROS
/		GALLEGOS
/		LASTER
/		CASTEX-TATUM
/		KNOX
/		ROBINSON
/		KUBOSH
/		EDWARDS
/		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT
 REVIEW
 DATE:

Houston Amendments to the 2012 International Building Code



Adopted by Ord. No. 2015-1108

Passed 11/10/2015, Effective 01/01/2016

Amended by Ord. No. 2015-1289

Passed 12/16/2015, Effective 02/01/2016

Amended by Ord. No. 2015-1316

Passed 12/22/2015, Effective 02/01/2016

Amended by Ord. No. 2018-691

Passed 12/22/2015, Effective 09/01/2018

CHAPTER 1

SCOPE AND ADMINISTRATION

PART 1-SCOPE AND APPLICATION

[A] 101.1 Title. These regulations shall be known as the City of Houston Building Code of [NAME OF JURISDICTION], hereinafter referred to as "this code."

The City of Houston Construction Code collectively includes this volume and certain other codes, pamphlets, specifications and documents that are adopted in or by reference through the adopting ordinance, City of Houston Ordinance No. 2015-__¹, which appears in the preamble of this code. A predecessor document to this code was known as the City of Houston Building Code-General Provisions, and any reference to the City of Houston Building Code-General Provisions in other jurisdiction ordinances shall be construed to mean this code. In certain instances, references to the building code will be found in ordinances, contracts, and other documents of the jurisdiction. In any instance in which that reference was intended to encompass the codes that collectively constitute the City of Houston Construction Code, then it shall be so construed.

[A] 101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this code, and hydraulic flood control structures.

Exception: Except as noted in Section 101.4.7, detached ~~Detached~~ one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the ~~International Residential Code.~~

[A] 101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. Appendices E, K, L, M, N, and R, including any amendments thereto adopted by this jurisdiction, are hereby adopted and shall be incorporated into and made part of this code.

[A] 101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6~~7~~ and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

[A] 101.4.1 Gas. The provisions of the ~~International Fuel Gas Plumbing Code, as defined in Chapter 2,~~ shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories. This code includes numerous references to the International Fuel Gas Code. For the sake of convenience and cost

¹ City Secretary shall insert number of adopting ordinance.

savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. This jurisdiction reserves the right to adopt codes based upon promulgations of organizations other than the International Code Council, including but not limited to the Uniform Series Codes, to the extent permitted by state law. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

Exception: Work governed by the *Residential Code*.

[A] 101.4.2 Mechanical. The provisions of the ~~*International Mechanical Code*~~, as defined in Chapter 2, 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. This code includes numerous references to the *International Mechanical Code*. For the sake of convenience and cost savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. This jurisdiction reserves the right to adopt codes based upon promulgations of organizations other than the International Code Council, including but not limited to the Uniform Series Codes, to the extent permitted by state law. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

Exception: Work governed by the *Residential Code*.

[A] 101.4.3 Plumbing. The provisions of the ~~*International Plumbing Code*~~, as defined in Chapter 2, shall apply to the installation, *alteration, repair* and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.~~ This code includes numerous references to the *International Plumbing Code*. For the sake of convenience and cost savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. This jurisdiction reserves the right to adopt codes based upon promulgations of organizations other than the International Code Council, including but not limited to the Uniform Series Codes, to the extent permitted by state law. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

Exception: Work governed by the *Residential Code*.

[A] 101.4.4 Property maintenance. The provisions of the *International Property Maintenance Code*, as defined in Chapter 2, 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. This code includes a number of references to the *International Property Maintenance Code*. For the sake of convenience and cost savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

[A] 101.4.5 Fire prevention. The provisions of the *International Fire Code*, as defined in Chapter 2, 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. This code includes numerous references to the *International Fire Code*. For the sake of convenience and cost savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. This jurisdiction reserves the right to adopt codes based upon promulgations of organizations other than the International Code Council, including but not limited to the Uniform Series Codes, to the extent permitted by state law. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

101.4.6 Energy. The provisions of the *International Energy Conservation Code*, as defined in Chapter 2, shall apply to all matters governing the design and construction of buildings for energy efficiency. This code includes a number of references to the *International Energy Conservation Code*. For the sake of convenience and cost savings to the public in the preparation of Houston Supplement pages to this code, those references have not been revised unless the text of the provision in which they appear has otherwise been revised by this jurisdiction. Any such references shall be regarded as references to the corresponding code as adopted by this jurisdiction from time to time. This jurisdiction reserves the right to adopt codes based upon promulgations of organizations other than the International Code Council, including but not limited to the Uniform Series Codes, to the extent permitted by state law. Any reference to a specific chapter, section, or provision of a code that has not been adopted by this jurisdiction shall be construed to mean the corresponding provision of the corresponding code as adopted by this jurisdiction.

101.4.7 Electrical. The provisions of the *Electrical Code*, as defined in Chapter 2, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

[A] 102.1 General. Where 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 provisions of the *City Code*, the *Energy Conservation Code*, the *Residential Code*, the *Electrical Code*, the *Mechanical Code*, the *Plumbing Code*, and this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where, in any specific instance, the applicable provisions of this code, the *City Code*, the *Energy Conservation Code*, the *Residential Code*, the *Electrical Code*, the *Mechanical Code*, or the *Plumbing Code* specify different materials, methods of construction, or other requirements than the *Fire Code*, and the *building official* and the fire marshal are unable to mutually reconcile the requirements by issuing a written interpretation, then either of them may refer the matter to the General Appeals Board created under this code, which shall conduct a review of the matter and issue a written code interpretation based upon the apparent intent of the codes involved. Notwithstanding any other provision, interpretations that are issued by the General Appeals Board shall not be subject to further appeal. Wherever in this code reference is made to an appendix, the provisions in the appendix shall not apply unless specifically adopted.

[A] 102.6 Existing and annexed structures. ~~The legal occupancy of any structure 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 Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.~~

102.6.1 Existing structures. A building in existence within the jurisdiction at the time of the adoption of this code may have its existing use and occupancy continued if:

1. Such use or occupancy was legal at the time of the adoption of this code;
2. The building is in compliance with all applicable provisions of Appendix L;
and
3. The continued use and occupancy is not unsafe pursuant to the provisions of Section 116.

102.6.2 Annexed structures. Any building in existence prior to the annexation into the jurisdiction of the land on which it is situated may have its use and occupancy continued if:

1. Such use or occupancy was legal under the building design and construction codes and related laws applicable in the jurisdiction in which the building was situated at the time immediately prior to its annexation;
2. The building is in compliance with all applicable provisions of Appendix L;
and
3. The continued use and occupancy is not unsafe pursuant to the provisions of Section 116.

PART 2-ADMINISTRATION AND ENFORCEMENT

SECTION 103

DEPARTMENT OF BUILDING SAFETY CODE ENFORCEMENT BRANCH

[A] 103.1 Creation of enforcement agency. ~~The Department of Building Safety Building Code Enforcement Branch~~ is hereby created within the jurisdiction's Department of Public Works and Engineering, and the official in charge thereof shall be known as the *building official*.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*. ~~For the maintenance of existing properties, see the International Property Maintenance Code.~~

[A] 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, 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 code 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 to perform the duties imposed by this code, 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* shall have recourse to the remedies provided by law to secure entry.

When, due to an emergency, immediate entry is necessary to make an inspection to protect life or property, or when the *building official* has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the *building official* for the purpose of inspection and examination pursuant to this code.

[A] 104.8 Liability. ~~The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby 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 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 code shall be defended by legal representative of the jurisdiction 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 code. Except as otherwise provided by law, the *building official* shall not personally be liable in damages for any act or omission arising out of any official action taken to implement and enforce the provisions of this code. Additionally, except as otherwise provided by law, the *building official* shall not personally be liable in damages for any act or omission taken in the~~

course and scope of employment. Where and to the extent consistent with the provisions of Chapter 2, Article X, of the City Code, this jurisdiction shall provide legal representation and indemnification for any suit brought against the *building official* because of acts or omissions performed in the enforcement of this code. This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

104.12 Discontinuation of use; notice to vacate. Whenever any building or structure or equipment located therein is being used contrary to the provisions of this code or otherwise is in violation of this code, the *building official* may, by notice to the owner or the owner's representative and to all users of the structure, order that any or all uses of the structure be discontinued or that the structure, or portion thereof, be vacated within such time and for as long as the *building official* reasonably prescribes.

If the use or occupancy of the structure creates a serious and immediate hazard to human life or to property, the *building official* shall order the use discontinued immediately and may order the structure, or portion thereof, vacated immediately.

In the absence of a serious and immediate hazard to human life or to property, the *building official* shall not order a use discontinued and shall not issue an order to vacate until five business days after the *building official* has given the required notice of a right to a hearing pursuant to Sections 104.12.1 and 117. For the purposes of this section,

1. An "owner" of a structure is the record owner(s) of the structure, according to the official public records of real property maintained by the clerk of the county in which the structure is located;
2. An "owner's representative" is a person whom the *building official* reasonably believes to be a representative of an owner;
3. A "use" of a structure includes its use as a residence or for any commercial purpose; and
4. The "users" of a structure include the structure's residential and commercial tenants but do not include customers of commercial tenants or other persons who have no independent right to enter the structure.

104.12.1 Right to hearing. Whenever pursuant to this code the *building official* orders the discontinuation of a use of a structure or equipment or orders the vacation of a structure, the *building official* shall give notice to the owner or the owner's representative and to all users of the structure of their right to a hearing pursuant to Section 117.

Upon the request of the owner, the owner's representative, or a user of the structure, the *building official* shall schedule the hearing for a date no later than two weeks after the *building official's* receipt of the request. The hearing may be postponed once for good cause shown. If the owner, the owner's representative, or a user of the structure requests that the hearing be conducted within three business days of the request, the hearing shall be so conducted. If the *building official* does not receive a request for a hearing from the owner, the owner's representative, or a user of the structure within twenty days after the date of the *building official's* order to discontinue a use or to vacate, no hearing need be conducted.

104.12.2 Relocation assistance; right of entry. Upon the *building official's* issuance of an order to vacate all or a portion of a structure classified as an "R-2 residential occupancy" by Section 310, the *building official* may designate in writing one or more persons to contact residents of the structure to offer the jurisdiction's assistance in locating and otherwise making arrangements for alternative housing. The persons so designated are authorized to enter the structure and its grounds at reasonable times to contact residents personally for the purposes of this section. The persons so designated may not require the residents to take any specific action; in particular, the said persons are not authorized to enforce an order to vacate.

[A] 105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*, and no person shall cause, suffer or permit the same such work to be done unless a separate permit for each building or structure has first been obtained.

~~**[A] 105.1.2 Annual permit records.** 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.~~

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²).
2. Fences not over ~~7~~ 8 feet (~~2134~~ 2439 mm) high that are not constructed of masonry or concrete.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. ~~Sidewalks and driveways~~ Uncovered decks accessory to a one- or two-family dwelling, not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and ~~are~~ not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that ~~are less than 24 inches (610 mm) deep,~~ are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment ~~accessory to detached one- and two-family dwellings~~ other than those regulated by Section 424.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Flagpoles that support an appurtenance that weighs less than 150 pounds (68 kg), provided the flagpole is not more than 75 feet (22 680 mm) tall if mounted on the ground or not more than 25 feet (7620 mm) taller than the building if mounted on a building.
15. A tower under 75 feet (22 680 mm) in height that meets the following conditions:
 - 15.1 Tower structures used primarily for the support of amateur and citizens' band radio or private television antennas;
 - 15.2 Tower structures on real property owned, leased, held or used, or dedicated for use by a public utility for rendering its service, such as tower structures used primarily for the transmission of electrical power by a public utility or the conveyance of communications over a telephone wire-line system operated by a public utility;
 - 15.3 High mast tower structures or antennas built on land on, along or adjacent to streets, roads, highways and bridges maintained by the state or a political subdivision of the state; and
 - 15.4 Tower structures constructed or placed on land or other structures owned, leased, held or dedicated for use by the state or federal government or any political subdivision thereof, which land or other structures are used by the governmental entity primarily for rendering fire, police or other public protection services or utility services, whether or not the tower structure is used jointly by the governmental entity and any other public or private person or entity for other and additional public or private purposes.

A building permit for any tower structure that is 60 feet (18 288 mm) or more in height and does not meet these exemptions shall not be issued unless a special permit has been obtained pursuant to Section 28-522 of the City Code.
16. A "work of art" as defined in Section 202.

Electrical:

~~**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles~~

~~**Radio and television transmitting stations:** The provisions of this code 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.~~

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

Gas:

- ~~1. Portable heating appliance.~~
- ~~2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.~~

Mechanical:

- ~~1. Portable heating appliance.~~
- ~~2. Portable ventilation equipment.~~
- ~~3. Portable cooling unit.~~
- ~~4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.~~
- ~~5. Replacement of any part that does not alter its approval or make it unsafe.~~
- ~~6. Portable evaporative cooler.~~
- ~~7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.~~

Plumbing:

- ~~1. 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 code.~~
- ~~2. 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.~~

~~**[A] 105.2.1 Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.~~

~~**[A] 105.2.2 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 requirement; 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.~~

~~**[A] 105.2.3 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.~~

[A] 105.4 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 code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction 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 code or of any other ordinances of this jurisdiction.

A permit shall be valid only for work performed under the permit holder on the application. A new permit must be obtained if the permit holder is no longer responsible for the work performed. Provided that a refund has not been issued and written authority to transfer the permit from the original permit holder has been given, the cost of the new permit shall be charged at the rate listed for the minimum fee stated in the city fee schedule. In the case of the death of the original permit holder, the permit will be transferred to the new permit holder at no fee except for the administrative fee established in the city fee schedule. Applicants who fail to re-permit any applicable work within the time frames established by this code shall be subject to permit fees in the amount stated in the city fee schedule.

[A] 105.5 Expiration. Every *permit* issued shall become ~~invalid~~ inactive unless the work ~~on the site~~ authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 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 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

If work is not commenced under a permit within two years after the date of issuance or is abandoned at any time for a period of two years, the permit shall expire. In order to recommence work under an expired permit, the permit holder shall pay the full permit fee applicable and submit plans that comply with this code for the previously uninspected portion of the work.

Exception: For the purpose of issuing a certificate of occupancy or a certificate of compliance, the *building official* may, upon request, reactivate a *permit* and perform a final inspection of work.

[A] 105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever 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 code. Prior to taking such action, the *building official* shall provide notice of a right to a hearing on the matter pursuant to Section 117.

[A] 107.5 Retention of construction documents. One set of *approved construction documents* ~~shall~~ may be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

[A] 108.3 Temporary power. The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before 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 the *Electrical Code* NFPA 70.

[A] 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with ~~the schedule as established by the applicable governing authority~~ the city fee schedule.

[A] 109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the *valuation* is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit valuation* shall be set by the *building official*. The value to be used in computing the permit fee for alterations, remodeling or repairs shall be the total value of all construction work for which the permit is issued.

[A] 109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* shall be subject to an investigation fee established by the *building official* that shall be in addition to the required *permit* fees. The investigation fee shall be equal to the amount of the permit fee required by this code.

[A] 109.6 Refunds. ~~The *building official* is authorized to establish a refund policy~~ may authorize refunding of any fee paid hereunder that was erroneously paid or collected due to an error by one or more city employees. This provision shall not be applicable if the error occurred because of incorrect information provided by the applicant.

The *building official* may authorize the refunding of not more than 90 percent of the amount in excess of the minimum permit fee stated in the city fee schedule for the permit fee paid when no work has been done under a permit issued in accordance with this code. If work has been done under the permit, no refund shall be authorized. The plan review portion of the permit fee is nonrefundable.

The *building official* shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

~~[A] 110.3.3 **Reserved. Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the *building official*.~~

~~[A] 110.3.5 **Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or 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.~~

{EDITORIAL NOTE: DELETE AND RESERVE SECTION 110.3.7.}

~~[A] 110.3.8 **Other inspections.** In addition to the inspections specified in Sections 110.3.1 through 110.3.67, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety Building Code Enforcement.~~

~~**110.3.11 Reinspection.** A reinspection fee may be assessed for each inspection or reinspection when the portion of work for which inspection is called is not complete or when corrections called for are not made.~~

~~_____ This section is not to be interpreted as requiring inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.~~

~~_____ Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the *building official*.~~

~~_____ To obtain a reinspection, the applicant shall make a request and pay the reinspection fee in accordance with the city fee schedule.~~

~~_____ In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.~~

[A] 111.1 Use and occupancy. No building or structure or portion thereof, such as an individual business lease space, shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the *building official* has issued a separate certificate of occupancy for each lease space therefor as provided herein. For purposes of this section, a lease space means a leasehold or tenancy held or occupied by an individual or entity for its sole use and may include one or more rooms. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exceptions:

1. Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.
2. Group R-3 and Group U occupancies and individual dwelling units or sleeping units do not require a certificate of occupancy.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by ~~the department of building safety~~ Building Code Enforcement, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number or project number.
2. The address of the structure.
3. ~~The name and address of the owner.~~
4. ~~—~~A description of that portion of the structure for which the certificate is issued.
- ~~5.~~ 4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- ~~6.~~ 5. The name of the *building official*.
- ~~7.~~ 6. The edition of the code under which the *permit* was issued.
- ~~8.~~ 7. The use and occupancy, ~~in accordance with the provisions of Chapter 3 of the building or portion thereof.~~
- ~~9.~~ 8. The type of construction as defined in Chapter 6.
- ~~10.~~ 9. The design *occupant load*.
- ~~11.~~ 10. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
- ~~12.~~ 11. Any special stipulations and conditions of the building *permit*.

[A] 111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy ~~or completion~~ issued under the provisions of this code after notice of a right to a hearing on the matter pursuant to Section 117 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 code.

111.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the *building official*.

~~**[A] 113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~ **Organization.** There is hereby created a General

Appeals Board consisting of 10 members. Five members at a meeting shall constitute a quorum.

113.1.1 Membership. The positions shall be filled as follows:

Position 1 – By an architect registered as such under the laws of the State of Texas who shall be actively engaged in the practice of architecture of heavy construction works.

Position 2 – By an architect registered as such under the laws of the State of Texas who shall be actively engaged in the practice of architecture of residential works.

Position 3 – By a professional engineer registered as such under the laws of the State of Texas who shall be actively engaged in practice as a structural engineer.

Position 4 – By a professional engineer registered as such under the laws of the State of Texas who shall be actively engaged in practice as a mechanical engineer.

Position 5 – By a person who shall be actively engaged in the business of residential construction.

Position 6 – By a person who shall be actively engaged in the business of general contracting of heavy construction work.

Position 7 – By a well-respected citizen of the jurisdiction who shall be chairman of the board.

Position 8 – By the *building official*, who shall also serve as secretary of the board.

Position 9 – By the fire marshal.

Position 10 – By a professional engineer registered as such under the laws of the State of Texas who is actively engaged in practice as an electrical engineer.

The jurisdiction's Legal Department shall have an attorney present for each board meeting. The attorney shall advise the board on legal matters relative to topics under the board's authority.

113.1.2 Authorized representatives. The *building official* and the fire marshal, from time to time, may designate in writing a person under the said official's supervision to act as a duly authorized representative of the said official. Said representative shall enjoy all rights and privileges of the position. A copy of such a designation, specifying the dates any such person shall act as representative of the *building official* or of the fire marshal, shall be filed with the minutes of the board.

113.1.3 Term of appointment. Other than the members in Positions 8 and 9, who shall serve *ex officio*, members of the board shall be appointed by the Mayor, with the approval of the City Council, and shall serve for a term of two years. Terms of office for the appointees to Positions 1, 3, 5 and 7 shall expire on the second day of January of each odd numbered year, and terms of office for the appointees to Positions 2, 4, 6 and 10 shall expire on the second day of January of each even-numbered year; however, each member shall continue in office until the member's respective successor is appointed and qualified. The adoption of this code shall not terminate the term of office

of any person currently serving on the board, and any person who is currently serving on the board shall continue to serve in the position for which the person was appointed and confirmed until a successor is appointed and qualified.

113.1.4 Vacancies. Whenever any appointive position on the board becomes vacant by reason of death, resignation or removal, said vacancy shall be filled for the unexpired term of the member being replaced. Should a vacancy occur on the board, the Mayor shall appoint, subject to confirmation by the City Council, another qualified person to serve the remainder of the term of such vacancy.

113.1.5 Removal. Any member of the board may be removed at any time by the Mayor without consent of the City Council.

113.1.6 Compensation. Each member of the board shall be compensated at the rate of \$50.00 per diem for each meeting the member attends at which a quorum is present; provided, however, no member shall be paid for more than three meetings in any one month. A jurisdiction employee member of the board shall be paid only for those meetings that the employee attends at which a quorum is present that are held outside of or continue beyond the employee's working hours.

113.1.7 Conflict of interest. In each instance where this code provides for a jurisdiction employee to serve as a voting member of any board created by the provisions of this code, such jurisdiction employee member shall not vote as a member of such board on any motion, resolution, decision, interpretation or recommendation by the board concerning a decision or interpretation or an appeal from a decision or interpretation of any provision of this code or related ordinances made by the jurisdiction employee member.

~~**[A] 113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

Duties of the board. The duties of the board are to interpret the provisions of this code in appeals from decisions of the *building official*; to settle possible jurisdiction disputes among the Plumbing, Electrical, and Mechanical Review Boards; and to hear appeals from the *building official* as to the suitability of alternate materials or alternate methods of construction other than those relating to air-conditioning, plumbing, and electrical. The board also may make recommendations to the Mayor for amendments to this code.

~~**[A] 113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. **Procedures.** The board shall adopt reasonable rules and regulations for conduct of its duties. Petitions for hearings before the board shall be made in writing and filed with the *building official* and shall be heard by the board within 30 days after the date filed. A majority of the members of the board present shall determine matters presented to the board. All decisions and findings shall be reduced to writing by the secretary, with copies to the petitioner and all other parties to the hearing. Any interested person aggrieved by a decision of the board may appeal to the City Council, provided that written notice to the City Council for such appeal is delivered to the City Secretary within 10 days after the date that the written decision of the board is mailed to the appellant by the board secretary.~~

All appeals to the City Council are subject to the rules of the City Council, which are codified in Section 2-2 of the *City Code*, copies of which are available from the City Secretary.

Parties wishing to preserve their right of appeal must comply with the rules of the City Council, including Rule 12.

113.4 Posting of agenda. The secretary of the board shall prepare and post an agenda for each meeting in the manner provided by Chapter 551 of the Texas Government Code.

[A] 114.1 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 code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

Where no specific penalty is otherwise provided in this code, the violation of any provision of this code shall constitute a misdemeanor punishable upon conviction by a fine of not less than \$500.00 nor more than \$2,000.00. Each day that any violation continues shall constitute and be punishable as a separate offense. Where any conduct in violation of this code also constitutes a violation of state penal law, the offense shall be punishable as provided in the applicable state law. In prosecutions under this code, the various provisions hereof that are designated as an "exception" or "exceptions" shall not be treated as exceptions within the meaning of Section 2.02 of the Texas Penal Code, and, instead, they shall constitute defenses to prosecution within the meaning of Section 2.03 of the Texas Penal Code.

[A] 114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed ~~by law~~ in Section 114.1.

[A] 115.2 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.

At the time a stop work order is issued, the person performing the work and the permit holder shall be given notice of a right to a hearing on the matter by the *building official*, who shall deliver the notice to the persons performing the work, if present at the site, or otherwise conspicuously post the notice at the site. Upon request, a hearing shall be held within three business days unless the permit holder or person who was doing the work requests an extension of time. Any stop work order that has been issued shall remain in effect pending any hearing that has been requested unless the stop work order is withdrawn by the *building official*.

[A] 116.1 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.~~ **Unsafe buildings or structures.** All buildings or structures regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to

human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members that are supported by, attached to, or a part of a building and that are in deteriorated condition or otherwise unable to sustain the design loads that are specified in this code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages shall be abated, repaired, rehabilitated, demolished or removed in accordance with the procedures set forth in Chapter 10, Articles VIII, IX, and X of the City Code.

In matters of fire safety design and construction, including, but not limited to, egress (corridors, exit numbers, stairs, fire escapes and fire escape signs), wall and ceiling finish, enclosure of vertical shafts, basement access, standpipes and occupancy separation, a building shall not be deemed to be a fire hazard if it is in compliance with the most restrictive of:

1. The provisions of Appendix L, if applicable;
2. The building code that was applicable when the building was constructed; or
3. If the occupancy classification of the building or a portion thereof has changed since it was constructed, then the building code that was applicable when the occupancy classification was changed.

Any building not situated within the jurisdiction at the time of its construction or change of occupancy classification shall be governed by the design and construction code and related laws applicable in the jurisdiction in which it was constructed at the time of its construction or change of occupancy and by the provisions of Appendix L to this code. To the extent of any conflict among the requirements of any of the foregoing codes that are applicable to any building, the most restrictive will apply. However, compliance with the aforesaid provisions shall not be deemed to excuse life-threatening defects of maintenance, sanitation, repair of casualty damage, security from unauthorized entry, structural stability, electrical systems, gas systems, plumbing systems, heating or cooling systems or other building systems.

Exception: For a building under construction or contract at the time of its annexation by the jurisdiction, see the Annexation Ordinance (Ordinance No. 78-2672), a copy of which is published in the preamble of this volume.

~~**[A] 116.2 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.~~

~~**[A] 116.3 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.~~

~~**[A] 116.4 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 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 that 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.

~~[A] 116.5 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 the requirements of Section 105.2.2 and Chapter 34.

SECTION 117 **HEARING PROCEDURES**

117.1 Hearing notices. Unless otherwise specifically provided, whenever notice is to be given to any person concerning the right to a hearing, the notice may be given by personal delivery or by certified mail, return receipt requested.

If notice is being given to a building owner or to a tenant therein and the *building official* is unable to determine the name or address of such person after checking the building and the applicable records of the jurisdiction's Department of Public Works and Engineering, the County Appraisal District, the electrical utility company, the gas utility company, and the water utility provider, notice shall be mailed to the billing addresses of the building as shown on the records of the electrical company and the gas company and shall be posted on or in view of each entrance to the building. Additionally, if any notice is mailed to a building owner or a building tenant and is returned without delivery, notice shall be effective if posted on or in view of each entrance to the building.

117.2 Hearings. Except where otherwise specifically provided, all hearings held pursuant to this code shall be conducted by the jurisdiction's Director of Public Works and Engineering or a representative, who shall hereinafter be referred to as the "hearing official." The director shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing or any person who directly supervised the investigation. The hearing official shall consider only the evidence presented at the hearing in rendering a decision. The decision of the hearing official shall be set forth in writing and shall be served on each party in the same manner as a notice of a right to a hearing.

SECTION 118 **PERMIT AND INSPECTION FEES**

118.1 General.

118.1.1 Permit or license. An administrative fee as stated for this provision in the city fee schedule shall be charged upon the preparation of each permit or license issued by the *building official*. This fee shall apply regardless of whether the permit or license is issued pursuant to this code or the *City Code*, and it shall be payable in addition to all other applicable fees for the permit or license. The foregoing administrative fee shall not be applicable if no other fee is provided by law for the permit or license.

118.1.2 Receipt. An administrative fee as stated for this provision in the city fee schedule shall be charged upon the preparation of each receipt for a fee or deposit issued by the *building official*. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

118.1.3 Minimum permit fee. If the fee or fees imposed for any single permit that is issued by the *building official*, whether issued under this code or the *City Code*, do not total more than the minimum permit fee stated for this provision in the city fee schedule, then the minimum permit fee as stated for this provision in the city fee schedule shall be charged for the permit. The foregoing minimum permit fee shall not be applicable if no other fee is provided by law for the permit. The administrative fee assessed pursuant to Section 118.1.1 above shall not be included in the foregoing minimum permit fee calculation, and it shall be payable in addition to the minimum permit fee.

118.1.4 Certificate of occupancy or compliance. The fee stated for this provision in the city fee schedule shall be charged for each certificate of occupancy or compliance issued for a building or structure or portion thereof such as an individual business lease space. When authorized, the *building official* may issue a temporary certificate of occupancy, upon payment of the fee stated for this provision in the city fee schedule for each temporary certificate of occupancy, for a period of not more than 30 days each.

118.1.5 Reinspection fee. In case it becomes necessary to make a reinspection of any work because of faulty materials or workmanship or incomplete work, the permittee shall pay the fee stated for this provision in the city fee schedule for each reinspection, except where a greater fee is specifically required under this code.

118.1.6 Specially requested inspections during working hours. Whenever a person requests that an inspector be present at a site at a specific time, the jurisdiction shall provide such inspector upon payment of all applicable fees if doing so would not interfere with the regular duties of the inspector and would not cause a delay in the inspection of other work.

_____ The fee, per day, for specially requested inspections conducted during regular working hours is stated for this provision in the city fee schedule, and is payable in addition to all other fees required by this code.

_____ A full day's fee must be paid unless the *building official* finds that the request was made as a result of an unforeseeable emergency.

118.1.7 Emergency inspections. Emergency inspections shall be defined as those requested inspections occasioned by virtue of an unforeseeable incident or occurrence that necessitates an immediate inspection. In situations where there is a dispute as to whether an actual emergency occurred, the decision of the *building official* shall be final.

_____ The fees for emergency inspections are stated for this provision in the city fee schedule and are payable in addition to all other fees required by this code.

118.1.8 Inspections and plan reviews outside regular working hours. Whenever a person requests that an inspector make an inspection or a plan analyst review plans at times other than during regular working hours, or on jurisdiction-observed holidays or weekends, the *building official* shall provide such plan analyst or inspector upon payment of all applicable fees if such would not interfere with the regular duties of the plan analyst or inspector or create an undue burden on such plan analyst or inspector.

_____ The fees for inspections and plan reviews at times outside regular working hours are stated for this provision in the city fee schedule and are payable in addition to all other fees required by this code.

118.1.9 Inspections outside of jurisdiction. The fee for an inspection outside the jurisdiction shall be the minimum fee stated for this provision in the city fee schedule, per person, plus the current standard mileage rate as published by the Internal Revenue

Service per vehicle mile. This fee shall not apply to inspections performed under Section 118.1.11.

118.1.10 Exemption from permits and fees. To the extent that the state and the federal governments are exempt as a matter of law from compliance with the *Construction Code*, neither the state nor the federal government shall be required to obtain a building permit for work undertaken for, by or on the premises of either of them. However, the fees set forth in this code shall be applicable to the extent that the state or the federal government elects to obtain any permit for exempt work.

Except for exempt work undertaken for, by or on the premises of the state or the federal government, building permits shall be required for work undertaken for, by or on the premises of any political subdivision or unit of government (including, but not limited to, the jurisdiction) in the same manner and to the same extent as for work performed by or for other persons. The fees prescribed in this code shall be applicable to all permits issued to or for governmental agencies.

Counties are required to comply with the provisions of the *Construction Code*. Except as provided by Section 212.903 of the Texas Local Government Code, a county shall notify the *building official* of each work project that is undertaken. The *building official* shall, upon request and demonstration of capacity, allow a county to self-permit and self-inspect work that is performed by or for the county on county-owned buildings and facilities for which a permit is required. No fee shall be imposed hereunder for work that a county is authorized to self-permit and self-inspect.

118.1.11 Approved fabricators/certifying agent or agency. Permit fees shall apply to an approved fabricator/certifying agent or agency, as follows:

1. An approved certifying agent or agency, as described in Chapter 17, shall pay the fee stated in the city fee schedule for any inspection made for the purpose of approving the agent or agency. The agent or agency shall also reimburse the jurisdiction for travel expenses incurred in performing inspections outside Harris or a contiguous county.
2. An approved fabricator as defined in Chapter 2, shall pay the fee stated in the city fee schedule for each inspection made for the purpose of verifying and approving the fabricator's quality control program. The fabricator shall also reimburse the jurisdiction for travel expenses incurred in performing inspections outside Harris or a contiguous county.

118.1.12 Building plan review fee. Plans submitted for a building permit shall be charged a non-refundable plan review fee. This plan review fee shall be charged as a deposit to the building permit fee. The fee shall be calculated at a rate of 25 percent of the estimated building permit fee calculated as provided in Section 118.2.1 and the city fee schedule. This fee shall be paid upon submittal for the initial review of plans. The balance of the building permit fee shall be collected when the permit is issued. In the instance that the building permit is not subsequently issued, the plan review fee deposit remains non-refundable.

118.1.13 Quick start plan review service. Plan review meetings for certain types of construction projects shall be available when approved by the *building official*. The *building official* shall develop guidelines for proper use of this service, determination of qualified projects, and assessment of service fees not specifically noted in this code.

The fee for quick start plan review meetings shall be 65 percent of the building permit fee calculated as provided in the city fee schedule. This fee shall be separate from, and in addition to, the structural permit fee.

Payment of the quick start plan review fee allows review of the plans in the form presented at the time the fee is paid and one additional review in the event the drawings must be corrected to comply with this code or other applicable laws. The payment shall not entitle the applicant to expedited review of any further revisions to the plans.

118.1.14 Name or address changes and duplicate job cards or certificates. The fees for name or address changes for existing permits or certificates are stated for this provision in the city fee schedule. When a duplicate job card or certificate of occupancy is requested by the applicant, the fee shall be as set forth for this provision in the city fee schedule.

118.1.15 Request for special approval, alternate method, interpretation or modification due to practical difficulty. Requests submitted for review by the *building official* will be classified in one of the following categories for processing, and fees will be assessed according to the city fee schedule. Payment will be required prior to processing.

Standard request. Requests that require a minimal amount of research or consultation to grant or deny the request. Typically, standard requests are submitted on a form promulgated by the *building official*.

Moderate request. Requests that require a moderate amount of research or consultation to grant or deny the request, typically between 2 - 4 hours of time.

Extensive request. Requests that require extensive research, documentation, and data collection and review to grant or deny the request.

118.1.16 Minimum investigation fee. An investigation fee stated for this provision in the city fee schedule shall be charged when work has commenced prior to the issuance of the proper permits. This fee shall include one follow-up trip; each additional follow-up trip thereafter shall be charged a separate investigation fee.

118.1.17 Annual fee increase. Notwithstanding any maximum fee established pursuant to the *Construction Code*, the fees in this or in any volume of the *Construction Code*, as adjusted according to this section, shall be automatically increased on the first day of each subsequent calendar year as provided in Section 1-13 of the *City Code*.

118.2 Structural. The fees for permits, inspections and licenses established under the *Construction Code* are payable in the amounts set forth in the city fee schedule.

118.2.1 Buildings. Building permit fees shall be required under this code for new buildings, additions, alterations, remodels, conversions, and repairs and shall be payable in the amounts set forth in the city fee schedule.

Notes:

- 1.** New single family homes with a valuation of \$115,000 or less shall receive a 50 percent discount on permit fees.
- 2.** A historic building that has been designated by the jurisdiction as a landmark or that is located within a historic district designated by the jurisdiction, or for which designation as a landmark or part of a historic district is pending, shall receive a 50 percent discount on permit fees provided that a certificate of appropriateness approved by the Houston

Archaeological and Historical Commission pursuant to Chapter 33 of the City Code is submitted with the construction documents.

3. Towers other than sign structures shall be charged in the same manner as new buildings.

Permits shall be required for the following items as described in the city fee schedule:

1. Demolition of any building or structure.
2. Stationary and floating piers.
3. Incinerators (other than domestic outdoor type).
4. Bulkheads.
5. Dredging
6. Prefabricated fireplaces.
7. Sand blasting or water blasting
6. Grading permit.
7. Loading docks (uncovered).
8. Barricades for pedestrian walkways.
9. Paint spray booths.
- 10 Heliports and helistops (interdepartmental inspections—health, structure, fire and aviation safety)

118.2.2 Chemical plants. Permit fees for petroleum processing installations; nuclear reactor complexes and processing facilities; facilities manufacturing, processing, distributing or storing energy; other facilities processing, storing or manufacturing materials or energy, not otherwise covered by a construction permit shall be charged in the same manner as new buildings as set forth in Section 118.2.1 and the city fee schedule.

118.2.3 Occupancy and inspection of existing buildings. Permit and inspection fees in the amounts stated for these provisions in the city fee schedule apply to occupancy and inspection of existing buildings, when required by Appendix L.

A certificate of occupancy or a life safety compliance inspection and certificate(s) (for compliance with Appendix L) includes initial compliance inspection, final inspection, and issuance of certificate. It does not include fees for permits where work is required."

118.2.4 Fences. Permit fees for fences shall be as stated for this provision in the city fee schedule.

118.2.5 Fire escapes. Permit fees for fire escapes shall be as stated for this provision in the city fee schedule.

118.2.6 Public sidewalks, driveway approaches, culverts, curbs and gutters located in the right-of-way. Permit fees for sidewalks, driveways, culverts, curbs and gutters covered by this code shall be as stated for this provision in the city fee schedule.

118.2.7 Parking lots and paved areas not associated with a one- or-two family dwelling. Permit fees for parking lots (uncovered) and paved areas shall be as stated for this provision in the city fee schedule.

118.2.8 Plan review fees. Plan review fees, other than the building plan review fee provided for in Section 118.1.12, shall be as stated for this provision in the city fee schedule for review of the following:

Manufactured home or recreational vehicle parks.

Residential master plans.

Reexamination of plans or deferred submittal of plans:

Where deferred plans are submitted or previously approved plans are reexamined or revised, the plan review fee shall be as specified in the city fee schedule or 15 percent of the original building permit fee, whichever is greater. The fee for reexamination of partial plans shall be determined by the *building official* based on the review time involved.

Outside jurisdiction plan review fee:

Plan review for buildings located outside the jurisdiction shall be 65 percent of the building permit fee as calculated in accordance with Section 118.2 and the city fee schedule. This service shall only be provided at the building owner's request and subject to the availability of personnel to render the service.

Paving plan review:

Paving, other than that which is covered under Section 118.2.6 or 118.2.7, shall require a plan review, for which the fee amount is stated in the city fee schedule, but shall not require a permit or inspection or associated fees.

Exception: A separate plan review and fee shall not be required when the paving is associated with a driveway approach or building permit.

118.3 HVAC equipment.

118.3.1 General. Fees for permits and inspections for the installation, alteration and inspection of heating, ventilating, air-conditioning and refrigeration systems shall be as stated for this provision in the city fee schedule for the following:

1. Ventilating systems or heating-only systems (other than boilers). Toilet exhaust, outside air makeup, elevator ventilation, stair pressurization, smoke exhaust or residential ventilation fees shall be included in the air-conditioning tonnage fee. The minimum permit fee shall be as stated for this provision in the city fee schedule. (See Section 118.3.3 for local vent fees.)

2. Repairs or alterations (including cooling tower replacement) to an existing heating, ventilating, air-conditioning or refrigeration system.

Exception: Ducts and grilles in a lease space, where total valuation is less than \$500.00.

3. Air-handling and duct systems for air-conditioning in buildings that have heating and/or cooling fluid from an external source.

4. Air-conditioning cooling equipment (chillers, compressors and/or absorption units with their auxiliaries) located in a building other than the

one being cooled (for instance, a central plant to supply one or more buildings).

5. A complete air-conditioning system where the cooling equipment, the air-handling equipment and duct system are in the same building. For air-conditioning systems that include heating (except boilers), the fee shall be included in the tonnage or horsepower fee at no extra cost, provided such heating is included on the original permit application.
6. Commercial, manufacturing and industrial process refrigeration systems.

118.3.2 Temporary operation inspection. For inspection of a heating, ventilation, refrigeration or air-conditioning system to be used on a temporary basis, the fee stated for this provision in the city fee schedule shall be paid to the jurisdiction by a licensed air-conditioning contractor requesting such inspection. If the system is not approved for temporary operation on the first inspection, the usual reinspection fee will be charged for each subsequent inspection for such purpose.

118.3.3 Local vent permit. The fee stated for this provision in the city fee schedule will be charged for local vent permits, central vacuum system permits and permits for ventilation fans up to 2,000 cfm. When a licensed air-conditioning contractor includes local vents in a permit, no additional fee will be required.

118.3.4 Self-contained air-conditioning units. The fee stated for this provision in the city fee schedule shall be paid for buildings using self-contained air-conditioning units.

Exception: Group R-3 occupancies.

118.3.5 Manufactured home inspections. For a manufactured home inspection of heating and ductwork where no state inspection has been made, the fee shall be as stated for this provision in the city fee schedule.

118.3.6 Certificate of approval. In addition to the regular permit fee, the fee stated for this provision in the city fee schedule shall be charged for a certificate of approval of air-conditioning for each permit taken out to add heating and/or air-conditioning to an existing residence. The fee shall be paid for at the time the regular permit fee is paid.

118.4 Boilers. Every person desiring to install, maintain or repair boilers shall file an application for a permit with the *building official*, stating the location and nature of work to be performed, and pay the fees stated in the city fee schedule for the following:

1. For boiler installation based on Btu input and/or HP: base charge plus the fee for each BHP or part thereof. The maximum permit fee for installation of a single boiler in excess of 1,200 BHP is stated for this provision in the city fee schedule.

Note: For the purpose of this code, 1 BHP equals 33,000 Btu.

2. Annual fee.
3. Repair permit.

118.5 Plumbing.

118.5.1 General. The fees required for permits for the following are set forth in the city fee schedule, with a minimum amount stated in the city fee schedule, where not otherwise specified:

Opening in street (street cut, for purpose of connection with utilities)

(See Chapter 40, City Code, for additional regulations and deposits required.)

Temporary gas inspection

Gas permit and inspection (up to 4 openings)

Additional gas openings, each

Manufactured home inspection fee (where no state inspection has been made)

Fire-protection fee (fire sprinkler system, separate permit required):

For a fire sprinkler system (any head or group of heads up to 25 that is regulated with a valve for any portion of a building), minimum fee

For each additional head

For sprinkler system plan review, per head

Standpipe system (1 to 25 hose connections)

Each additional hose connection

Irrigation system (1 to 200 heads) per head

Each additional head

118.5.2 Heating gas appliances. The fees stated for this provision in the city fee schedule shall apply to the following:

Furnace (nonduct type)

Each additional furnace to be installed in same building under same permit

Floor furnace (nonduct type)

Incinerators (gas fired) (complete with two burners or more)

Infrared heaters (one or two)

Each additional infrared heater installed under the same permit

118.5.3 Yard lights or barbecue grills. The fees stated for this provision in the city fee schedule shall apply for the following:

First opening

Each additional opening installed under same permit

118.5.4 Permanent appliances. The fees stated for this provision in the city fee schedule shall apply for the following:

Wall heater (bath heaters exempt)

Each additional heater installed under same permit

Gas steam radiator

Each additional radiator installed under same permit

Commercial oven

Commercial dryer

Plumbing fixtures (one to three)

Each additional fixture installed under same permit

Warm-air circulators (nonduct), first three

Each additional circulator installed under same permit

Tie to curb inlet-storm sewer

Manholes, each

Roof drain or outside downspout connection to drainage system, one or two

Each additional roof drain or downspout to be installed under the same permit

Catch basin or outside area drain, one or two

Each additional catch basin or outside area drain to be installed under same permit

Sewer connections, each

Ground in plumbing for shell building, 3,000 square feet or less floor area

For each additional 1,000 square feet or part thereof

Septic tanks or individual sewage treatment plants, each

Disconnect and plug main sewer connection

Tanks (not septic tanks). A permit separate from other permits required:

Up to and including 1,000 gallons capacity (including mechanical interceptors)

1,001 through 6,000 gallons

6,001 through 15,000 gallons

15,001 through 30,000 gallons

Over 30,000 gallons

118.6 Electrical. Fees for the following permits and related inspections required by the *Electrical Code* are stated for this provision in the city fee schedule, with a minimum fee also stated for this provision in the city fee schedule where not otherwise specified:

118.6.1 Services.

Meter loop and service

Up to and including 50 kW

51 kW through 250 kW

Over 250 kW

Panels with eight or more circuits, each

Outlets, each

Note: All light switches and receptacle openings and bell-ringing transformers are classified as outlets.

Electrical vehicle charging outlets

Level 1

Level 2

Level 3

118.6.2 Fixtures and Appliances.

Fixtures, each

Note: Any current-consuming device permanently attached to an outlet for illumination purposes shall be classified as a fixture.

Electrical appliances-domestic

Range receptacle, each

Clothes dryer, each

Stove top, each

Oven, each

Garbage disposal, each

Dishwasher, each

Window air-conditioner receptacle, each

118.6.3 Motors.

Motors, permanently installed, each

Up to and including 1 horsepower

Over 1 horsepower through 10 horsepower

Each additional horsepower over 10 horsepower

Motor control equipment is included in the motor fees. Outlets for future motor installation shall be charged for at one-half of the applicable, regular motor rates. The other one-half shall be paid at the time the motors are installed.

Permanent connections of electrical appliances, equipment and transformers of any nature:

Unless another fee is specified in this section for the apparatus to be installed, the fee shall be based on the kW rating of the apparatus. Each kW shall be considered to be one horsepower, and the fees shall be the same as indicated for "motors, permanently installed", above.

118.6.4 Signs.

Shop inspection of incandescent electrical signs and gas or vacuum tube signs, each:

0 to 5 kVA

Additional for each kVA or fraction thereof exceeding 5 kVA

Installation inspection of incandescent electrical signs and gas or vacuum tube signs, each:

0 to 5 kVA

Additional for each kVA or fraction thereof exceeding 5 kVA

118.6.5 Outdoor and temporary.

Streamers and festoon lighting per circuit, each

Ball park and parking lot light poles (no outlet or fixture charge), 1st pole each

Each additional pole over 1

Temporary installations, such as wood saws, floor surfacing machines, painting/spraying apparatus and the like, per installation

Temporary installation of commercial sound equipment

Temporary lighting installations

Temporary installations such as carnivals or similar installations for amusement show display or similar uses shall be charged for on a kVA basis. For the purpose of this classification, 1 horsepower of motor load shall be considered as one kVA.

0 through 10 kVA

Additional for each kVA or fraction thereof exceeding 10 kVA

Temporary saw poles (per installation)

Temporary cut-in made permanent

Additions to existing work shall be charged for at the same rate as new work.

Reconnection fee

118.7 Elevators.

118.7.1 General. Every person proposing to install an elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift, personnel hoist or wheelchair lift shall file a written request for a construction permit with the *building official* and pay the installation fees for each unit stated for this provision in the city fee schedule for the following:

New installations and alterations:

Passenger or freight elevator, escalator, manlift, moving walk, inclined stairway chairlift, personnel hoist or wheelchair lift, where the equipment is to be installed in other than a private residence, each:

Up to and including \$40,000 of valuation

Each additional \$1,000.00 of valuation or fraction thereof

Personnel hoist-manufacturing design permit (required in addition to above fee if the hoist is not already permitted)

Same equipment installed in a private residence, each:

Up to and including \$10,000.00 of valuation

Each additional \$1,000.00 of valuation or fraction thereof

Installation fees for equipment other than personnel hoists include an operating permit for the first year of operation, where applicable.

Installation fees for personnel hoists include a limited permit for the first 90 days of operation.

118.7.2 Inspections. The *building official* shall not be obliged to perform the test or inspection if the *building official* does not then have qualified personnel to perform it. If the jurisdiction provides the inspections, fees shall be payable to the *building official* as stated for this provision in the city fee schedule for all the following:

1. Each personnel hoist:
 - Acceptance load test* (includes two monthly inspections)
 - Periodic test, three months (includes two monthly inspections)
 - Addition to tower plus any test fee, single-cage hoist
 - Addition to tower plus any test fee, twin-cage hoist
2. Acceptance inspection for each elevator (new installation and alteration)
3. Acceptance inspection for each escalator, dumbwaiter, wheelchair lift, manlift or moving walk (new installation or alteration)
4. Annual inspection for each elevator except where lesser fee is provided below
 - Reinspection fee
5. Escalator annual inspection, each
6. Moving walk annual inspection, each
7. Wheelchair lift annual inspection, each
8. Dumbwaiter annual inspection, each dumbwaiter:
 - For 2 through 10 landings
 - For each additional landing
9. Manlift or inclined stairway chairlift annual inspection, each
10. Traction elevator maintenance load test*
 - Five-year maintenance load test
 - Counter-weight safeties, add
 - With reduced stroke buffer, add
 - With spring buffer, add
11. Hydraulic elevator three-year load test*
12. Reschedule of test:
 - Additional fee if owner or elevator company cancels, unless notice is given to the *building official* by at least 1:00 p.m. on the preceding working day

* Load test shall be performed by an elevator maintenance/installation company, and the test shall be witnessed by the *building official* or an approved agency.

13. If an elevator test cannot be completed within eight hours because the elevator did not comply with the requirements of this code when the test was begun, there shall be charged the additional fee stated for this provision in the city fee schedule for each additional hour or portion thereof.

118.7.3 Reinspection fee. In the event it becomes necessary to make a reinspection of work or equipment due to deficiencies in order to issue an approved inspection report, the applicant shall pay to the *building official* for each reinspection the fee stated for this provision in the city fee schedule.

118.7.4 Operating permit or limited permit. An operating permit or limited permit shall be required for each elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift, personnel hoist or wheelchair lift. An operating permit shall be valid for one year, and a limited permit shall be valid for 90 days. Fees stated for this provision in the city fee schedule shall be charged for the following operating permits and limited permits:

Each elevator

Each escalator or moving walk

Each dumbwaiter

Each personnel hoist

Each wheelchair lift

Each manlift

Each inclined stairway chairlift

Each escalator or moving walk unit powered by one motor shall be considered as a separate unit.

118.8 Signs. Fees stated for this provision in the city fee schedule shall be charged for all signs covered by the *Sign Code* as follows:

1. Site inspections

2. Electrical inspections - install and final

3. Reinspection fee:

Site, hole and electrical, (all)

4. Construction or reconstruction permit

For the first 32 square feet of one sign face or fraction thereof

Each square foot or fraction thereof of one sign face exceeding 32 square feet

5. Operating permit--on-premises signs. An operating permit for on-premises shall be issued as a renewable permit on an annual basis upon payment of the following fees:

For the first 32 square feet of sign face or fraction thereof

Each square foot of sign face or fraction thereof exceeding 32 square feet

6. Operating permit. An operating permit for off-premise signs that advertise the sale or rental of real property or direct persons to the location of real property for sale or rent, which signs are limited to 40 square feet in sign face area shall be a nonrenewable one year permit as authorized in Section 4612 (b) of the *Sign Code*.
7. Operating permit. An off-premise operating permit for a sign other than as provided above shall be issued as a renewable permit on an annual basis.
8. New registration for changeable message signs/high technology signs (per face)
9. Replacement of lost or damaged operating tag
10. Plan examination fee
11. Plan reexamination due to alteration of approved plan
12. Ground sign exceeding 14'

All other fees required by Section 118 shall be paid in addition to the fees in Section 118.8.

118.9 Medical gas permits. Fees stated for this provision in the city fee schedule shall be charged for each gas outlet, with a minimum fee stated for this provision in the city fee schedule

118.10 Alarms, detectors, electronic locks, central station security and testing. Fees stated for this provision in the city fee schedule shall be charged for alarms, detectors, central station security and testing.

118.11 High piled storage review and inspection. The fees stated for this provision in the city fee schedule shall be charged for the plan review and inspection of high piled storage buildings.

Onsite re-inspection fee. If a third onsite re-inspection is necessary, the permittee shall pay the fee stated for this provision in the city fee schedule.

Revisions. The fee stated for this provision in the city fee schedule shall be charged for revisions to plans.

118.12 H Occupancy or tank storage review and inspection. The fees stated for this provision in the city fee schedule shall be charged for the plan review and inspection of H occupancy buildings or buildings with tank storage.

Onsite re-inspection fee. If a third onsite re-inspection is necessary, the permittee shall pay a the fee stated for this provision in the city fee schedule.

Revisions. The fee stated for this provision in the city fee schedule shall be charged for revisions to plans.

SECTION 119 **PRIVATE PLAN REVIEW AND INSPECTION SERVICES**

119.1 Applicability. The application of this section is limited to those Group R-3 occupancy structures that constitute dwellings within the definitions of this code and to those Group U occupancies, such as garages, carports, fences and other structures, that are associated with dwellings.

119.2 Scope. This section applies to any permit required under this code, the *Electrical Code*, *Plumbing Code*, or the *Mechanical Code* for the construction, repair, or renovation of a structure to which this section applies.

119.3 Program established. The *building official* may establish a private plan review and inspection program under which qualified persons who are not city employees may review plans, conduct certain building inspections, and provide related services for structures to which this section applies to assure compliance with all applicable construction codes. The program shall be conducted in accordance with the regulations and forms promulgated by the *building official*, which shall, without limitation, address the following:

1. Qualifications of the firms and individuals authorized to perform plan reviews, conduct inspections, and provide other related permit services. The qualifications shall include licensing in accordance with any applicable laws and regulations and certification in accordance with state or federally recognized standards.
2. Requirement of appropriate liability coverage in an amount of not less than \$1,000,000, per occurrence, with indemnity agreements and coverage of the jurisdiction, as an additional insured, for the protection of the jurisdiction and other persons who may be affected by the performance of any services under the program.
3. Provisions to ensure that the firms and individuals participating in the program will act independently of building owners, contractors, and others so as to avoid conflicts of interest.
4. Provisions for any non-building-code-related review of plans and issuance of permits to applicants who utilize plan review, inspection, and other related services under the program.
5. Provisions regarding the keeping of records and filing of reports with the *building official*.
6. Administrative provisions for the acceptance, suspension, and revocation of the right of a firm or individual to participate in the program, which shall include elements of due process, including a right of appeal to a hearing officer designated by the jurisdiction's Director of Public Works and Engineering, whose decision, notwithstanding any other provision of this code, shall be final and not appealable to the General Appeals Board or City Council.
7. Provisions to ensure that no firm or individual may be certified to participate in the program unless qualified to conduct plan reviews and inspections under the codes currently enforced by the jurisdiction and/or a nationally recognized uniform or international code.
8. Provisions relating to fees charged by any firm or individual for services rendered under the program, including any fees required by law to be paid directly to the jurisdiction and remitted by the *building official* to a firm or individual.
9. Provisions prohibiting any private developer, builder, or contractor from employing any firm or individual, including subcontractors, to perform more than 25% of that developer's, builder's or contractor's services under the program in any one calendar year unless a greater amount is approved by the *building official*.
10. Provisions requiring any private developer, builder or contractor utilizing any services under the program and the *building official* to file a report as set forth below:

- a. Each private developer, builder or contractor utilizing any services under the program shall file a report with the *building official*, supported by affidavit, containing the following information:
- (1) The total number of permits received during the preceding calendar year for the construction of any residential structure in connection with which services under the program were rendered;
 - (2) The name of each firm or individual utilized under the program on each residential structure during the reporting period; and
 - (3) A statement certifying that the developer, builder or contractor has fully complied with all rules and regulations under the program during the reporting period, including, but not limited to, all rules governing the maximum number of plan reviews and inspections permitted to be performed by any firm or individual, including subcontractors, rendering any services under the program.

The report shall be filed with the *building official* not later than the last day of January and July in each calendar year and shall cover the preceding 6 month period ending on the last day of December and June, respectively, in each year.

- b. The *building official* shall file a report with the Mayor and City Council containing the following information:
- (1) A listing of the names of all companies or contractors that utilized individuals or firms for services under the program and the name of each firm or individual so utilized;
 - (2) Names of all firms and individuals approved to perform services under the program;
 - (3) Total number of plan reviews and inspections performed by firms and individuals for each private developer, builder or contractor operating under the program;
 - (4) Number of plan rechecks and oversight inspections conducted by the jurisdiction for each firm or individual utilized under the program and the percentage of that firm or individual's work, including subcontractors, so inspected;
 - (5) The number of code violations found through plan rechecks and oversight inspections, including the name of the firm or individual, including subcontractors, who performed such services;
 - (6) A list of any firms or individuals removed from the program by the *building official*; and
 - (7) An assessment of program effectiveness as demonstrated by available data, including comments and complaints received by the jurisdiction regarding the program pertaining to work performed by a participating developer, builder or contractor, or any firm or individual, including subcontractors, providing private plan review or inspection services under the program.

The *building official's* report shall be filed with the Mayor and City Council not later than the last day of August and February in each calendar year and shall

cover the preceding 6 month period ending on the last day of July and January, respectively, in each year and may include such additional information relating to the program as he may deem appropriate.

11. Provisions prohibiting any private plan reviewer or inspector from being related to building owners, contractors, and other similarly situated individuals or entities within the third degree of consanguinity or within the second degree of affinity.

119.4 Oversight inspections. The provisions of this section do not affect the jurisdiction of the *building official* over any work or preclude oversight inspections by the *building official* of structures that are subject to the provision of services under the program. For purposes of quality assurance, the *building official* shall be authorized to recheck plans, perform inspections or reinspections, issue stop work orders, and take any and all actions that are authorized to be taken under this code, the *Electrical Code*, the *Plumbing Code*, or the *Mechanical Code*. No prior notice need be provided to any program firm or individual, contractor, or owner, unless otherwise required by law.

119.5. Fees. To cover administrative costs, including registration of firms and individuals, management of the program, and oversight inspections, the *building official* shall assess fees equal to 25 percent of the amount otherwise payable under this code for any permit, but not less than the minimum fee as required in the city fee schedule. In addition to the reduced permit fees charged in connection with the program, an additional fee as stated in the city fee schedule per payment voucher issued shall be assessed to cover the jurisdiction's costs in connection with any fee required to be paid to and remitted by the jurisdiction. If any contractor or owner requests an inspection by the *building official* of any structure that is subject to private inspection under this section, then the *building official* may perform the same for the fee stated for this provision in the city fee schedule. The administrative fee that is payable under this code shall be collected in addition to the fees otherwise provided under this section.

CHAPTER 2 DEFINITIONS

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the ~~International Energy Conservation Code, International Fuel Gas Code, Electrical Code, Residential Code, International Fire Code, International Mechanical Code or International Plumbing Code~~, such terms shall have the meanings ascribed to them as in those codes.

SECTION 202* DEFINITIONS

BUILDING OFFICIAL. ~~The officer or other designated authority charged with the administration and enforcement of this code~~ jurisdiction's Director of Public Works and Engineering, or a duly authorized representative.

CITY CODE. The Code of Ordinances, Houston, Texas.

CITY FEE SCHEDULE. The schedule of fees charged by the city for various permits, licenses, authorizations and services, which schedule is maintained on the city's website.

CONSTRUCTION CODE. The City of Houston Construction Code, consisting of the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Commercial Energy Conservation Code, and Residential Energy Conservation Code.

ELECTRICAL CODE. The National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction, and the City of Houston Electrical Code. See Section 101.4.7.

ENERGY CONSERVATION CODE. The City of Houston Residential Energy Conservation Code or the City of Houston Commercial Energy Conservation Code, both based on the International Energy Conservation Code, as adopted by the State of Texas, or on an alternate code that has been determined to be more stringent than the International Energy Conservation Code, as provided in Chapter 388 of the Texas Health & Safety Code, both as adopted and amended by this jurisdiction. See Section 101.4.6.

EXISTING STRUCTURE (For Chapter 34). A structure erected prior to the date of adoption of ~~the appropriate~~ this code, or one for which a legal building *permit* has been issued.

FIRE APPARATUS ACCESS ROAD. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

FIRE CODE. The *City of Houston Fire Code*, as adopted by this jurisdiction. See Section 101.4.5.

FIRE CODE OFFICIAL. The fire marshal or a duly authorized representative charged with the administration and enforcement of the *Fire Code*.

FIRE MARSHAL. The fire marshal of this jurisdiction or such other person as the fire chief of this jurisdiction may designate.

FULL CUTOFF FIXTURE. A light fixture that prevents more than ten percent of the light it emits from emitting at all angles beginning at 80 degrees up from the nadir to less than 90 degrees, and no light from emitting at 90 degrees (horizontal plane) and above. This applies to all horizontal angles around the light fixture.

HOUSTON BUILDING STANDARDS CODE. Article IX of Chapter 10 of the *City Code* relating to abatement of dangerous buildings, also known as the "*Dangerous Building Code*."

INTERNATIONAL ENERGY CONSERVATION CODE. The *City of Houston Residential Energy Conservation Code* or the *City of Houston Commercial Energy Conservation Code*, both based on the *International Energy Conservation Code*, as adopted by the State of Texas, or on an alternate code that has been determined to be more stringent than the *International Energy Conservation Code*, as provided in Chapter 388 of the Texas Health & Safety Code, both as adopted and amended by this jurisdiction. See Section 101.4.6.

INTERNATIONAL FIRE CODE. The *City of Houston Fire Code*, as adopted by this jurisdiction. See Section 101.4.5.

INTERNATIONAL FUEL GAS CODE. The *City of Houston Plumbing Code*, as adopted by this jurisdiction. See Section 101.4.1.

INTERNATIONAL MECHANICAL CODE. The *City of Houston Mechanical Code*, as adopted by this jurisdiction. See Section 101.4.2.

INTERNATIONAL PLUMBING CODE. The *City of Houston Plumbing Code*, as adopted by this jurisdiction. See Section 101.4.3.

INTERNATIONAL PROPERTY MAINTENANCE CODE. Chapter 10 of the *City Code*, which includes the Houston Building Standards Code. See Section 101.4.4.

INTERNATIONAL RESIDENTIAL CODE. *The City of Houston Residential Code*, based on the *International Residential Code for One- and Two-Family Dwellings*, as adopted by the State of Texas in Subchapter G of Chapter 214 of the Texas Local Government Code, with amendments adopted by this jurisdiction. See Section 101.2.

MECHANICAL CODE. *The City of Houston Mechanical Code*, as adopted by this jurisdiction. See Section 101.4.2.

OPEN BUILDING (For Chapter 9). A building having each wall at least 80 percent open.

PLUMBING CODE. *The City of Houston Plumbing Code*, as adopted by this jurisdiction. See Section 101.4.3.

RESIDENTIAL CODE. *The City of Houston Residential Code*, based on the *International Residential Code for One- and Two-Family Dwellings*, as adopted by the State of Texas in Subchapter G of Chapter 214 of the Texas Local Government Code, including amendments adopted by this jurisdiction. See Section 101.2.

SIGN CODE. *The Houston Sign Code*, Chapter 46 of this code, which is published as a separate document.

STAIRWAY. One or more *flights of stairs*, either exterior or interior, with the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one level to another. Stairs or ladders used only to attend equipment or to access an attic or window well are not considered a stairway.

TOWER STRUCTURE. A structure other than a building as defined previously in this chapter that has a height normally greater than its largest horizontal dimension. Examples of tower structures include antenna supports, chimneys, tank supports, sign supports, equipment supports and other structures as determined by the *building official*.

TOWNHOUSE. A single-family *dwelling unit* constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides, where units are separated by a property line.

TRANSIT SHED. A covered structure erected on a wharf or quay for the temporary storage of goods in transit between ship and land carrier or warehouse.

~~**TYPE A UNIT.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with this code and the provisions for *Type A units* in ICC A117.1.~~

~~**TYPE B UNIT.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with this code and the provisions for *Type B units* in ICC A117.1, consistent with the design and construction requirements of the federal Fair Housing Act.~~

VALUATION. The total cost of construction to the end user, excluding the land purchase costs and the overhead attributed to the land purchase. The value of donated goods and services is included.

~~**WHEELCHAIR SPACE.** A space for a single wheelchair and its occupant.~~

WORK OF ART. Paintings, mural decorations, stained glass, statues, bas-reliefs or other sculptures, monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration.

{EDITORIAL NOTE: ALL OTHER PORTIONS OF SECTION 202 TO REMAIN AS SET FORTH IN THE *2012 INTERNATIONAL BUILDING CODE*.}

CHAPTER 3

USE AND OCCUPANCY CLASSIFICATION

305.3 Specific requirements. Daycare and educational occupancies shall not allow children of second grade or lower above the level of exit discharge unless the following provisions are met.

1. The building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1; and
2. When children above the second grade are located on the same level, the children of the second grade or lower shall have at least two means of egress to the exterior for the exclusive use of those children.

[F] 307.1 High-hazard Group H. High-hazard Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in *control areas* complying with Section 414, based on the maximum allowable quantity limits for *control areas* set forth in Tables 307.1(1) and 307.1(2). Hazardous occupancies are classified in Groups H-1, H-2, H-3, H-4 and H-5 and shall be in accordance with this section, the requirements of Section 415 and the ~~International Fire Code~~. Hazardous materials stored, or used on top of roofs or canopies shall be classified as outdoor storage or use and shall comply with the ~~International Fire Code~~.

Exceptions: The following shall not be classified as Group H, but shall be classified as the occupancy that they most nearly resemble.

1. Buildings and structures occupied for the application of flammable finishes, provided that such buildings or areas conform to the requirements of Section 416, NFPA 33, NFPA 34 and the ~~International Fire Code~~.
2. Wholesale and retail sales and storage of flammable and combustible liquids in mercantile occupancies conforming to the ~~International Fire Code~~.
3. Closed piping system containing flammable or combustible liquids or gases utilized for the operation of machinery or equipment.
4. Cleaning establishments that utilize combustible liquid solvents having a flash point of 140°F (60°C) or higher in closed systems employing equipment *listed* by an *approved* testing agency, provided that this occupancy is separated from all other areas of the building by 1-hour *fire barriers* constructed in accordance with Section 707 or 1-hour *horizontal assemblies* constructed in accordance with Section 711, or both.
5. Cleaning establishments that utilize a liquid solvent having a flash point at or above 200°F (93°C).
6. Liquor stores and distributors without bulk storage.
7. Refrigeration systems.

8. The storage or utilization of materials for agricultural purposes on the premises.
9. Stationary batteries utilized for facility emergency power, uninterruptable power supply or telecommunication facilities, provided that the batteries are provided with safety venting caps and *ventilation* is provided in accordance with the *International Mechanical Code*.
10. Corrosives shall not include personal or household products in their original packaging used in retail display or commonly used building materials.
11. Buildings and structures occupied for aerosol storage shall be classified as Group S-1, provided that such buildings conform to the requirements of the *International Fire Code*.
12. Display and storage of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in quantities not exceeding the maximum allowable quantity per *control area* in Group M or S occupancies complying with Section 414.2.5.
13. The storage of black powder, smokeless propellant and small arms primers in Groups M and R-3 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements prescribed in the *International Fire Code*.
14. Any building owned by the jurisdiction, located on any city airport, that is leased and used by a certificated air carrier for the in-transit storage of hazardous materials for a period of time that does not exceed seventy-two hours from the time such hazardous material is placed in the building until it is permanently removed.

NOTES:

1. Certificated air carrier is defined as: a U.S. or foreign airline operating scheduled or non-scheduled commercial services pursuant to certificates or exemptions issued by the United States Department of Transportation pursuant to 49 USC Section 40109, 41102, 41103, or 41302, and certificates or exemptions issued by the United States Federal Aviation Administration pursuant to 14 CFR Part 121, 125, 129 or 135.
2. City airport is defined in Chapter 9 of the City Code.
3. In-transit storage is defined as: the storage of materials which will be on-loaded onto or off-loaded from an aircraft owned, leased or operated by a certificated air carrier.

307.1.1 Hazardous materials. Hazardous materials in any quantity shall conform to the requirements of this code, including Section 414, and the *International Fire Code*.

Exception: Hazardous materials stored in any building exempted pursuant to Section 307.1, Exception 14.

308.4.1 Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* ~~provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *International Residential Code*.~~

308.6.5 Specific requirements. Daycare and educational occupancies shall not allow children of second grade or lower above the level of exit discharge unless the following provisions are met.

1. The building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1; and
2. When children above the second grade are located on the same level, the children of the second grade or lower shall have at least two means of egress to the exterior for the exclusive use of those children.

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural buildings

Aircraft hangars, accessory to a one- or two-family residence (see Section 412.3)

Barns

Carports

Fences ~~more than 6 feet (1829 mm) high~~

Grain silos, accessory to a residential occupancy

Greenhouses

Livestock shelters

Private garages

Retaining walls

Sheds

Stables

Tanks

Towers

312.2 Fences.

312.2.1 Location. Fence location is not restricted on property, but its foundation shall be subject to the same regulations on extensions onto public property as building foundations.

312.2.2 Barbed wire. Barbed wire for fences shall be allowed only 6 feet above ground except as otherwise allowed by the *City Code*.

[This page intentionally left blank.]

CHAPTER 4

SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

406.3.4 Separation. Separations shall comply with the following:

1. The private garage shall be separated from the *dwelling unit* and its *attic* area by means of gypsum board, not less than ½ inch (12.7 mm) in thickness, applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a ⅝-inch (15.9 mm) Type X gypsum board or equivalent and ½-inch (12.7 mm) gypsum board applied to structures supporting the separation from habitable rooms above the garage. Door openings between a private garage and the *dwelling unit* shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1⅜ inches (34.9 mm) in thickness, or doors in compliance with Section 716.5.3 with a fire protection rating of not less than 20 minutes. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be *self-closing* and self-latching. Attic disappearing stairs may be installed in the garage ceiling provided the exposed panel is not less than ⅜-inch thick fire retardant-treated plywood, covered with a minimum of 16 gage sheet metal, untreated plywood protected with ½ inch thick gypsum board, or untreated plywood protected with intumescent paint. In all cases, the opening protection material is applied to the garage side of the plywood.
2. Ducts in a private garage and ducts penetrating the walls or ceilings separating the *dwelling unit*, including its *attic* area, from the garage shall be constructed of sheet steel of not less than 0.019 inches (0.48 mm), in thickness and shall have no openings into the garage.
3. A separation is not required between a Group R-3 and U carport, provided the carport is entirely open on two or more sides and there are not enclosed areas above.

406.4.9 Garage screening. Any part of an abutting development, as defined by Section 42-1 of the City Code, used as a parking garage structure shall provide an exterior cover for each floor of the structure where parking occurs that directly faces property in use for or restricted to single family residential use. The exterior cover shall be made of an opaque surface or screen mesh material of sufficient rating to block headlights as defined in this Code. The exterior cover shall be at least 42 inches in height measured from the finished floor where parking occurs and shall not be required on any floor of the parking garage structure which has a finished floor over 50 feet in height from grade. For ramps and other sloped surfaces, the exterior cover shall be positioned to block headlights from emitting any light into adjacent properties in use for or restricted to single-family residential use.

412.7.3 Means of egress. The *means of egress* from *heliports* and *helistops* shall comply with the provisions of Chapter 10, except no stairwell, stairway, guardrail or other structure shall be required or allowed to penetrate the take-off and landing area specified for the helistop. All L-landing areas located on buildings or structures shall have two or more *means of egress*. For landing areas less than 60 feet (18 288 mm) in length or less than 2,000 square feet (187 m²) in area, the second *means of egress* is permitted to be a fire escape, *alternating tread device* or ladder leading to the floor below.

413.1 General. High-piled stock or rack storage in any occupancy group shall comply with the ~~*International Fire Code*~~. A fire apparatus access road shall be provided for buildings used for high-piled combustible storage and shall meet applicable provisions of the ~~*Houston Fire Code*~~.

SECTION 426 **REUSE OF BUILDING MATERIALS**

426.1 Reuse of building materials. Reuse of building materials shall be allowed in accordance with Appendix R.

CHAPTER 5

GENERAL BUILDING HEIGHTS AND AREAS

[F] 501.2 Identifying number. Address identification. New and existing buildings and occupancies there under construction shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102 mm) in height and not less than 0.5 inch (12.7 mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the fire code official, address numbers 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.

All new and existing buildings are required to be numbered as provided in Chapter 10, Article V, of the City Code.

**TABLE 508.4
REQUIRED SEPARATION OF OCCUPANCIES (HOURS)**

OCCUPANCY	A, E ^e		I-1 ^a , I-3, I-4		I-2		R ^a		F-2, S-2 ^b , U		B, F-1, M, S-1		H-1		H-2		H-3, H-4		H-5		
	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	
A, E ^e	N	N	1	2	2	NP	1	2	N	1	1	2	NP	NP	3	4	2	3	2	NP	
I-1 ^a , I-3, I-4	-	-	N	N	2	NP	1	NP	1	2	1	2	NP	NP	3	NP	2	NP	2	NP	
I-2	-	-	-	-	N	N	2	NP	2	NP	2	NP	NP	NP	3	NP	2	NP	2	NP	
R ^a	-	-	-	-	-	-	N	N	1 ^c	2 ^c	1	2	NP	NP	3	NP	2	NP	2	NP	
F2, S-2 ^b , U	-	-	-	-	-	-	-	-	N	N	1	2	NP	NP	3	4	2	3	2	NP	
B, F-1, M, S-1	-	-	-	-	-	-	-	-	-	-	N	N	NP	NP	2	3	1	2	1	NP	
H-1	-	-	-	-	-	-	-	-	-	-	-	-	N	NP	NP	NP	NP	NP	NP	NP	
H-2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N	NP	1	NP	1	NP	
H-3, H-4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1 ^d	NP	1	NP	
H-5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	N	NP

- S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
- NS = Buildings not equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1
- N = No separation requirement.
- NP = Not permitted.
- a. See Section 420.
- b. The required separation from areas used only for private or pleasure vehicles shall be reduced by 1 hour but to not less than 1 hour.
- c. See Section 406.3.4.
- d. Separation is not required between occupancies of the same classification.
- e. Daycare facilities shall be separated from assembly areas where alcohol is served.

510.1 General. The provisions in Sections 510.2 through ~~510.10~~ 510.9 shall permit the use of special conditions that are exempt from, or modify, the specific requirements of this chapter regarding the allowable *building heights and areas* of buildings based on the occupancy classification and type of construction, provided the special condition complies with the provisions specified in this section for such condition and other applicable requirements of this code. The provisions of Sections 510.2 through ~~510.9~~ 510.8 are to be considered independent and separate from each other.

510.9 Basement and first story of open parking garages. Other provisions of this code notwithstanding, a basement or first story located below an open parking garage may be considered as a separate and distinct building for the purpose of occupancy, area limitation and type of construction, when the basement or first story is separated from the open parking garage above with a three-hour occupancy separation and the basement and first floor are protected throughout by an automatic sprinkler system.

510.10 Multiple buildings above a horizontal assembly. Where two or more buildings are provided above the *horizontal assembly* separating a Group S-2 parking garage or building below from the buildings above in accordance with the special provisions in Sections 510.2, 510.3 or 510.8, the buildings above the *horizontal assembly* shall be regarded as separate and distinct buildings from each other and shall comply with all other provisions of this code as applicable to each separate and distinct building.

{EDITORIAL NOTE: RENUMBER 510.9 IN 2012 IBC TO 510.10.}

SECTION 511 **TRANSIT SHEDS**

511.1 The area of a Type IIB building meeting the definition of a “transit shed” may be increased to 250,000 square feet, provided there is no other building located closer than 200 feet to the building, and there is a paved access road at least 60 feet in width on all sides of the building.

SECTION 512 **FOUNDATION ELEVATION**

512.1 General. All new buildings constructed within this jurisdiction shall have the finished floor of the building not less than 12 inches above the nearest sanitary sewer manhole rim of the sewer connected to the building, or, where no sewer is available, the finished floor shall not be less than 4 inches above the crown of the street.

Exception: Buildings located in annexed subdivisions where the following conditions exist:

1. The subdivision was platted and recorded prior to annexation;
2. The sanitary sewer system for the subdivision was installed prior to annexation; and
3. The drainage piping from a building meets the requirements of Section 710 of the *Plumbing Code*.

NOTE: When a greater elevation is required by Chapter 19 of the *City Code*, then Chapter 19 shall govern.

512.2 Plans and applications. All construction plans and applications submitted for construction, sewer connections or septic systems shall reflect the elevations of the finished floor of the building and the elevation of the nearest manhole rim of a sanitary sewer connected to the building or crown of the street, whichever is applicable.

512.3 Damage risk. All permits for connection shall be issued on the condition that the owner take all the risk of damage that may result from water backing up into the premises from the sewer.

512.4 Existing structures. When an existing structure is required to connect with a public or private sewer, it shall have the finished floor a minimum of 12 inches above the nearest sanitary sewer manhole rim of a sewer connected to the building.

Exception: Where the public or private sewer is not of sufficient depth, or where structures required to be connected to the sewer cannot meet the minimum requirements of this section and other ordinances, the *building official* may authorize the issuance of a permit for an alternate method of construction or installation when this will not be detrimental to the health, welfare, and safety of the public.

[This page intentionally left blank.]

CHAPTER 6

TYPES OF CONSTRUCTION

603.1 Allowable materials. Combustible materials shall be permitted in buildings of Type I or II construction in the following applications and in accordance with Sections 603.1.1 through 603.1.3:

1. *Fire-retardant-treated wood* shall be permitted in:
 - 1.1 Nonbearing partitions where the required *fire-resistance rating* is 2 hours or less.
 - 1.2 Nonbearing *exterior walls* where fire-resistance rated construction is not required.
 - 1.3 Roof construction, including girders, trusses, framing and decking.
 - 1.4 Roof structures such as walkways, decks, fences, flower boxes or similar appendages.

Exception: In buildings of Type IA construction exceeding two stories above grade plane, fire-retardant-treated wood is not permitted in roof construction where the vertical distance from the upper floor to the roof is less than 20 feet (6096 mm).

{EDITORIAL NOTE: ALL OTHER PORTIONS OF SECTION 603.1 REMAIN AS SET FORTH IN THE 2012 IBC.}

[This page intentionally left blank.]

CHAPTER 7

FIRE AND SMOKE PROTECTION FEATURES

714.1.1 Ducts and air transfer openings. Penetrations of fire-resistance-rated walls by ducts that are not protected with *dampers* shall comply with Sections 714.2 through 714.3.3. Penetrations of *horizontal assemblies* not protected with a shaft as permitted by Section 717.6, and not required to be protected with fire *dampers* by other sections of this code, shall comply with Sections 714.4 through 714.4.2.2. Ducts and air transfer openings that are protected with *dampers* shall comply with Section 717.

Penetrations may be made in gypsum wallboard membranes for one-hour protection for bathroom and clothes dryer exhaust ducts without fire dampers provided:

1. A minimum of 0.019-inch (26 gauge) steel ducts are used continuously from the opening to the exterior or into a rated shaft.
2. Voids around the duct penetration shall be sealed with approved materials to prevent the passage of flame.
3. The maximum size of the bathroom fan assembly shall be 100 square inches.
4. The maximum size of the clothes dryer duct shall be 20 square inches.

717.1.1 Ducts that penetrate fire-resistance-rated assemblies without dampers. Ducts that penetrate fire resistance-rated assemblies and are not required by this section to have *dampers* shall comply with the requirements of Sections 714.2 through 714.3.3. Ducts that penetrate *horizontal assemblies* not required to be contained within a shaft and not required by this section to have *dampers* shall comply with the requirements of Sections 714.4 through 714.4.2.2.

Penetrations may be made in gypsum wallboard membranes for one-hour protection for bathroom and clothes dryer exhaust ducts without fire dampers provided:

1. A minimum of 0.019-inch (26 gauge) steel ducts are used continuously from the opening to the exterior or into a rated shaft.
2. Voids around the duct penetration shall be sealed with approved materials to prevent the passage of flame.
3. The maximum size of the bathroom fan assembly shall be 100 square inches.
4. The maximum size of the clothes dryer duct shall be 20 square inches.

717.4 Access and identification. Fire and smoke *dampers* shall be provided with an *approved* means of access, which is large enough to *permit* inspection and maintenance of the *damper* and its operating parts in accordance with the *Mechanical Code*. The access shall not affect the integrity of fire-resistance-rated assemblies. The access openings shall not reduce the *fire-resistance rating* of the assembly. Access points shall be permanently identified on the exterior of the duct and at ceiling level by a *label* having letters not less than ½ inch (12.7 mm) in height

reading: FIRE/SMOKE DAMPER, SMOKE DAMPER or FIRE DAMPER. Access doors in ducts shall be tight fitting and suitable for the required duct construction.

CHAPTER 9

FIRE PROTECTION SYSTEMS

901.1 Scope. The provisions of this chapter and the *Fire Code* shall specify where *fire protection systems* are required and shall apply to the design, installation and operation of *fire protection systems*.

901.4 Threads. Threads provided for fire department connections to sprinkler systems, standpipes, yard hydrants or any other fire hose connection shall be ~~compatible with the connections used by the local fire department~~ National Standard hose threads.

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*. 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. 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*.

The location of all fire department connections shall be approved by the fire code official. Inspection of fire-extinguishing systems shall be conducted by the fire code official, and such inspection and reports shall be forwarded to the *building official* for posting to occupancy records. No building or structure requiring a fire-extinguishing system shall be permanently occupied without first obtaining the fire code official's approval.

Exception: The *building official* shall have the authority to issue a temporary certificate of occupancy for the use of a portion or portions of a building prior to the completion of the entire structure.

901.6.2 Fire alarm systems. ~~Fire alarm systems required by the provisions of Section 907.2 of this code and Section 907.2 and 907.9 of the *International Fire Code* shall be monitored by an *approved* supervising station in accordance with Section 907.6.5.~~

Exceptions:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. Supervisory service is not required for *automatic sprinkler systems* in one- and two-family dwellings.

901.9 Fire pumps. Fire pumps shall be listed by Factory Mutual, Underwriters Laboratories or another approved agency and shall not deliver less than the required fire flow and pressure in accordance with the listing. Such pumps shall be automatic operation. (See the Electrical Code for additional requirements.) When such pumps are not approved for direct connection to the city main, the source of supply for such pumps shall be sized in accordance with NFPA 20. A

tank smaller than the size required by NFPA 20 may be provided when an engineering analysis can show that the refill of the tank will maintain the 150% design flow of the fire pump.

901.10 Outside sprinkler control valve. Outside control in the form of a wall post indicator valve or post indicator valve shall be provided for each sprinkler system. An indicating-type gate valve shall be required when sprinkler systems are supplied by the standpipe system.

901.11 Two-way standpipe connections. Class I and Class III standpipe systems shall be equipped with a two-way fire department inlet connection. Systems with three or more standpipes shall be provided with not less than two two-way fire department inlet connections.

901.12 Fire department connections. The location of all FDC (fire department connections) shall be approved by the fire code official, and all such hose connections shall be 2.5 inch.

IF] 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.

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour *fire barriers* constructed in accordance with Section 707 or not less than 2-hour *horizontal assemblies* constructed in accordance with Section 711, or both.
2. In other than Group H occupancies, a sprinkler system shall not be required in open buildings.

[F] 903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115 m²);
2. The *fire area* has an *occupant load* of 300 or more; or
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

Exception: In lieu of a sprinkler system for a temporary use occupancy, the applicant may agree to provide a fire watch program under which one or more fire fighters of this jurisdiction will be present on the premises at all times when the amusement occupancy is open for use. The fire code official shall promulgate regulations regarding the qualifications, deployment and numbers of fire fighters, which regulations shall be predicated upon public safety for the purpose of preventing fires and allowing safe egress in the event of a fire. The jurisdiction shall not be obligated to provide fire fighters for this purpose. See the *Fire Code* for applicable fees and service conditions.

[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: One- or two-family dwellings.

[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.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when *approved* by the ~~fire code~~ *building official*.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a *fire-resistance rating* of not less than 2 hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.
5. Fire service access elevator machine rooms and machinery spaces.
6. Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with Section 3008.

[F] 905.3.1 Height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest *story* is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access, or where the floor level of the lowest *story* is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.
2. ~~Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet (45 720 mm) above the lowest level of fire department vehicle access.~~
3. ~~Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.~~

- 4.2. Class I standpipes are allowed in basements equipped throughout with an *automatic sprinkler system*.
- 53. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 53.1. Recessed loading docks for four vehicles or less; and
 - 53.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

[F] 905.3.2 Group A. Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an *occupant load* exceeding 1,000 persons.

Exceptions:

- 1. ~~Open-air-seating spaces without enclosed spaces.~~
- 2. ~~Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high rise buildings.~~

[F] 905.3.4 Stages. Stages greater than 1,000 square feet in area (93 m²) shall be equipped with a Class ~~III~~ II wet standpipe system with 1½ -inch ~~and 2½ -inch~~ (38 mm ~~and 64 mm~~) hose connections on each side of the stage.

Exception: Where the building or area is equipped throughout with an *automatic sprinkler system*, the hose connections are allowed to be supplied from the automatic sprinkler system. ~~a 1½ -inch (38 mm) hose connection shall be installed in accordance with NFPA 13 or in accordance with NFPA 14 for Class II or III standpipes.~~

[F] 905.3.5 Underground buildings. Underground buildings shall be equipped throughout with a Class I automatic wet ~~or manual wet~~ standpipe system.

[F] 905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: ~~Where subject to freezing and in accordance with NFPA 14.~~

[F] 905.11 Design pressure. Design pressure at the uppermost valve for a Class II standpipe system shall be 35 psi.

[F] 907.2 Where required – new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

A minimum of one manual fire alarm box shall be provided in an *approved* location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or waterflow

detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.
3. In other than Group H occupancies, a fire alarm system shall not be required in open buildings.

[F] 907.2.2 Group B. A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.
3. The *fire area* contains an ambulatory care facility.

Exception: In other than high rise buildings, manual fire alarm boxes are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler waterflow.

[F] 907.2.3.1 Group E educational. Smoke detectors shall be installed in any interior corridor serving as an exit and in storerooms, mechanical rooms, janitorial rooms and similar areas. Smoke detectors shall not be required in toilet rooms, classrooms or offices.

Exception: Approved heat detectors may be installed in lieu of smoke detectors in mechanical rooms, janitorial rooms and similar areas.

[F] 907.2.3.2 Group E child care with an occupant load of 30 or more. Smoke detectors shall be installed in corridors, in common areas and in occupiable areas.

[F] 907.2.3.3 Group E child care with an occupant load of less than 30. Smoke detectors shall be installed in each occupiable area. All such detectors shall be interconnected in such a way that the activation of any detector shall automatically activate the alarm of all detectors, unless provided with a fire alarm system in accordance with Section 907.2.3.

[F] 907.2.3.4 Manual fire alarm boxes. Where required in Group E occupancies, manual fire alarm boxes shall be located in accordance with Section 907.3.

[F] 907.2.6.4 Group I-4. Group I-4 occupancies shall have a manual fire alarm and an automatic fire detection system installed in accordance with 907.2.3.

[F] 907.2.11.3 Group E child day care facilities. Unless a fire alarm system is provided meeting the requirements of Section 907.2.3, a smoke alarm shall be provided in each occupiable area of child day care facilities with an occupant load of less than 30. Where more than one smoke alarm is required, the smoke alarms shall be interconnected in such a manner that activation of one alarm shall activate all the alarms.

[F] 907.2.11.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling unit* or *sleeping unit* in Group R or I-1 occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

[F] 907.2.11.4-5 Power source. In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system.

[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 a ~~minimum~~ of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

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

Alarms shall not sound in elevator groups or exit stairs.

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.

[F] 909.12.1 Wiring. In addition to meeting requirements of NFPA 70 ~~the *Electrical Code*, *mechanical smoke control*~~ all wiring, regardless of voltage, shall be fully enclosed within continuous raceways. The requirement of this section shall apply only to wiring extending from the fire alarm system control unit that activates any required smoke-control system component such as relays, fans, dampers, or stair pressurization systems.

909.20 Smokeproof enclosures. Where required by Section 1022.10, a smokeproof enclosure shall be constructed in accordance with this section. A smokeproof enclosure shall consist of an enclosed interior *exit stairway* that conforms to Section 1022.2 and an open exterior balcony or ventilated vestibule meeting the requirements of this section. Where access to the roof is required by Section 1009.16.1 ~~the *International Fire Code*~~, such access shall be from the smokeproof enclosure where a smokeproof enclosure is required.

[F] 911.1.1 Location and access. The location and accessibility of the fire command center shall be *approved by the fire chief, code official*. The fire command center room shall be on the building floor having street access. Access to the room shall be either directly from the exterior, through an entrance lobby or through a 2-hour rated corridor leading directly to the exterior.

[F] 911.1.2 Separation. The fire command center shall be separated from the remainder of the building by not less than a ~~4~~ 2-hour *fire barrier* constructed in accordance with Section 707 or *horizontal assembly* constructed in accordance with Section 711, or both.

[F] 911.1.5 Required Features. The fire command center shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit....

{EDITORIAL NOTE: KEEP EXISTING ITEMS 1-18 HERE WITHOUT AMENDMENT.}

19. A means to automatically switch an alarm signal to an approved central station.

20. Two handsets per each 10 stories in building height.

[This page intentionally left blank.]

CHAPTER 10

MEANS OF EGRESS

~~1003.3 Reserved. **Protruding objects.** Protruding objects shall comply with the requirements of Sections 1003.3.1 through 1003.3.4.~~

~~**1003.3.1 Headroom.** Protruding objects are permitted to extend below the minimum ceiling height required by Section 1003.2 provided a minimum headroom of 80 inches (2032 mm) shall be provided for any walking surface, including walks, corridors, aisles and passageways. Not more than 50 percent of the ceiling area of a *means of egress* shall be reduced in height by protruding objects.~~

~~**Exception:** Door closers and stops shall not reduce headroom to less than 78 inches (1981 mm).~~

~~A barrier shall be provided where the vertical clearance is less than 80 inches (2032 mm) high. The leading edge of such a barrier shall be located 27 inches (686 mm) maximum above the floor.~~

~~**1003.3.2 Post-mounted objects.** A free-standing object mounted on a post or pylon shall not overhang that post or pylon more than 4 inches (102 mm) where the lowest point of the leading edge is more than 27 inches (686 mm) and less than 80 inches (2032 mm) above the walking surface. Where a sign or other obstruction is mounted between posts or pylons and the clear distance between the posts or pylons is greater than 12 inches (305 mm), the lowest edge of such sign or obstruction shall be 27 inches (686 mm) maximum or 80 inches (2032 mm) minimum above the finished floor or ground.~~

~~**Exception:** These requirements shall not apply to sloping portions of *handrails* between the top and bottom riser of *stairs* above the *ramp* run.~~

~~**1003.3.3 Horizontal projections.** Structural elements, fixtures or furnishings shall not project horizontally from either side more than 4 inches (102 mm) over any walking surface between the heights of 27 inches (686 mm) and 80 inches (2032 mm) above the walking surface.~~

~~**Exception:** *Handrails* are permitted to protrude 4½ inches (114 mm) from the wall.~~

~~**1003.3.4 Clear width.** Protruding objects shall not reduce the minimum clear width of *accessible routes*.~~

1003.7 Elevators, escalators and moving walks. Elevators, escalators and moving walks shall not be used as a component of a required *means of egress* from any other part of the building.

~~**Exception:** Elevators used as an *accessible means of egress* in accordance with Section 1007.4.~~

SECTION 1007
ACCESSIBLE MEANS OF EGRESS
{EDITORIAL NOTE: DELETE AND RESERVE ENTIRE SECTION.}

1008.1.7 Thresholds. Thresholds at doorways shall not exceed $\frac{3}{4}$ inch (19.1 mm) in height above the finished floor or landing for sliding doors serving *dwelling units* or $\frac{1}{2}$ inch (12.7 mm) above the finished floor or landing for other doors. Raised thresholds and floor level changes greater than $\frac{1}{4}$ inch (6.4 mm) at doorways shall be beveled with a slope not greater than one unit vertical in two units horizontal (50-percent slope).

Exception: In occupancy Group R-2 or R-3, threshold heights for sliding and side-hinged exterior doors shall be permitted to be up to $7\frac{3}{4}$ inches (197 mm) in height if all of the following apply:

1. The door is not part of the required *means of egress*.
2. ~~The door is not part of an *accessible route* as required by Chapter 11.~~
3. ~~The door is not part of an *Accessible unit, Type A unit or Type B unit*.~~

1008.1.8 Door arrangement. Space between two doors in a series shall be 48 inches (1219 mm) minimum plus the width of a door swinging into the space. Doors in a series shall swing either in the same direction or away from the space between doors.

Exceptions:

1. The minimum distance between horizontal sliding power-operated doors in a series shall be 48 inches (1219 mm).
2. Storm and screen doors serving individual *dwelling units* in Groups R-2 and R-3 need not be spaced 48 inches (1219 mm) from the other door.
3. Doors within individual *dwelling units* in Groups R-2 and R-3 ~~other than within *Type A dwelling units*.~~

1008.1.9 Door operations. ~~Except~~ Whenever a building or space is occupied, except as specifically permitted by this section, egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.9.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
2. In buildings in occupancy Group A having an *occupant load* of 300 or less, Groups B, F, M and S, and in *places of religious worship*, the main exterior door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:
 - 2.1. The locking device is readily distinguishable as locked;
 - 2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO

REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background; and

- 2.3. The use of the key-operated locking device is ~~revokable~~ revocable by the *building official* for due cause.
3. Where egress doors are used in pairs, *approved* automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
4. Doors from individual *dwelling* or *sleeping units* of Group R occupancies having an *occupant load* of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.
5. *Fire doors* after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.
6. In buildings in occupancy Group B that have an occupant load of 10 or less, doors may be equipped with a manually operated deadbolt in addition to a door latch.

1008.1.9.4 Bolt locks. Manually operated flush bolts or surface bolts are not permitted.

Exceptions:

1. On doors not required for egress in individual dwelling units or sleeping units.
2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.
3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F or S occupancy, manually operated edge- or surface- mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
4. Where a pair of doors serves a Group B, F or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.
5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edge- or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress width

requirements and the inactive leaf contains no doorknobs, panic bars or similar operating hardware.

6. In buildings in occupancy Group B that have an occupant load of 10 or less, doors may be equipped with a manually operated deadbolt in addition to a door latch.

1011.3 Illumination. Exit signs shall be internally or externally illuminated.

Exception: Tactile signs required by Section 1011.4 need not be provided with illumination.

1011.4 ~~Reserved. Raised character and Braille exit signs.~~ ~~A sign stating EXIT in raised characters and Braille and complying with ICC A117.1 shall be provided adjacent to each door to an *area of refuge*, an exterior area for assisted rescue, an *exit stairway*, an *exit ramp*, an *exit passageway* and the *exit discharge*.~~

CHAPTER 11

ACCESSIBILITY

{EDITORIAL NOTE: DELETE CHAPTER 11 IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING.}

SECTION 1101

GENERAL

1101.1 State law. Accessibility issues for certain publicly and privately owned buildings and facilities are governed by state law and regulations, including Chapter 469 of the Texas Government Code and various regulations, standards and specifications issued thereunder.

1101.2 Responsibility of owners. It is the responsibility of the owner to ensure compliance with state and federal requirements. As provided by Section 469.102 of the Texas Government Code, the applicant for a building permit for an affected building or facility shall provide evidence of registration with the Texas Department of Licensing and Regulation as a part of the building permit application.

1101.3 Jurisdiction is not an agent of the state. This jurisdiction has not contracted with the state and is not authorized to review plans, grant waivers or modifications, perform inspections, or take any other action with respect to compliance with state or federal accessibility requirements. No action taken by this jurisdiction or the *building official* shall be deemed as excusing compliance with state or federal requirements.

[This page intentionally left blank.]

CHAPTER 12

INTERIOR ENVIRONMENT

1203.3.2 Exceptions. The following are exceptions to Sections 1203.3 and 1203.3.1:

1. Where warranted by climatic conditions, ventilation openings to the outdoors are not required if ventilation openings to the interior are provided.
2. The total area of ventilation openings is permitted to be reduced to 1/1,500 of the under-floor area where the ground surface is ~~covered with a Class I~~ treated with an approved vapor retarder material and the required openings are placed so as to provide cross ventilation of the space. The installation of operable louvers shall not be prohibited.
3. Ventilation openings are not required where continuously operated mechanical ventilation is provided at a rate of 1.0 cubic foot per minute (cfm) for each 50 square feet (1.02 L/s for each 10 m²) of crawlspace floor area and the ground surface is covered with ~~a Class I~~ an approved vapor retarder.
4. Ventilation openings are not required where the ground surface is covered with ~~a Class I~~ an approved vapor retarder, the perimeter walls are insulated and the space is conditioned in accordance with the *International Energy Conservation Code*.
5. ~~For buildings in flood hazard areas as established in Section 1612.3, the openings for under floor ventilation shall be deemed as meeting the flood opening requirements of ASCE 24 provided that the ventilation openings are designed and installed in accordance with ASCE 24.~~

1207.1 Scope. This section shall apply to common interior walls, partitions and floor/ceiling assemblies between adjacent *dwelling units* or between *dwelling units* and adjacent public areas such as halls, *corridors*, *stairs* or service areas. When required by Chapter 9, Article VI, of the *City Code*, sound attenuation shall be provided as specified in Appendix N.

1209.2 Attic spaces. An opening not less than 20 inches by 30 inches (559 mm by 762 mm) shall be provided to any *attic* area having a clear height of over 30 inches (762 mm). Clear headroom of not less than 30 inches (762 mm) shall be provided in the *attic* space at or above the access opening. When the opening is located in a one-hour rated assembly, the opening shall be 5/8 inch Type X gypsum or permitted to be constructed as in Section 406.3.4 for *attic* disappearing stairs.

[This page intentionally left blank.]

CHAPTER 14

EXTERIOR WALLS

~~**1403.6 Flood resistance.** For buildings in flood hazard areas as established in Section 1612.3, exterior walls extending below the elevation required by Section 1612 shall be constructed with flood damage resistant materials. Wood shall be pressure preservative treated in accordance with AWP A U1 for the species, product and end use using a preservative listed in Section 4 of AWP A U1 or decay resistant heartwood of redwood, black locust or cedar.~~

~~**1403.7 Flood resistance for high-velocity wave action areas.** For buildings in flood hazard areas subject to high velocity wave action as established in Section 1612.3, electrical, mechanical and plumbing system components shall not be mounted on or penetrate through exterior walls that are designed to break away under flood loads.~~

[This page intentionally left blank.]

CHAPTER 15

ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

1504.8 Aggregate. Aggregate used as surfacing for roof coverings and aggregate, gravel or stone used as ballast shall not be used on the roof of a building located in a hurricane-prone region as defined in Section 202, or on any other building with a mean roof height exceeding that permitted by Table 1504.8 based on the exposure category and basic wind speed at the site.

{EDITORIAL NOTE: DELETE TABLE 1504.8 IN ITS ENTIRETY.}

TABLE 1505.1^{1,2}
MINIMUM ROOF COVERING CLASSIFICATION
TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	C ^c	B	C ^c	B	B	C ^c

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

- a. Unless otherwise required in accordance with the *International Wildland-Urban Interface Code* or due to the location of the building within a fire district in accordance with Appendix D.
- b. Nonclassified roof coverings shall be permitted on buildings of Group R-3 and Group U occupancies, where there is a minimum fire-separation distance of 6 feet measured from the leading edge of the roof.
- c. Buildings that are not more than two stories above grade plane and having not more than 6,000 square feet of projected roof area and where there is a minimum 10-foot fire-separation distance from the leading edge of the roof to a lot line on all sides of the building, except for street fronts or public ways, shall be permitted to have roofs of No. 1 cedar or redwood shakes and No. 1 shingles constructed in accordance with Section 1505.7.

1510.7 Wood shakes and shingles. Wood shakes and shingles shall not be permitted to be replaced unless they meet the requirements of Section 1505.6.

[This page intentionally left blank.]

CHAPTER 16

STRUCTURAL DESIGN

~~1603.1.7 Flood design data. See Chapter 19 of the City Code. For buildings located in whole or in part in flood hazard areas as established in Section 1612.3, the documentation pertaining to design, if required in Section 1612.5, shall be included and the following information, referenced to the datum on the community's Flood Insurance Rate Map (FIRM), shall be shown, regardless of whether flood loads govern the design of the building:~~

- ~~1. In flood hazard areas not subject to high-velocity wave action, the elevation of the proposed lowest floor, including the basement.~~
- ~~2. In flood hazard areas not subject to high-velocity wave action, the elevation to which any nonresidential building will be dry flood proofed.~~
- ~~3. In flood hazard areas subject to high-velocity wave action, the proposed elevation of the bottom of the lowest horizontal structural member of the lowest floor, including the basement.~~

~~1609.3 Basic wind speed. The ultimate design wind speed, V_{ult} , in mph, for the determination of the wind loads shall be determined by Figures 1609A, 1609B and 1609C. The ultimate design wind speed, V_{ult} for use in the design of Risk Category II buildings and structures shall be 139 mph obtained from Figure 1609A. The ultimate design wind speed, V_{ult} , for use in the design of Risk Category III and IV buildings and structures shall be 150 mph obtained from Figure 1609B. The ultimate design wind speed, V_{ult} , for use in the design of Risk Category I buildings and structures shall be 130 mph obtained from Figure 1609C. The ultimate design wind speed, V_{ult} , for the special wind regions indicated near mountainous terrain and near gorges shall be in accordance with local jurisdiction requirements. The ultimate design wind speeds, V_{ult} , determined by the local jurisdiction shall be in accordance with Section 26.5.1 of ASCE 7.~~

~~In nonhurricane-prone regions, when the ultimate design wind speed, V_{ult} , is estimated from regional climatic data, the ultimate design wind speed, V_{ult} , shall be determined in accordance with Section 26.5.3 of ASCE 7.~~

SECTION 1612 FLOOD LOADS

{EDITORIAL NOTE: DELETE SECTION 1612 TEXT IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING.}

1612.1 General. (See Chapter 19 of the City Code).

~~1613.3.5 Determination of seismic design category. This jurisdiction is classified as Seismic Design Category A. Structures classified as *Risk Category I, II or III* that are located where the mapped spectral response acceleration parameter at 1-second period, S_{1s} , is greater than or equal to 0.75 shall be assigned to *Seismic Design Category E*. Structures classified as *Risk Category IV* that are located where the mapped spectral response acceleration parameter at 1-second period, S_{1s} , is greater than or equal to 0.75~~

~~shall be assigned to Seismic Design Category F. All other structures shall be assigned to a seismic design category based on their risk category and the design spectral response acceleration parameters, S_{DS} and S_{D1} , determined in accordance with Section 1613.3.4 or the site specific procedures of ASCE 7. Each building and structure shall be assigned to the more severe seismic design category in accordance with Table 1613.3.5(1) or 1613.5.5(2), irrespective of the fundamental period of vibration of the structure, T .~~

CHAPTER 23

WOOD

2308.2.1 Nominal design wind speed greater than 100 mph (3-second gust). Where V_{asd} as determined in accordance with Section 1609.3.1 exceeds 100 mph (3-second gust), the provisions of either Appendix K, AF&PA WFCM or ICC 600 are permitted to be used. Wind speeds in Figures 1609A, 1609B, and 1609C shall be converted in accordance with Section 1609.3.1 for use with AF&PA WFCM or ICC 600.

[This page intentionally left blank.]

CHAPTER 29 PLUMBING SYSTEMS

[P] Table 2902.1
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
(See Sections 2902.2 and 2902.3)

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS ^h (URINALS SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAINS ^{e,f,i} (SEE SECTION 410.1 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				Male	Female	Male	Female			
1	Assembly	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 125	1 per 65 <u>60</u>	1 per 200		—	1 per 500	1 service sink ^a
		A-2 ^d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 40	1 per 40	1 per 75		—	1 per 500	1 service sink
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200		—	1 per 500	1 service sink
		A-3 ^d	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	1 per 125	1 per 65 <u>60</u>	1 per 200		—	1 per 500	1 service sink
			Passenger terminals and transport facilities ^h	1 per 500	1 per 500	1 per 750		—	1 per 1,000	1 service sink
			Places of worship and other religious services	1 per 150	1 per 75	1 per 200		—	1 per 1,000	1 service sink
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 <u>35</u> for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150		—	1 per 1,000
A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 <u>35</u> for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150		—	1 per 1,000	1 service sink	

(continued)

**[P] Table 2902.1 – continued
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS ^h (URINALS SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS OR SHOWERS	DRINKING FOUNTAINS ^{e,f,i} (SEE SECTION 410.1 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				Male	Female	Male	Female			
2	Business	B	Building for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80		—	1 per 100	1 service sink ^g
3	Educational	E	Educational facilities	1 per 50		1 per 50		—	1 per 100	1 service sink
			<u>Daycares</u>	<u>1 per 17</u>		<u>1 per 17</u>		—	<u>1 per 100</u>	<u>1 service sink</u>
4	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100		1 per 100		See Section 411 of the International Plumbing Code	1 per 400	1 service sink
5	Institutional	I-1	Residential care	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		I-2	Hospitals, ambulatory nursing home care recipient ^b	1 per per room ^c		1 per per room ^c		1 per 15	1 per 100	1 service sink
			Employees, other than residential care ^b	1 per 25		1 per 35		—	1 per 100	—
			Visitors, other than residential care	1 per 75		1 per 100		—	1 per 500	—
		I-3	Prisons ^b	1 per cell		1 per cell		1 per 15	1 per 100	1 service sink
		I-3	Reformatories, detention centers and correctional centers ^b	1 per 15		1 per 15		1 per 15	1 per 100	1 service sink
			Employees ^b	1 per 25		1 per 35		—	1 per 100	—
I-4	Adult day care and child care	1 per 15		1 per 15		4 =	1 per 100	1 service sink		
6	Mercantile	M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500		1 per 750		—	1 per 1,000	1 service sink ^g

**[P] Table 2902.1 – continued
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS ^h (URINALS SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS OR SHOWERS	DRINKING FOUNTAINS ^{e,f,i} (SEE SECTION 410.1 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				Male	Female	Male	Female			
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit	—	1 service sink
		R-2	Dormitories, fraternities, sororities and boarding house (not transient)	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		R-2	Apartment house	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	—	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units		
7	Residential	R-3	One- and two family dwellings	1 per dwelling unit	1 per 10	1 per dwelling unit	—	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per dwelling unit		
		R-3	Congregate living facilities with 16 or fewer persons	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink		
		R-4	Congregate living facilities with 16 or fewer persons <u>Residential care/assisted living facilities</u>	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink		
8	Storage ^{l,k}	S-1 S-2	Structures for the storage of goods, warehouses, storehouses and freight depots, low and moderate hazard	1 per 100	1 per 100	See Section 411 of the International Plumbing Code	1 per 1,000	1 service sink		

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by this code.
- b. Toilet facilities for employees shall be separate from facilities for inmates or care recipients.

- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units shall be permitted where such room is provided with direct access from each patient sleeping unit and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. The minimum number of required drinking fountains shall comply with Table 2902.1 and Chapter 11.
- f. Drinking fountains are not required for an occupant load of 15 or fewer.
- g. For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.
- h. Structures used for people awaiting transportation, such as transit centers, shall not be required to install plumbing facilities when the following conditions occur:
 - 1. No employees or security personnel remain on the premises unless in transit or providing temporary maintenance.
 - 2. The structure is an open-air structure with no enclosing walls.
 - 3. The structure is only intended to shelter people awaiting transportation.
- i. Buildings where water is served from bottled water coolers or buildings having an occupant load of less than 30 shall not be required to provide drinking fountains.
- j. Self-storage warehouses containing only unoccupied rental units for storing personal possessions and that are vehicle access buildings may waive the restroom requirement when the property has an office with available restroom facilities on site.
- k. Warehouses and parking garages that are dedicated to a building on site, with a path of travel to available restroom facilities located within 500 feet, and located on the same property shall be permitted to waive the restroom requirement.

~~2902.3.4 Pay facilities.~~ ~~Where pay facilities are installed, such facilities shall be in excess of the required minimum facilities. Required facilities shall be free of charge.~~

2902.6 Fixture types. All water closets shall be either a dual flush or a high efficiency water closet. For males, when more than one water closet is required, 50% of the water closets shall be urinals. Urinals shall be of the non-water type or high efficiency urinals.

CHAPTER 30

ELEVATORS AND CONVEYING SYSTEMS

3001.1 Scope. This chapter governs the design, construction, installation, *alteration* and repair of elevators and conveying systems and their components.

The *building official* shall have the authority to adopt and enforce rules and regulations to administer the provisions of this chapter. Such rules and regulations may include, but shall not be limited to, establishing qualifications and other requirements for approval and registration of an approved agency, providing frequency of inspections, and providing for formats of reports, inspection checklists, and other required documents.

The *building official* shall issue such notices or orders as may be necessary to remove illegal or unsafe conditions, to secure necessary safeguards during construction, to enforce compliance with this chapter, to receive required applications, to issue permits and serial numbers, and to furnish the prescribed certificates.

3001.2 Referenced standards. ~~Except as otherwise provided for in this code, the design, construction, installation, *alteration*, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A17.1/CSA B44, ANSI 17.3, ASME A10.4, ASME A90.1, ASME B20.1, ALI ALCTV, and ASCE 24 for construction in *flood hazard areas* established in Section 1612.3.~~ **State/ASME/ANSI Standards.** Except as otherwise provided in this chapter, all elevators, dumbwaiters, escalators, moving walks, inclined stairway chairlifts, wheelchair lifts and alterations to such conveyances and the installation thereof shall conform to the requirements of the standards adopted in Chapter 754 of the Texas Health and Safety Code and the standards adopted thereunder by the Texas Commissioner of Licensing and Regulation. The term "Elevator Safety Code" as used in this code shall mean the foregoing state-adopted standards. Manlifts and alterations and installations thereof shall conform to the Safety Standards for Manlifts, American National Standards Institute, Publication No. ANSI A90.1, and the term "Manlift Safety Code" as used in this code shall mean the said publication. Personnel hoists and alterations and installations thereof shall conform to the Safety Requirements for Personnel Hoists, American National Standards Institute, Publication No. ANSI A1034, and the term "Personnel Hoist Safety Code" as used in this code shall mean the said publication.

3001.2.1 Adoption of state standards. Notwithstanding any provision of this code that may be construed to the contrary, it is the express intent of this jurisdiction that this code be construed as establishing standards of inspection and certification of elevators, escalators, and related equipment and standards for elevator inspection personnel that are no less stringent in any respect than those adopted in or pursuant to Chapter 754 of the Texas Health and Safety Code, which state standards and any amendments hereafter made thereto are adopted and incorporated into this code by reference. To the extent of any inconsistency between the state standards and the other provisions of this code, the more stringent provisions shall apply.

3001.4 Change in use. A change in use of an elevator from freight to passenger, passenger to freight, or from one freight class to another freight class shall not be made without the approval of the *building official*. Said approval shall be granted only after it is demonstrated that the

installation conforms to the requirements of the Elevator Safety Code ~~comply with Section 8.7 of ASME A17.1/CSA B44.~~

3001.5 Definitions. For purposes of this chapter, certain terms are defined in the Elevator Safety Code and read as follows:

ANSI ASME CODE is the current ASME/ANSI A17.1 Safety Code for Elevators and Escalators, an American National Standard published by the American Society of Mechanical Engineers. See Section 3001.2.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved.

AUTHORIZED COMPANY is an established and registered company regularly engaged in the installation or repair of elevators, escalators, dumbwaiters, or moving walks.

AUTHORIZED INSPECTOR is an inspector who is qualified as QEI-1 and is registered with the *building official*.

CERTIFYING ORGANIZATION is an independent organization that is competent, and widely recognized to accredit elevator inspectors and that has been approved by an organization that is nationally recognized and is approved or recognized by the department as competent to certify elevator inspectors.

MANLIFT is a device consisting of a power-driven endless belt provided with steps or platforms and handholds attached to it for transportation of personnel from floor to floor.

PERSONNEL HOIST is a special-purpose elevator or hoist erected outside a building or structure for transporting workers or materials in connection with the construction, alteration, maintenance or demolition of a building, structure, or other works.

WHEELCHAIR LIFT is a vertical wheelchair lift or an inclined wheelchair lift as governed by the Elevator Safety Code, whether of a public building or residential type.

3002.3 Emergency signs. An *approved* pictorial sign of a standardized design shall be posted adjacent to each elevator call station on all floors instructing occupants to use the *exit stairways* and not to use the elevators in case of fire. The sign shall read: ~~IN CASE OF FIRE EMERGENCY, DO NOT USE ELEVATOR. ELEVATORS ARE OUT OF SERVICE. USE EXIT STAIRS.~~ The lettering shall be at least ½ inch block letters on a background of contrasting color so that the lettering is clearly visible.

Exceptions:

1. ~~_____ The emergency sign shall not be required for elevators that are part of an *accessible means of egress* complying with Section 1007.4.~~
2. _____ The emergency sign shall not be required for elevators that are used for occupant self-evacuation in accordance with Section 3008.

3002.9 Elevator pits. All elevator pits shall be provided with a sump pump as per ASME 17.1. The sump pump shall be discharged to the sanitary sewer.

[F] 3003.3 Standardized firefighter's service elevator keys. All elevators shall be equipped to operate with a standardized firefighter's service elevator key in accordance with the *International Fire Code*.

3005.1 General. Elevators, escalators, dumbwaiters, manlifts, moving walks, conveyors, inclined stairway chairlifts, wheelchair lifts, vertical reciprocating conveyors, personnel hoists and material hoists shall comply with the provisions of Sections 3005.2 through 3005.4.

3005.3 Vertical reciprocating conveyors. Vertical reciprocating conveyors shall be installed to comply with ASME B20.1. An installation permit is required before the installation of any vertical reciprocating conveyor. The fees shall be as required for elevators (see the city fee schedule for fees). A one-time final inspection report must be submitted to the *building official* by an approved inspection agency before the vertical reciprocating conveyor is put into operation. The building owner or owner's representative shall be responsible for the safe operation and maintenance of the vertical reciprocating conveyor. Conveyors and conveying systems shall comply with ASME B20.1.

~~**3005.3.1 Enclosure.** Conveyors and related equipment connecting successive floors or levels shall be enclosed with *shaft enclosures* complying with Section 713.~~

~~**3005.3.2 Conveyor safeties.** Power operated conveyors, belts and other material-moving devices shall be equipped with automatic limit switches which will shut off the power in an emergency and automatically stop all operation of the device.~~

3005.5 Escalator skirt deflector devices.

3005.5.1 Purpose. The purpose of this section is to improve the overall safety of escalators located within the jurisdiction by establishing provisions for the installation of escalator skirt deflector devices on new and existing escalators.

3005.5.2 Definitions.

ESCALATOR SKIRT DEFLECTOR DEVICE shall mean a device that reduces the risk of objects coming into contact with the skirt.

INSTALLATION DATE, for the purposes of this section only, shall be the date the permit was obtained for installation.

3005.5.3 Compliance program. All escalators installed on or after October 21, 2001, shall be equipped with escalator skirt deflector devices or equivalent protection in accordance with ASME A17.1 Safety Code for Elevators and Escalators. The owners of existing buildings in which one or more escalators were installed prior to October 21, 2001, shall have skirt deflector devices or equivalent protective equipment installed on all escalators no later than January 1, 2011.

3005.5.4 Approval. The *building official* shall have the authority to adopt and enforce rules and regulations to administer approval of the design, construction, configuration and installation of skirt deflector devices for use in this jurisdiction. The *building official* shall promulgate such rules and regulations.

3005.5.5 Technical requirements. Escalator skirt deflector devices shall be installed in accordance with the deflector device manufacturer's recommended installation instructions and the ASME A17.1 Safety Code for Elevators and Escalators.

3006.2 Venting. Elevator machine rooms that contain solid-state equipment for elevator operation shall be provided with an approved independent ventilation or air-conditioning system to protect against the overheating of the electrical equipment. The system shall be capable of maintaining temperatures within the range established for the elevator equipment.

3006.5 Shunt trip. Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, ~~Section 21.4, Elevator Shutdown~~, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.

3006.5.1 Delay. Upon activation of the heat detector used for elevator power shutdown, there shall be a delay in the activation of the power shunt trip. This delay shall be the time that it takes the elevator cab to travel from the top of the hoistway to the lowest recall level.

SECTION 3009 **ELEVATORS FOR HIGH RISE BUILDINGS**

3009.1 Elevators. Elevators and elevator lobbies for high rise buildings shall comply with the provisions in this section and the other provisions of this chapter.

1. A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators that respond to a single call button constitute a bank of elevators. There is no limit on the number of cars that may be in a bank or group, but there may not be more than four cars within a common hoistway. Hoistways shall be separated by a two-hour fire resistive separation.
2. Each elevator lobby shall be provided with at least two approved listed smoke detectors located on the lobby ceiling, one positioned at each opening into the lobby other than elevator door entrances, or at least one approved listed smoke detector with alarm verification sequence per NFPA 72. When two detectors, each on a separate initiating circuit, or one alarm sequence verification detector on the same initiating circuit, are activated, elevator cars shall return to a floor providing direct egress from the building (or to a transfer floor if the cars do not serve an egress floor), and the elevator doors shall open to permit egress of passengers. In the event of a failure of normal electrical service, the standby power system shall have sufficient capacity to return all elevators to the floor of egress on an automatic or manual selective program of one elevator in each bank of elevators simultaneously. If the return system is manually actuated, an alarm system shall be provided to summon assistance.

NOTE: Banks of elevators not deactivated by the products of combustion detectors shall remain in normal operation. In the event of a fire on the lowest terminus floor, the elevator call shall stop on a floor above the floor of fire involvement.
3. Elevator hoistways shall not be vented through an elevator machine room.

4. An elevator lobby is defined as that portion of a corridor or space within 10 feet of an elevator entrance door. Buildings having banks of elevators serving more than two floors that terminate on an upper floor (sky lobbies) and do not return to a floor level providing direct egress from the building shall have elevator lobbies with a corridor directly connected to an exit stairway. The sky lobbies and connecting corridors shall be separated from the remainder of the building by a two-hour fire resistive occupancy separation.
5. When elevators are returned to the floor of egress due to the activation of the fire detection system, the elevator doors shall open for egress and the elevator shall be shut down. Door open buttons in each car shall remain active. Under this circumstance, facilities shall be provided to permit the operation of any one elevator in an elevator bank by the fire department through the use of a "firefighter's service key." The selected elevator shall be manually operated.
6. Elevators serving below the flood plane for the building shall have a water sensor installed in the hoistway below the lowest landing that the elevator serves to prevent the elevator from descending into a flooded area.

SECTION 3010 **PERMITS, CERTIFICATES OF INSPECTION**

3010.1 Construction permits.

3010.1.1 General. A separate permit shall be required before erecting or constructing any new elevator, dumbwaiter, escalator, manlift, moving walk, vertical reciprocating conveyor, inclined stairway chairlift, personnel hoist or wheelchair lift, or relocating such existing equipment. The installer of the equipment shall submit an application for such permit accompanied by plans and specifications in duplicate, in such form as the *building official* may prescribe. When such plans and specifications indicate compliance with this chapter and other provisions of this code, and the fees specified in the city fee schedule have been paid, the *building official* shall issue a construction permit. The plans and specifications shall be stamped "Approved" when the *building official* issues a construction permit where plans are required. Such approved plans and specifications shall not be changed, modified or altered without authorization from the *building official*, and all work shall be done in accordance with the approved plans.

3010.1.2 Notification of completion. It shall be the duty of each person installing, relocating or altering such conveyances to notify the *building official* in writing, at least seven days before completion of the work, and to subject the new, moved or altered portions of the equipment to the acceptance test required by the Elevator Safety Code, Manlift Safety Code or Personnel Hoist Safety Code, as applicable, to show that such equipment meets the requirements specified before placing the equipment into service.

3010.1.3 Acceptance inspections. All acceptance inspections shall be performed by the *building official* or an approved agency.

3010.2 Operating permits.

3010.2.1 General. An operating permit shall be issued by the *building official* for an elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift or wheelchair lift within 10 days following the receipt of an inspection report indicating compliance with this chapter and applicable safety codes and the payment of the fee provided in the city fee schedule.

No owner or lessee of an elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift, personnel hoist, or wheelchair lift shall suffer or permit the same to be operated by any person except under a current and valid operating permit or limited permit that has been issued for the equipment by the *building official*.

Exception: No operating permit or limited permit shall be required for the operation of the conveyance equipment if located in a Group R- 3 occupancy or in an individual dwelling unit of a Group R-2 occupancy.

The operating permit shall be issued for a period of one year and shall be valid only for the operation of the equipment at the rated load and speed for such equipment, which shall be stated on the permit. Operating permits shall not be issued for personnel hoists, which shall be subject to operation only under a limited permit.

If an inspection report required by this chapter indicates failure of compliance with applicable requirements of this chapter, or, in the case of new or altered installations, with detailed plans and specifications approved by the *building official*, the *building official* shall give written notice to the owner or lessee or the person or persons filing such plans and specifications of the deficiencies that must be cured for compliance therewith. After the equipment has been brought into conformity, the *building official* shall issue an operating permit.

3010.2.2 Annual operating permit. Permits will show the location, type, and number of units permitted.

3010.2.3 Posting of permits. Permits shall be posted in conspicuous locations that are readily accessible to the *building official*.

3010.2.4 Limited operating permit. The *building official* may issue a limited permit authorizing the temporary use of any elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift, personnel hoist or wheelchair lift for passenger or freight service during its installation or alteration.

In the case of elevators, such limited permit will not be issued until the elevator has been tested with rated load; car safety and terminal stopping equipment have been tested to determine the safety of the equipment; and permanent or temporary guards or enclosures have been placed on the car, around the hoistway and at the landing entrances on each floor. Landing entrance guards shall be provided with locks that can be released from the hoistway side only. Automatic and continuous pressure elevators shall not be placed in temporary operation from the landing push buttons unless door-locking devices and/or interlocks required by the Elevator Safety Code are installed and operative. All tests required by this paragraph and reports thereof must indicate compliance with all applicable provisions of the Elevator Safety Code before a temporary permit will be issued.

For personnel hoists, a limited permit will not be issued until the hoist has been inspected in accordance with the Personnel Hoist Safety Code and has been determined to be in compliance therewith.

3010.2.5 Life of limited permits. Limited permits shall be issued in the same manner as operating permits, provided that they shall be valid for a period not to exceed 90 days. However, any equipment being operated pursuant to a limited permit shall be inspected at intervals not exceeding 30 days by the *building official* or an approved agency.

3010.2.6 Posting of limited permits. Each limited permit shall be conspicuously posted at a place that is near to or visible from each entrance to permitted equipment, and the

limited permit shall also include a statement that the equipment has not been finally approved.

3010.2.7 Responsibility. The person installing, relocating, or altering any equipment operating under a limited permit shall be responsible for its operation and maintenance and for all required tests and inspections until the operating permit has been issued by the *building official*.

The owner or owner's representative shall be responsible for the safe operation and proper maintenance of such equipment after the operating permit has been issued and during the period of effectiveness of any limited permit. The owner or owner's representative shall also be responsible for all initial and periodic tests required by this chapter.

3010.2.8 Special permission for employee use. Special permission may be granted by the *building official* for use of freight elevators by employees of the establishment in which they are situated if the *building official* finds that there is compliance with the requirements of Rule 207.4 of the Elevator Safety Code. The application therefor shall be made when the operating permit is requested, and the special permission, if granted, shall be noted on the operation permit. Except in accordance with the provisions of a special operating permit granted under this paragraph, it shall be unlawful for any elevator owner or other person in control of a freight elevator to suffer or permit the freight elevator to be used to carry any passengers other than as may be required to operate the elevator and to load and unload freight that is being carried upon the elevator.

3010.3 Approval of personnel hoists.

3010.3.1 General. A manufacturer, distributor, or agent who desires approval of a hoist manufactured or distributed by him or by his principal shall submit a properly completed application meeting the requirements of this section, all data as hereafter prescribed, and payment of the fee for a manufacturer's design permit as required in the city fee schedule. A manufacturer, distributor, or agent shall submit a separate application, the fee, and complete data for each model varying in tower construction, capacity, speed, or method of operation.

If the *building official* finds that the hoist meets all the requirements of this code, the Personnel Hoist Safety Code, and all other applicable statutes and ordinances, a permit shall be issued identifying the make, model, capacity, and type of tower. If the *building official* finds that the hoist does not meet the requirements of this code, the Personnel Hoist Safety Code, or any other applicable statute or ordinance, the *building official* shall so notify the applicant in writing.

Manufacturer's data that must accompany the application for approval of new hoists includes:

1. Tower stress analysis, including two copies of structural specifications, drawings, and calculations, proving that the tower and base contain the factors of safety specified in the Requirements for Personnel Hoists, ANSI A10.4.
2. A letter giving the tower serial number, if any, or model description shall accompany the specifications. Such letter shall state the maximum height, wind velocity, car speed and car capacity for which the structure is designed when subjected to strain by operation of the car safety device

and the maximum load and striking speed for which the buffers and base structures are designed.

3. A complete description as to the operation of the hoisting equipment and function of safety devices, including a schematic wiring diagram of safety and brake circuits and controller.
4. Periodic maintenance and inspection checklists, which must specify the frequency of each inspection. Among other things, those lists must include maximum safe tolerance of brake clearance, safety jaw clearance, and guide displacement. Any special tools or equipment required in making an inspection shall be shown and described on each list.
5. All data described in the above items 1, 2, 3, and 4 must be approved by a professional engineer registered in the State of Texas.

3010.3.2 Inspections. Inspections will be made at a time convenient to the *building official* or approved agency and the construction job superintendent at least monthly and at such additional frequencies, if any, as are stated in the application for the personnel hoist as approved by the *building official*. The *building official* or approved agency shall immediately and verbally notify the construction job superintendent of any defects that would make the personnel hoist unsafe for continued operation, and the construction job superintendent shall take the personnel hoist out of service immediately and correct any defect that would make the hoist unsafe prior to continued operation. All other defects shall be corrected as soon as is reasonably possible. Within 24 hours after the inspection, the *building official* or an approved agency shall confirm the findings in a written report to the construction superintendent. If the *building official* or approved agency has directed that the personnel hoist be taken out of service pending its repair, then it shall not be returned to service until the *building official* or approved agency has reinspected the equipment and determined that it may safely be returned to service.

3010.3.3 Penalties for violation.

3010.3.3.1. User. It shall be unlawful for any person knowingly to use or to suffer or permit the operation of a personnel hoist with any defect that could make it unsafe for continued operation.

3010.3.3.2. Workers. It shall be the duty of the superintendent of each construction site to ensure that in the car of each hoist on the construction site, other than approved personnel hoists operating under a limited permit, there is conspicuously posted a card, furnished by the *building official*, stating: DO NOT RIDE THIS HOIST. VIOLATORS SUBJECT TO A \$200.00 FINE--CITY OF HOUSTON. Except as provided in Section 3010.3.6 below, it shall be unlawful for any person to ride in a car that is so posted.

3010.3.4 Manlifts. Nothing in this code or in the Personnel Hoist Safety Code shall be construed to prohibit the use of a manlift during construction.

3010.3.5 Hoist cage platform size. The restrictions in the Personnel Hoist Safety Code regarding the cage platform size do not apply if the cage is equipped with an overload safety device.

3010.3.6 Material hoist. Nothing in this chapter shall prohibit the general contractor from assigning a competent attendant to ride a material hoist during the required period of its use. This attendant, when assigned, shall:

1. Prevent passengers from riding the hoist (other than the attendant);
2. Prevent overloading the hoist; and
3. Observe and report unsafe conditions to the construction superintendent.

3010.4 Tests, inspections.

3010.4.1 General. The owner or owner's representative shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator or moving walk installation and shall cause annual inspections, tests and maintenance to be made on such conveyances as required in this section.

3010.4.2 Periodic inspections and tests. Every elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift and wheelchair lift shall be periodically inspected for compliance with the requirements of this chapter and the Elevator Safety Code or Manlift Safety Code, as applicable, at intervals not exceeding 12 calendar months, provided any such inspection may be made during the month following the last calendar month during which the inspection was due. Such periodic tests shall not be required for any such equipment located in a Group R-3 occupancy or an individual dwelling unit of a Group R-2 occupancy.

3010.4.3 Load tests and inspections. Full load and safety tests shall be performed by an elevator company in the presence of the *building official* or an approved agency. Full load and safety tests and inspections shall be performed at intervals of five years for each traction-type elevator.

3010.4.4 Inspection costs. All costs of such inspections and tests shall be paid by the owner or owner's representative.

3010.4.5 Inspection reports. After each inspection, a full and correct report of such inspection shall be filed by the authorized inspector/approved agency with the *building official* within 5 days after the completion of the inspection. This report shall be in a format satisfactory to the *building official* and shall, at a minimum, indicate the name of the authorized inspector and the name of the authorized company or approved agency, the date of the inspection, the registration number of both the authorized inspector and the authorized inspecting company, the permanent identification number of the equipment inspected, name of the owner or the owner's representative and the tag number assigned by the jurisdiction to the equipment inspected. Tags and report forms shall be obtained from the *building official* by the authorized inspecting company. The report shall certify that the equipment inspected meets the requirements of this chapter and the Elevator Safety Code or Manlift Safety Code, as applicable, insofar as a thorough and diligent inspection of the equipment as installed allows. The report shall list all items that do not perform in accordance with this chapter or the said safety codes. Every report shall be signed by the persons performing the inspection and witnessing the tests, as applicable.

3010.4.6 Inspections. Inspections shall be performed and/or witnessed by certified and authorized inspection personnel of an authorized company or approved agency in accordance with criteria set forth by the jurisdiction.

3010.4.7 Registration. Each authorized inspector shall meet the qualification requirements of the certifying organization. All authorized inspectors and inspection supervisors shall be certified by an organization accredited by the certifying organization in accordance with requirements of the certifying organization and be annually registered with the jurisdiction. The business registration shall be authorization for such business

organization to perform inspections and submit inspection reports. Only inspection reports submitted by authorized companies or approved agencies shall be acceptable when applying for a certificate of inspection.

Without limiting the *building official's* requirements, each approved agency shall be required to demonstrate that it has professional errors and omissions insurance coverage with policy limits of \$500,000.00 or more, per occurrence; worker's compensation insurance coverage; and comprehensive general liability insurance coverage with policy limits of \$1,000,000.00 or more, per occurrence. The jurisdiction shall be designated as an additional insured on the liability coverage, and the coverage shall include a cross-liability endorsement and a provision for 10 days' written notice to the jurisdiction prior to any cancellation. The *building official* shall also require an indemnity and hold harmless agreement in a form approved by the City Attorney.

All coverage shall be written by an insurance firm with a rating of A or better in the most recent A.M. Best directory.

3010.4.8 Registration revocation. The *building official*, for due cause, may revoke registration of any inspecting organization or inspector. Appeals of revocations may be made to the jurisdiction through the appropriate appeals process.

3010.4.9 Delinquent inspections. Failure of the *building official* to advise the owner or owner's representative does not reduce the responsibility of the owner's or owner's representative for annual inspections or load tests as specified in Section 3010.4.2. In the event that any required report of an inspection is not filed with the *building official* by the 30th day after the final date when such equipment should have been inspected or tested, the owner of the equipment or the owner's representative shall be presumed to be in violation of the requirements of this code.

If, after a 120-day period, the owner or the owner's representative has not complied with the requirements of this chapter by providing the information required, the jurisdiction shall have the authority to assign inspection of the equipment in question to an authorized inspection organization for completion of the necessary inspections and tests. The costs of such inspections shall be borne by the owner or the owner's representative and the decision of the *building official* shall be binding on the owner or owner's representative.

3010.5 Fees for tests and inspections. Fees shall be required as set forth in the city fee schedule.

3010.6 Unsafe conditions. When an inspection reveals an unsafe condition, the inspector shall immediately file with the owner or owner's representative and the *building official* a full and true report of such inspection and such unsafe condition. If the *building official* finds that the unsafe condition endangers human life, the *building official* shall place on such elevator, dumbwaiter, escalator, manlift, moving walk, inclined stairway chairlift, wheelchair lift or personnel hoist, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner or owner's representative shall ensure that such notice of unsafe condition is legibly maintained where it was placed by the *building official*. The *building official* shall also issue an order in writing to the owner or owner's representative requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only upon authority of the *building official*.

CHAPTER 31

SPECIAL CONSTRUCTION

3103.1.1 Permit required. Temporary structures that cover an area greater than 120 square feet (11.16 m²), including connecting areas or spaces with a common *means of egress* or entrance which are used or intended to be used for the gathering together of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a *permit* from the *building official*. Temporary buildings shall be completely removed upon the expiration of the time limit stated in the permit.

Exception: A separate permit is not required for a construction trailer or shed used during the construction of a structure when a permit has been obtained for the construction work.

3104.4 ~~Reserved. Contents.~~ ~~Only materials and decorations approved by the *building official* shall be located in the *pedestrian walkway*.~~

3109.1 General. ~~Swimming pools shall comply with the requirements of Sections 3109.2 through 3109.5 the *City Code* and Chapter 757 of the Texas Health & Safety Code, and other applicable sections of this code.~~

{EDITORIAL NOTE: DELETE THE REMAINDER OF THIS SECTION IN ITS ENTIRETY.}

SECTION 3112 **DRIVEWAYS, SIDEWALKS, PARKING LOTS AND ALLEYS**

{REVIEW NOTE – SECTION 3112 IS COORDINATED WITH THE CITY ENGINEER ROW STANDARDS AND IS SUBJECT TO CHANGE.}

3112.1 Purpose. This section establishes minimum regulations governing the design and construction of driveways, sidewalks, parking lots, alleys, and paving.

3112.2 Definitions. The following words and phrases, when used in this section, have the meanings respectively ascribed to them herein:

ALLEY. A public or private right-of-way that is not used primarily for through traffic and that provides vehicular access to rear entrances to buildings or properties that front on an adjacent street.

DRIVEWAY. An approved surface on private premises that is designated for motor vehicle use and connected to the driveway approach either directly or by other improved surfaces. (For purposes of this section, the definition of private street shall be the same as the definition of driveway.)

DRIVEWAY APPROACH. An entrance to and exit from private premises that is designated for motor vehicle use and is not open for vehicle traffic except by permission of the owner of such private premises. The approach is located entirely in the right-of-way, between the edge of the roadway paving and the property line. This definition shall also include the term “driveways” as defined in the Infrastructure Design Manual.

HIGHWAY, STREET OR ROAD. A general term denoting a public way for the purpose of vehicle travel, including the entire area within the right-of-way.

INFRASTRUCTURE DESIGN MANUAL (IDM). The design manual with latest revisions at the time of permit application that sets forth the standards for infrastructure design and construction as approved by the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering.

LOADING BERTH. A space for the loading, unloading or parking of trucks and motor vehicles other than motor vehicles principally designed for passengers that complies with Section 3112.4.6 and with the requirements of Chapter 26, Article VIII, of the *City Code*.

LOCAL STREET OR ROAD. A street or road primarily intended for access to a residence, business or other abutting property.

MAJOR THOROUGHFARE. (1) A public street that is designated as a principal thoroughfare, a thoroughfare or a major collector on the most recent "Major Thoroughfare and Freeway Plan" approved by the jurisdiction's City Council; or (2) any street that is designated as an express street pursuant to Section 45-39 of the *City Code* and is shown in the "Express Street Plan" of the Traffic Engineer.

PARKING LOT. A paved, surfaced or leveled area designed and ordinarily used for accessory or public parking of motor vehicles, including commercial parking areas available for lease and leased premises available for public parking. The term shall not include parking garages.

PAVING. All firm flat surfaces made of stone, brick, concrete, or other material that are located inside private property and not defined as a driveway or parking lot.

PEDESTRIAN. Any person afoot.

RIGHT-OF-WAY. The entire area between the property boundary lines of every way (including but not limited to roads, streets, alleys, highways, boulevards, bridges, tunnels, or similar thoroughfares), whether acquired by purchase, grant, or dedication and acceptance by the jurisdiction or by the public.

ROADWAY (GENERAL). The portion of a highway, including shoulder, for vehicular use.

SIDEWALK. That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines that is intended for the use of pedestrians.

3112.3 Paving on private property. Driveways, sidewalks, patios, and other paving not located in the right-of-way, or not dedicated to the jurisdiction for purpose of sidewalk construction, shall comply with this section.

3112.3.1 Driveways. Driveways shall comply with the provisions of Section 3112.3.2 and shall connect to a driveway approach as provided in Section 3112.4.3.

3112.3.2 Paving. All other paving regulated under this section shall meet the minimum slab provisions of Section 1910 and any loads specified in Chapter 16, as applicable. These provisions shall be in addition to any standards required by Chapter 28 of the *City Code* regarding parking in yards. All paving or improved surfaces shall comply with Section 3112.6 .

3112.3.3 Parking lots. The construction of parking lots shall be as required this section and Drawings 31-01 and 31-02 of Section 3112.4.5. Parking lots shall be designed to meet the loads as specified in Chapter 16. All driveway approaches and access to the parking lot shall be approved by the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering.

3112.3.3.1 General. When an area is being developed for parking, a plan shall be prepared and submitted to the *building official* showing the boundary, entrances and exits, geometric layout of parking stalls and aisles, operating plan, drainage, and surfacing or paving. The area being developed for parking shall be surfaced with materials that will not permit wind or waterborne erosion from the area.

3112.3.3.2 Exiting from lot. When the parking lot is designed to create a one-way aisle operation, an exit shall be provided to enable the vehicle exiting to enter the street in a head-out position.

3112.3.3.3 Wheel stops. A 6-inch curb/wheel stop shall be installed not less than 2.5 feet from the right-of-way line when property is improved for vehicle use within 3 feet of the right of-way line. Barrier fencing or minimum 4-inch-diameter posts spaced not more than 3 feet apart and not less than 2 feet in height may be installed on the right-of-way line as a substitute for wheel stops. If the improved area is concrete, a permanent 6-inch curb shall be installed in lieu of wheel stops.

3112.4 Work located in the jurisdiction's right-of-way. All work in the right-of-way shall be approved by the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering. Construction or repair of any sidewalk, driveway approach, curb or gutter shall comply with this section and Chapter 40, Article III, of the *City Code* and the IDM.

3112.4.1 Jurisdiction approval of plans and specifications. No person shall construct or cause to be constructed any driveway approach, sidewalk, private street, parking lot or alley connecting private property with a public street and there shall be no fill deposited in the right-of-way without prior approval of the jurisdiction's Department of Public Works and Engineering.

3112.4.2 Plot plan. A complete site plan shall be prepared to a reasonable scale and submitted to the jurisdiction's Department of Public Works and Engineering and the jurisdiction's Department of Planning and Development showing the following information:

1. All right-of-way lines and property lines that bound the property planned for improvement.
2. Width and design of all existing driveways, driveway approaches, sidewalks, and median openings as they exist on the ground.
3. Existing conditions between the right-of-way line and the traveled roadway, including curbs, ditches, storm sewer inlets, manholes, utility boxes, utility poles, fire hydrants, trees, etc. If median islands exist, the next median opening on each side of the property and any trees within the median adjacent to the property.
4. If open ditches exist, the diameter size and invert elevation of the nearest existing culvert pipe upstream and downstream.
5. The complete intersection when property planned for improvement fronts a "T" intersecting street.
6. All existing on-site conditions with dimensions when property is being improved with add-on construction, remodeling, accessories, repairs, erection of building parking lots or any other improvements.

7. All proposed driveways and sidewalks, and the existing right-of-way conditions for a minimum fifteen feet beyond the property line on each side.

3112.4.3 Driveway approach approval. Upon receipt of an application for a driveway approach permit, the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering shall make a determination, pursuant to the guidelines set out in Section 40-86 of the *City Code*, as to whether the driveway approach applied for is necessary to provide reasonable access to the private property consistent with the safety and convenience of the public.

If after review the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering finds that the plans comply with all applicable codes and ordinances, the Office of City Engineer shall approve the plans.

3112.4.4 Sidewalks. When required by chapter 10 of the IDM, public sidewalks shall be constructed in accordance the applicable Public Works drawing number for the specified location and site conditions.

3112.4.5 Standards for design and construction. All construction regulated by this section shall be designed and constructed in accordance with the provisions of this section, including the following two-page drawing, and the IDM, latest revised edition, including the drawings therein.

1. Space Requirements for Off-street Parking (T&T Dwg. No. 2157).

3112.4.6 Loading berth. In no case shall a "back-in" loading berth be constructed on a major thoroughfare where the vehicle will use the major thoroughfare for maneuvering purposes.

Where off-street "back-out" loading berths are constructed, the loading area shall be sufficiently designed and constructed to store the commercial motor vehicle, truck-tractor, tractor, trailer or semitrailer or combination of such vehicles within private property, and no part of the vehicle shall protrude over the property line or obstruct any public street or sidewalk area in whole or in part.

The depth of the loading berth from the right-of-way line extending into the private property shall be determined based on the types of commercial vehicles using the facility.

3112.4.7 Street curb and gutter replacement. Where construction of driveway approaches and sidewalks will require the removal and replacement of curb and gutter over a continuous run in excess of 25 percent of any one block, a plan shall be submitted to the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering. In addition to all other applicable requirements in this section, the plans shall comply with the IDM.

3112.4.8 Alley paving. The requirements for paving a public alley are identical to those for paving a public street. Plan-profile type of drawings prepared by a licensed professional engineer in the State of Texas and approved by all appropriate jurisdiction departments are required. Figure 10.06-10 and 10.06-11 of the IDM will govern the design and construction of alleys. A separate paving permit issued by the jurisdiction's

Department of Public Works and Engineering and a separate paving bond will be required prior to any construction.

3112.4.9 Driveway approach drainage. In the event an existing curb-type storm sewer inlet falls within the proposed driveway approach area, a new curb-type storm sewer inlet will be required to be constructed on the nearest remaining straight curb line. The existing inlet will be converted to a flat grate-type inlet and connected to the new inlet by a concrete pipe lead of a diameter not less than the existing lead. Failure to show the existing inlets on the plot plan in no way excuses compliance with the above requirement, even though the permit may have been issued. Refer to Public Works Drawings Nos. 02632-03 and 02632- 05 of the IDM (relocation of Type B and B-B inlets).

3112.4.10 Bonded contractor. No permit shall be issued to construct, reconstruct, repair, or regrade any driveway approach, sidewalk, culvert pipe, curb or gutter within the jurisdiction unless the applicant shows evidence that he/she has secured a bond in accordance with Section 40-95 of the *City Code*.

Exception: A homeowner will be issued a permit to install culvert pipe or construct a driveway approach where no curb cut is required in accordance with jurisdiction specifications without the bond required above.

3112.4.11 Responsibility of property owners. For responsibility of property owners abutting public streets relative to construction or repair of sidewalks, driveways, driveway approaches, and culverts, see Section 40-84 of the *City Code*. For jurisdiction requirements relative to altering the grades of driveways, sidewalks, culvert pipes, curbs and gutters see Section 40-90 of the *City Code*.

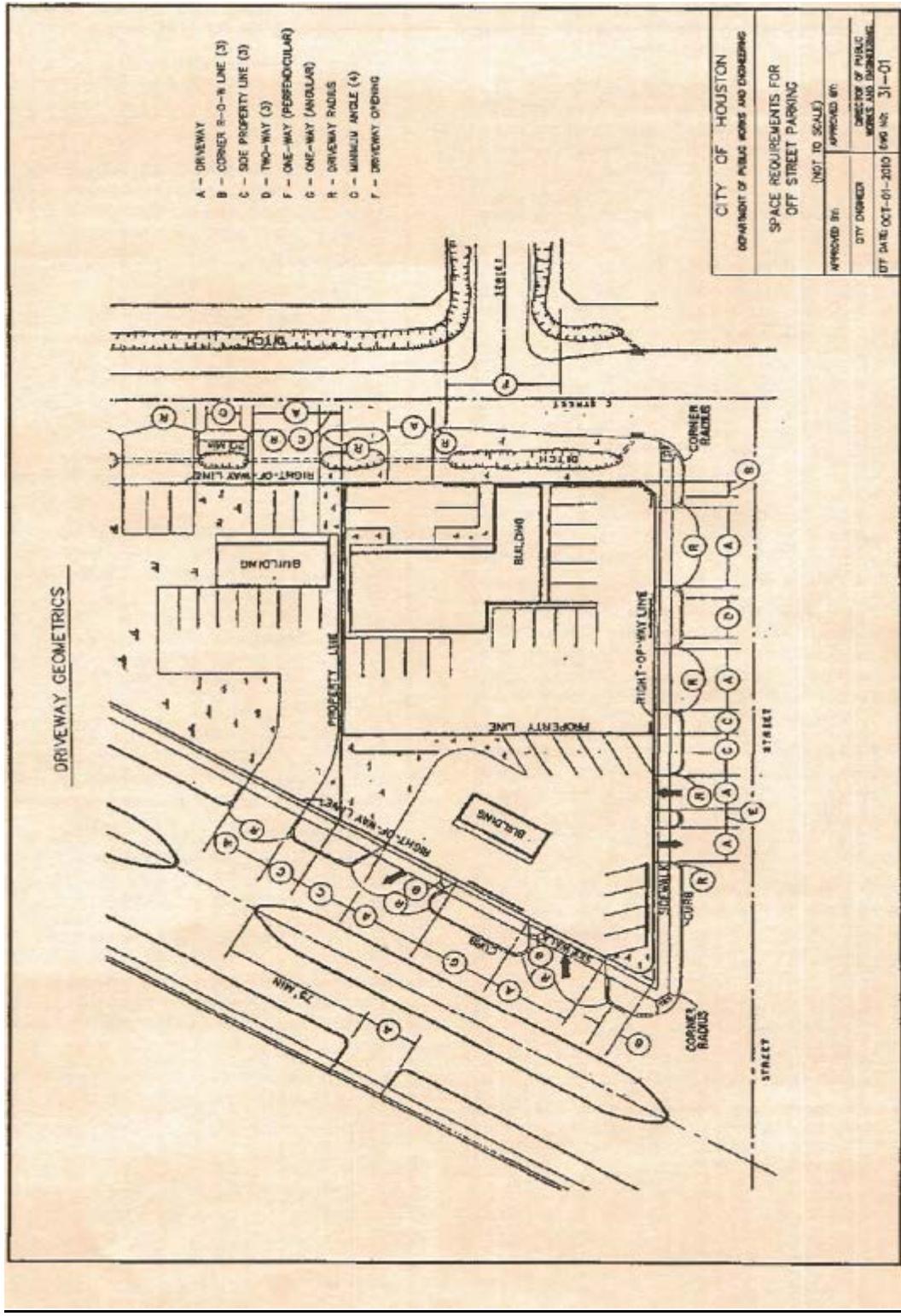
3112.4.12 Driveway approaches prohibited. Driveways approaches are prohibited within any of the following areas:

1. The areas set forth by the Texas Department of Transportation as "access denied."
2. The areas designated "access denied" on recorded a subdivision plat or another plat required to be approved by the City of Houston Planning Commission.
3. At the end of any dead-end street not terminating in a cul-de-sac or permanent turnaround and intended to be extended in the future.
4. The limits of any intersection, with the exception that special consideration will be given to major thoroughfares with existing esplanades and streets primarily used for residential use.
5. Abutting a local street where there is less than 20 feet of unobstructed depth from the right-of-way line to any obstruction. An overhead door will not be deemed as an obstruction provided that the width of the door is equal to or greater than the width of the driveway and there is also a minimum of 20 feet unobstructed depth on the private property where vehicles can be parked.
6. An area abutting a major thoroughfare where the general design of parking does not provide the necessary depth of 44 feet (13 420 mm) to allow a vehicle when exiting to enter the thoroughfare in a head-out position.
7. Any area where the jurisdiction's Department of Public Works and Engineering finds that it would not provide reasonable access to the private property consistent with the safety and convenience of the traveling public.
8. Within areas of unpaved street or alley rights-of-way, except as authorized by Section 40-340 of the *City Code*.

Where the construction of any building or structure upon a property causes a driveway to no longer comply with item 6 or 7 above, the driveway shall be removed and the area converted so that it conforms to the design of the surrounding area.

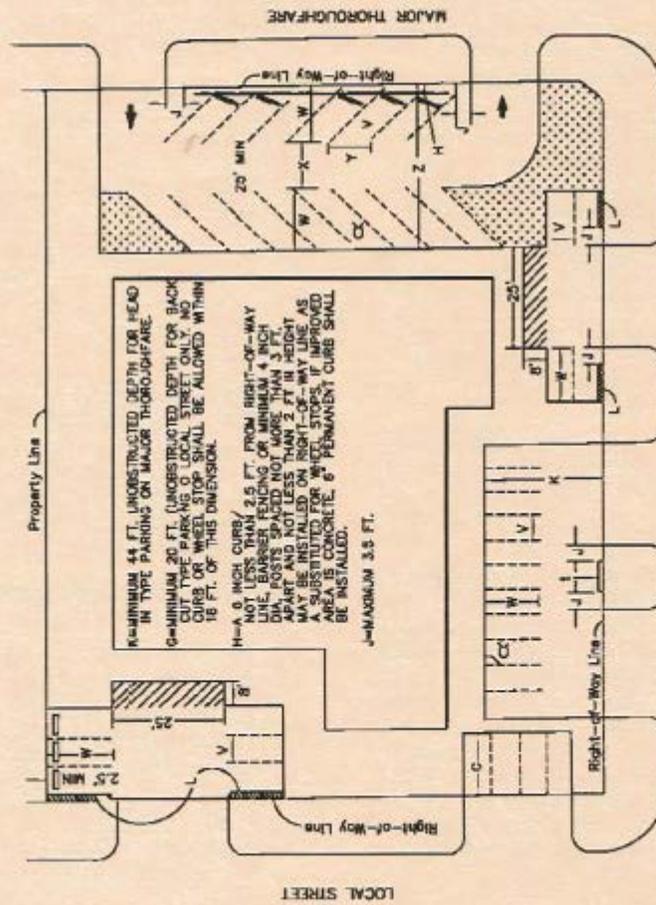
3112.5 Off-street parking. No building or structure shall be constructed, altered or moved onto any lot or building site unless off-street parking spaces are provided pursuant to the restrictions or covenants contained in or related to the subdivision plat or development plat for the property and the parking requirements established in Chapter 26 of the *City Code*.

3112.6 Drainage. All paved areas including, but not limited to, alleys, yards, courts and courtyards shall be drained into a storm sewer system where such systems are available; otherwise, they shall be drained to a place of disposal approved by the jurisdiction's Office of the City Engineer in the Department of Public Works and Engineering. For other than single family residential properties, storm water drainage shall not discharge or flow over any public sidewalk or adjoining property. When required by Chapter 9 of the IDM detention shall be required.



DRAWING 31-01
 SPACE REQUIREMENTS FOR OFF STREET PARKING

SPACE REQUIREMENTS FOR OFF STREET PARKING



Q	Angle of Parking	V	Width of Stall	W	Depth of Stall	90° to Aisle	X	Width of Aisle	Y	Width of Stall	Z	Width for 2 Rows & Aisle
45°	8.5	19.4	13.5	12.0	52.4							
60°	8.5	20.7	18.5	9.8	58.9							
75°	8.5	20.6	20.6	8.8	61.8							
90°	8.5	19.0	25.0	8.5	63.0							
45°	9.0	19.8	13.0	12.7	52.8							
60°	9.0	21.0	18.0	10.4	59.9							
75°	9.0	20.7	20.0	9.3	61.4							
90°	9.0	19.0	24.0	9.0	62.0							
45°	9.5	20.2	13.0	13.4	53.3							
60°	9.5	21.2	18.0	11.0	60.4							
75°	9.5	20.8	20.0	9.8	61.6							
90°	9.5	19.0	24.0	9.5	62.0							

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 SPACE REQUIREMENTS FOR
 OFF STREET PARKING
 (NOT TO SCALE)
 APPROVED BY: _____
 CITY ENGINEER
 DIRECTOR OF PUBLIC
 WORKS AND ENGINEERING
 OFF DATE: OCT-01-2010 (REV. NO. 31-02)

L-A 6" CURB SHALL BE INSTALLED AT THE RIGHT-OF-WAY LINE

DRAWING 31-02
 SPACE REQUIREMENTS FOR OFF STREET PARKING

CHAPTER 32

ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

{**Review Note** – Chapter 32 is coordinated with the City Engineer ROW standards and is subject to change.}

3202.1.1 Structural support. A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the *lot lines*, except that the footings of street walls or their supports which are located not less than 8 feet (2438 mm) below grade shall not project more than ~~42~~ 24 inches (~~305~~ 610 mm) beyond the street *lot line*.

3202.2 Encroachments above grade and below 8 feet in height. Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. ~~Doors and windows shall not open or project into the public right-of-way~~ Projections shall not encroach within the required width of a sidewalk.

3202.2.4 Doors. Power-operated doors and their guide rails shall not project over public property. Other doors, either when fully opened or when opening, shall not project more than 3 feet (915 mm) beyond the property line, except that in alleys no projection beyond the property line is permitted.

Exception: Doors that do not encroach within the required width of a sidewalk and that will not interfere with the sidewalk flow of pedestrian traffic as determined by the *building official*.

3202.3.1 Awnings, canopies, and marquees and signs. ~~Awnings, canopies, and marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, and marquees and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support awnings, canopies, and marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.~~

3202.3.3 Encroachments 15 feet or more above grade. ~~Encroachments 15 feet (4572 mm) or more above grade shall not be limited.~~ **Entrance-type canopy.** Entrance-type canopies may have combustible coverings supported on noncombustible frames. The lowest part of such frames shall be not less than 8 feet (2438 mm) above the grade immediately below, and the lowest part of any fringe attached to the covering shall be not less than 7 feet (2133 mm) above the grade immediately below. The horizontal clearance between the entrance-type canopy and curb line shall be not less than 2 feet (610 mm). In any case, where posts may be necessary for support at the street end of such canopies, such posts shall be installed 2 feet (610 mm) from the curb line. There shall not be any other such post on public property between these outer posts and the property line. Such canopies shall not be wider than 12 feet (3658 mm).

3202.3.4 Pedestrian walkways. The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of the applicable governing authority. ~~The vertical clearance from the public right of way to the lowest part of a pedestrian walkway shall be not less than 15 feet (4572 mm).~~

~~**3202.4 Temporary encroachments.** Where allowed by the applicable governing authority, vestibules and storm enclosures shall not be erected for a period of time exceeding seven months in any one year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street lot line. Temporary entrance awnings shall be erected with a clearance of not less than 7 feet (2134 mm) to the lowest portion of the hood or awning where supported on removable steel or other approved noncombustible support.~~

CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION

3302.2 Manner of removal. ~~Waste materials shall be removed in a manner which prevents injury or damage to persons, adjoining properties and public rights-of-way.~~ **Construction or demolishing privileges.** Earth taken from excavations and materials or rubbish taken from buildings from day to day shall not be left upon the sidewalks or streets but shall be removed as rapidly as accumulated. When such materials are dry and likely to produce a dust when handled, they shall be kept moist so as to prevent the wind blowing the same about.

3303.8 Foundation. All concrete slabs shall be removed in conjunction with the demolition of the corresponding structure.

Exception: When a written request is submitted by the applicant and approved by the *building official* to use the foundation for an alternate use.

3304.1.5 Permanent excavation. Permanent excavations shall be protected by permanent means where necessary to prevent the movement of the earth of adjoining properties. Such protection shall be provided by the person causing the excavations to be made and shall be on the property and at the expense of the person causing the excavation to be made. The *building official* may require excavations that are not otherwise protected to be protected by the construction of a substantial barricade or fence not less than 6 feet (1829 mm) in height enclosing the excavated area.

3304.1.6 Protection of adjacent property. When a lot or plot is graded to a higher or lower finished grade level than the natural grade on adjacent property, the owner of such lot or plot shall provide a retaining wall or walls on his/her own property, to protect the adjacent property from caving of earth. Approved protection shall be provided to protect the adjacent property from overflow of water.

3304.1.7 Public property. The person causing any excavation to be made shall prevent the movement of the earth of adjoining properties and the trees and natural objects thereon or therein and shall be responsible for maintaining or restoring public sidewalks, curbs and pavements, and the properties of public utilities that may be affected by the excavation. The maintenance or restoration of sidewalks, curbs and pavements shall be performed in accordance with the grades, levels and other requirements of the jurisdiction's Department of Public Works and Engineering, and the maintenance or restoration of the property of public utilities shall be in accordance with the procedures established by the owners thereof for new construction.

3304.2 Drainage. Whenever the surface of a lot or plot is excavated, filled or graded, catch basins or connected underdrains shall be installed to preclude the accumulation of surface water. Surface water shall not be drained onto adjacent property that is not in the same ownership without written permission from the owner of the adjacent property, and existing natural ground drainage of the ground area surrounding the lot or plot that is excavated, filled, or graded shall not be obstructed. No condition shall be created, nor any existing condition maintained, whereby there will be upon any lot or plot excavations, depressions, pits, holes,

gullies or other depressions that may accumulate and retain surface water. Any such condition shall be promptly abated and protected by filling in or by providing drainage as set forth above.

3307.1 Protection required. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water run-off and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the *owners* of adjoining buildings advising them that the excavation is to be made and how that the adjoining buildings will ~~should~~ be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation. Such notice shall be in writing and shall state the depth and location of the proposed excavation.

3311.4 Temporary standpipes. Temporary standpipes may be provided in place of permanent systems if they are designed to furnish a minimum of 500 gallons (1893 L) of water per minute at 50 pounds (345 kPa) per square inch pressure with a standpipe size of not less than 4 inches (102 mm). All outlets shall be not less than 2½ inches (63.5 mm). Pumping equipment sufficient to provide this pressure and volume shall be available at all times when the building reaches 150 feet (45 270 mm) above grade.

CHAPTER 34

EXISTING BUILDINGS AND STRUCTURES

SECTION 3403

ADDITIONS, ALTERATIONS AND REPAIRS

~~**3403.2 Flood hazard areas.** For buildings and structures in *flood hazard areas* established in Section 1612.3, any *addition* that constitutes *substantial improvement* of the *existing structure*, as defined in Section 202, shall comply with the flood design requirements for new construction, and all aspects of the *existing structure* shall be brought into compliance with the requirements for new construction for flood design.~~

~~— For buildings and structures in *flood hazard areas* established in Section 1612.3, any additions that do not constitute *substantial improvement* of the *existing structure*, as defined in Section 202, are not required to comply with the flood design requirements for new construction.~~

~~**3403.3 Existing structural elements carrying gravity load.** Any existing gravity load carrying structural element for which an *addition* and its related alterations cause an increase in design gravity load of more than 5 percent shall be strengthened, supplemented, replaced or otherwise altered as needed to carry the increased gravity load required by this code for new structures. Any existing gravity load carrying structural element whose gravity load carrying capacity is decreased shall be considered an altered element subject to the requirements of Section 3404.3. Any existing element that will form part of the lateral load path for any part of the *addition* shall be considered an existing lateral load carrying structural element subject to the requirements of Section 3403.4.~~

~~**3403.3.1 Design live load.** Where the *addition* does not result in increased design live load, existing gravity load carrying structural elements shall be permitted to be evaluated and designed for live loads *approved* prior to the *addition*. If the *approved* live load is less than that required by Section 1607, the area designed for the nonconforming live load shall be posted with placards of *approved* design indicating the *approved* live load. Where the *addition* does result in increased design live load, the live load required by Section 1607 shall be used.~~

~~**3403.4 Existing structural elements carrying lateral load.** Where the *addition* is structurally independent of the *existing structure*, existing lateral load carrying structural elements shall be permitted to remain unaltered. Where the *addition* is not structurally independent of the *existing structure*, the *existing structure* and its *addition* acting together as a single structure shall be shown to meet the requirements of Sections 1609 and 1613.~~

~~**Exception:** Any existing lateral load carrying structural element whose demand capacity ratio with the *addition* considered is no more than 10 percent greater than its demand capacity ratio with the *addition* ignored shall be permitted to remain unaltered. For purposes of calculating demand capacity ratios, the demand shall consider applicable load combinations with design lateral loads or forces in accordance with Sections 1609 and 1613. For purposes of this exception, comparisons of demand capacity ratios and calculation of design lateral loads, forces and capacities shall account for the cumulative effects of *additions* and *alterations* since original construction.~~

~~**3403.2 When allowed.** Additions, alterations, and repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements~~

of this code, provided the addition, alteration, or repair conforms to those required for a new building or structure.

Additions, alterations or repairs shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code, and such additions or alterations shall not cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded, will not provide adequate egress in compliance with the provisions of this code or will obstruct existing exits, will create a fire hazard, will reduce required fire resistance, or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings.

Additions, alterations or repairs shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of this code except when such addition, alteration or repair will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions, alterations, or repairs are undertaken.

Exception: Alterations of existing structural elements, or additions of new structural elements, which are not required by this code and are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure, need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced;
2. The lateral loading to required existing structural elements is not increased beyond their capacity;
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations;
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations; and
5. An unsafe condition as defined above is not created.

3403.3 5 Smoke alarms in existing portions of a building. *Where an addition is made to a building or structure of a Group R or I-1 occupancy, the existing building shall be provided with smoke alarms in accordance with ~~the Section 1103.8 of the International Fire Code.~~ Individual sleeping units and individual dwelling units in Group R and I-1 occupancies shall be provided with smoke alarms in accordance with the Fire Code.*

{EDITORIAL NOTE: DELETE SECTION 3404 IN ITS ENTIRETY.}

SECTION 3405
REPAIRS TO DAMAGED BUILDINGS

3405.2.3 Extent of repair for noncompliant buildings. If the evaluation does not establish compliance of the pre-damage building in accordance with Section 3403.2 3404.2.4, then the building shall be rehabilitated to comply with applicable provisions of this code for load combinations that include wind or seismic loads. The wind loads for the repair shall be as required by the building code in effect at the time of original construction, unless the damage was caused by wind, in which case the wind loads shall be as required by this code. Earthquake loads for this rehabilitation design shall be those required for the design of the pre-damage building, but not less than 75 percent of those prescribed in Section 1613. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.

~~**3405.5 Flood hazard areas.** For buildings and structures in *flood hazard areas* established in Section 1612.3, any *repair* that constitutes *substantial improvement* of the *existing structure*, as defined in Section 202, shall comply with the flood design requirements for new construction, and all aspects of the *existing structure* shall be brought into compliance with the requirements for new construction for flood design.~~

~~———— For buildings and structures in *flood hazard areas* established in Section 1612.3, any *repairs* that do not constitute *substantial improvement* or *repair* of *substantial damage* of the *existing structure*, as defined in Section 202, are not required to comply with the flood design requirements for new construction.~~

3408.1 Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies. Subject to the approval of the *building official*, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is equally or less hazardous, based on life and fire risk, than the existing use and meets the minimum standards of Appendix M.

~~**3409.1 Historic buildings.** The provisions of this code relating to the construction, *repair*, *alteration*, *addition*, restoration and movement of structures, and change of occupancy shall not be mandatory for *historic buildings* where such buildings are judged by the *building official* to not constitute a distinct life safety hazard. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the *building official*, provided:~~

1. The building or structure has been designated as having special historical or architectural significance by the City Council of this jurisdiction as a landmark or is a contributing structure within a historic district as designated by the City Council of this jurisdiction. The foregoing designations shall be as provided in Chapter 33, Article VII, of the *City Code*.

2. Any unsafe conditions described in this code are corrected.
3. The restored building or structure will be no more hazardous based on life safety, fire safety, and sanitation than the existing building.

~~**3409.2 Flood hazard areas.** Within *flood hazard areas* established in accordance with Section 1612.3, where the work proposed constitutes *substantial improvement* as defined in Section 202, the building shall be brought into compliance with Section 1612.~~

~~**Exception:** *Historic buildings* that are:~~

1. ~~Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places;~~
2. ~~Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or~~
3. ~~Designated as historic under a state or local historic preservation program that is *approved* by the Department of Interior.~~

{EDITORIAL NOTE: DELETE SECTION 3411 IN ITS ENTIRETY AND RESERVE.}

3412.2.1 Change in occupancy. Where an existing building is changed to a new occupancy classification and this section is applicable, the provisions of this section for the new occupancy shall be used to determine compliance with this code.

Exception: Change in occupancy in existing buildings, or portions of buildings, that comply with Appendix M.

CHAPTER 46
HOUSTON SIGN CODE

The Houston Sign Code, which is published as a separate document, constitutes Chapter 46 of this code.

[This page intentionally left blank.]

CHAPTER 62

LAKE HOUSTON STRUCTURES

SECTION 6201 PURPOSE

6201.1 General. This chapter prescribes design requirements applicable to bulkheads, piers, jetties and pontoon- or raft-type boats constructed in or on Lake Houston as allowed in Chapter 23 of the City Code.

A separate permit shall be required for each structure. In addition to the building permit, a yearly license must be obtained as required in Chapter 23, Article II, Division 2, of the City Code.

All pier, bulkhead, and jetty sites will be inspected before a permit is issued and after construction is completed and shall be subject to final inspection.

All bulkheads, jetties, and piers shall be designed by and bear the seal of a professional engineer licensed by the State of Texas.

6201.2 Existing structures. All floating structures shall be brought into conformance with the requirements of this chapter. All other structures shall be subject to the requirements of Sections 102.6.1 and 115.

6201.3 Definitions. For the purpose of this chapter, certain terms are defined as follows:

BULKHEAD. A retaining wall designed to retard erosion of and prevent the banks of a lake from sloughing off.

COMMERCIAL PIER. One or more piers, any part of which is used for any of the following:

1. Commercial boat livery.
2. Commercial fishing camp.
3. Public pier.
4. Private club.
5. A pier used by the owner(s) of two or more residential lots for access to the lake.
6. A pier at which access to the lake may be provided for the payment of an admission or membership fee.
7. A pier at which vessels are moored for money or other valuable consideration.
8. A pier at which two or more vessels that have a cab, a toilet or a sewage holding tank are moored.

JETTY. A permanent structure built into a body of water to direct the current or protect a harbor.

PIER. Any pier, wharf, boat dock, boat shed, gangway or other platform or structure in or adjoining the water to which vessels may be moored, from which vessels may be boarded, or on which persons may walk or sit.

PRIVATE PIER. A pier other than a commercial pier.

SECTION 6202
PIER CONSTRUCTION

6202.1 Pier construction. All piers shall comply with the following:

6202.1.1 Projection. No pier may project more than 30 feet past the point at which a 5-foot depth of water is encountered when the lake is at spillway level. No pier shall project so as to be closer to another property than that from which it projects, at any point on such pier. No pier may project more than one third of the distance across any body of water, inlet, bay, channel, stream, or cove. No pier may be located closer than 5 feet to an extended property line. The maximum width of a commercial pier shall not exceed 12 feet, and the maximum width of a private pier shall not exceed 8 feet.

6202.1.2 Superstructures. Piers may be provided with posts, railings and roofs, but shall be without walls of any kind whatsoever. Upper decks shall be limited to 600 square feet in total area. The total area for a superstructure, upper deck and boathouse combined shall not exceed 1300 square feet.

Exception: Enclosed storage that does not exceed 40 square feet may be provided to store fishing and boating equipment.

6202.1.3 Electric power. Electric wiring shall comply with the *Electrical Code*.

6202.1.4 Lumber. Wood piles and all lumber used in pier construction shall be pressure treated with an approved preservative.

6202.1.5 Warning devices. Amber or yellow reflectors with 3-inch-minimum-diameter lenses shall be placed on all piers and other surface installations placed in the lake. Reflectors shall be placed not more than 8 feet apart and shall be 18 inches above the water when the lake is at spillway elevation or elevation 44½ feet above mean sea level.

6202.1.6 Design requirements. Commercial piers shall be designed for at least 100 pounds per square foot live floor load. Private piers shall be designed for at least 50 pounds per square foot live floor load.

Wave action on piers shall be computed by the following formula: $P=125h^2$ (tan angle), in which the point of application is assumed to be at $\frac{3}{8}h$; P =wave pressure, in pounds per linear foot of wave or per square foot of pier area at $\frac{3}{8}h$; h =height of wave in feet (minimum for h shall be 4 feet); and angle=maximum angle between center line of pier and wave front (minimum angle is 15 degrees).

6202.1.7 Plumbing. Plumbing shall comply with the *Plumbing Code*.

6202.1.8 Alternative materials. A pier constructed of alternative materials shall meet or exceed minimum structural requirements and shall support or resist a surcharge of dead weight or load against it as outlined in Section 6202.1.6 above.

6202.2 Private piers. In lieu of the design requirements in Section 6202.1.6, private piers may be constructed as follows:

6202.2.1 Piles. The minimum diameter of a pile shall be 4 inches. Piles shall be embedded at least 30 inches in firm soil.

6202.2.2 Column action. All piles shall be braced with diagonal braces with not less than 2-inch by 4-inch lumber, pressure treated, and bolted with at least ½-inch galvanized bolts. Two bents (set of diagonal braced piles) in any pier shall be connected with X braces.

6202.2.3 Framing. Ledgers shall be at least 2-inch by 6-inch nominal in size and shall be bolted with at least two ½-inch galvanized bolts.

6202.2.4 Stringers. Stringers shall be at least 2-inch by 8-inch nominal in size and spaced no more than 3 feet on center.

6202.2.5 Decking. Decking must not be less than 2 feet above 44½ feet elevation. Nominal size planks shall not be less than 2-inch by 6-inch No. 2 grade, spaced not less than ¼ inch and not more than 1 inch apart, nailed with at least two 16d galvanized nails at each bearing.

SECTION 6203 **FLOATING PIERS**

6203.1 Floating piers. The provisions of this section shall not apply to canoes, row boats, sail boats and other boats having a single hull. All floating piers, rafts, houseboats and other structures in use on the waters of Lake Houston shall comply with applicable requirements of Section 6202.2 and the following:

6203.1.1 Flotation. Flotation shall be by properly sealed barrels, drums, tanks or pontoons constructed of marine plywood, cypress, redwood, fiberglass, foam plastic or metal. Ferrous metals shall be covered with a marine rust-resistant coating.

6203.1.2 Fasteners. All barrels, drums, tanks or pontoons used as floats shall be secured in place by means of steel straps, bolts, welds or other fasteners of similar strength and permanency. All fasteners, including bolts, nails and screws used in the floats shall be coated with rust-resistant marine coatings. No strap shall be less than 16 U.S. gauge in the least dimension.

6203.1.3 Steel framing. Steel framing members shall meet the requirements of Chapter 22. All steel fasteners shall be covered with a marine rust-resistant coating or be galvanized.

6203.1.4 Wood framing. All timber shall be redwood, cypress, or any other wood that has been pressure treated against decay. The least dimension of a beam or girder shall be 4 inches in width, and the depth shall not be less than 8 inches.

6203.1.5 Flooring. Flooring shall be at least 2 inches nominal thickness and shall be cypress, redwood, or any other wood that has been pressure treated against decay.

Exception: Marine or exterior-grade plywood, ¾ inch minimum, may be used for flooring if it meets the requirements of Chapter 23.

6203.1.6 Fasteners. All fasteners shall be galvanized or coated with a rust-resistant marine material.

6203.1.7 Superstructures. Rooms, cabins, houses and roofs above the platform level shall meet the requirements of Chapters 22 and 23.

6203.1.8 Projection. Notwithstanding Section 6202.1.1, floating piers shall not exceed 300 square feet in total area, with a minimum width of 8 feet and a maximum width of 12 feet.

SECTION 6204
BULKHEAD CONSTRUCTION

6204.1 Bulkhead construction. Bulkheads shall be constructed of wood, steel, concrete or aluminum. All wood used in construction of bulkheads shall be pressure treated with an approved preservative.

All private bulkheads shall be constructed on private property. This chapter shall not prohibit the city from constructing or causing to be constructed retaining walls or bulkheads where there is a hazard to life, limb or property or where there is evidence of pollution on the lake.

6204.2 Wood bulkheads. All bulkheads shall be designed by and bear the seal of a professional engineer licensed by the State of Texas and shall comply with the following.

6204.2.1 Piles. The minimum diameter of a pile shall be 5 inch tops. Piles shall be embedded a minimum of 5 feet into firm soil. Piles shall be 1 inch larger in diameter and shall be embedded 1 foot deeper for each 5 feet above ground. Piles shall not be spaced further apart than 6 feet center to center.

6204.2.2 Horizontal members. Horizontal members shall be of at least 3-inch by 8-inch lumber. Two horizontal members are required for piles less than 5 feet above natural ground. Three horizontal members are required for piles over 5 feet above natural ground. Horizontal members shall be attached to the wood piles with not less than ½-inch galvanized bolts, washers and nuts, or not less than two 60d common galvanized nails.

6204.2.3 Vertical members. Vertical members shall be of at least 2-inch by 6-inch nominal lumber. All vertical members shall be embedded a minimum of 3 feet into firm soil. Cracks between members shall not exceed ⅛ inch. Vertical members shall be attached to each horizontal member with not less than two 16d common galvanized nails.

6204.2.4 Anchors. Anchors shall be at least 8 inches wide and not less than 4 feet in length and shall be embedded into firm soil a minimum of 30 inches. All piles shall be secured to an anchor. Not more than three piles shall be secured to any one anchor. Anchor ties shall be a minimum of ½-inch galvanized cable with two galvanized clamps on each end or a minimum size ½-inch rod secured to the bulkhead and anchor. Other types of anchors may be used when approved by the *building official*.

6204.3 Concrete bulkheads. Concrete bulkheads shall comply with the following:

6204.3.1 General. All concrete bulkheads shall be of at least four and one-half sack mix and test a minimum of 2500 lbs./in.² at 28 days. The bulkhead shall be embedded a minimum of 36 inches into firm soil and shall not extend more than 30 inches above the grade of the fill behind the bulkhead. The width of the concrete shall be a minimum of 10 inches for the part below grade and at least 6 inches for the part above grade.

6204.3.2 Reinforcing. Reinforcement shall consist of reinforcing steel rods of at least No. 3 size placed every 18 inches vertically and every 18 inches horizontally. All intersecting steel shall be securely tied or welded to ensure position in the foundation.

6204.3.3 Anchors. If anchors are used, they must be of an approved type.

6204.4 Steel sheet pile bulkheads. Steel sheet pile bulkheads shall comply with the following:

6204.4.1 General. Steel shall meet standards of ASTM A 245. All piles shall be of not less than No. 12 gauge. The depth of crimp shall not be less than 1½ inches and the width of the crimp shall not be less than 3½ inches. Piles shall not have less than 1 inch crimped interlocks along both vertical sides. Finished pile width shall not be less than 12 inches. Piles shall be embedded not less than 4 feet into firm soil and shall not extend more than 30 inches above grade. A form-fitting driving head or sheet driver shall be used to prevent pile damage.

6204.4.2 Anchors. If anchors are used, they shall be of an approved type.

6204.5 Alternative materials. A bulkhead constructed of alternative materials shall meet or exceed minimum structural requirements according to accepted engineering practices and shall support or resist a surcharge of dead weight or load against it, as is necessary for it to retain. The alternative material shall also be non-polluting and non-corrosive.

SECTION 6205 **JETTY CONSTRUCTION**

6205.1 Jetty construction. Jetties may be built wherever a need is determined by and with the written authorization of the Director of Public Works and Engineering. Jetties must be constructed utilizing one of the approved types of bulkheads listed in Section 6204.

[This page intentionally left blank.]

APPENDIX E

{EDITORIAL NOTE: DELETE ENTIRE APPENDIX E (SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS) AND REPLACE WITH THE FOLLOWING.}

EXCAVATION AND GRADING

SECTION E101 PURPOSE

E101.1 General. The purpose of this appendix is to safeguard life, limb, property, and the public welfare by regulating grading on private property.

SECTION E102 SCOPE

E102.1 General. This appendix sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction.

SECTION E103 PERMITS REQUIRED

E103.1 Permits required. Except as specified in Section E103.2, no person shall do any grading without first having obtained a grading permit from the building official.

E103.2 Exempted work. A grading permit is not required for the following if they meet the definition of regular grading:

1. When approved by the building official, grading in an isolated, self-contained area where there is no danger to private or public property.
2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1524 mm) after the completion of such structure.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, tunnels, or utilities.
6. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations under the direction of soil engineers or engineering geologists.

8. An excavation that: (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1½ units horizontal (66.7% slope).
9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course.

Exemption from the 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.

E103.3 State and federal requirements. This appendix is cumulative of all state and federal laws and regulations, including, but not limited to, Chapter 756 of the Texas Health and Safety Code and regulations issued thereunder and the Occupational Safety and Health Administration standards. No provision of this appendix nor any permit issued hereunder shall be construed to authorize any work to be performed in a manner inconsistent with state or federal requirements. It is the responsibility of the permit holder to ensure compliance therewith.

SECTION E104 **HAZARDS**

E104.1 General. Whenever the building official determines that any existing excavation, embankment, or fill on private property has become a hazard to life and limb, endangers property, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner or agent in control of the property upon which the excavation or fill is located, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code.

SECTION E105 **DEFINITIONS**

E105.1 General. For the purposes of this appendix, the definitions listed hereunder shall be construed as specified in this section.

APPROVAL. Official acknowledgment from the building official that the proposed work or completed work conforms to this chapter.

AS-GRADED. The extent of surface conditions on completion of grading.

BEDROCK. In-place solid rock.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

BORROW. Earth material acquired from an off-site location for use in grading on a site.

CIVIL ENGINEER. A professional engineer registered with the State of Texas to practice in the field of civil works.

CIVIL ENGINEERING. The application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.

COMPACTION. The densification of a fill by mechanical means.

EARTH MATERIAL. Any rock, natural soil or fill or any combination thereof.

ENGINEERED GRADING. Any grading in excess of 1,000 cubic yards.

ENGINEERING GEOLOGIST. A geologist experienced and knowledgeable in engineering geology.

ENGINEERING GEOLOGY. The application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The mechanical removal of earth material.

FILL. A deposit of earth material placed by artificial means.

GEOTECHNICAL ENGINEER. See "soils engineer."

GRADE. The vertical location of the ground surface.

Existing Grade. The grade prior to grading

Finish Grade. The final grade of the site that conforms to the approved plan.

Rough Grade. The stage at which the grade approximately conforms to the approved plan.

GRADING. Any excavating or filling or combination thereof.

KEY. Designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

PROFESSIONAL INSPECTION. The inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

REGULAR GRADING. Any grading less than or equal to 1,000 cubic yards.

SITE. Any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE. An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL. Naturally occurring superficial deposits overlying bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER). An engineer experienced and knowledgeable in the practice of soils engineering (geotechnical engineering).

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). The application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.

TERRACE. A relatively level step constructed in the face of graded slope surface for drainage and maintenance purposes.

SECTION E106
GRADING PERMIT REQUIREMENTS

E106.1 Permits required. Except as exempted in Section E103, no person shall do any grading without first obtaining a grading permit from the *building official*. A separate permit shall be obtained for each site, and a single permit may cover both excavations and fills on one site.

E106.2 Application. The provisions of Section 105.3 are applicable to grading. Additionally, the application shall state the estimated quantities of work involved.

E106.3 Grading designation. *Grading* in excess of 1,000 cubic yards (765 m³) shall be performed in accordance with an approved *grading* plan prepared by a professional engineer licensed in the State of Texas and shall be designated as "*engineered grading*." *Grading* involving less than or equal to 1,000 cubic yards (765 m³) shall be designated "*regular grading*" unless the permittee chooses to have the *grading* performed as *engineered grading*, or the city engineer or *building official* determines that property is located in a Houston special flood hazard area as defined in Chapter 19 of the City Code, special conditions or unusual hazards exist, in which case *grading* shall conform to the requirements for *engineered grading*.

E106.4 Engineered grading requirements. Application for a grading permit shall be accompanied by two sets of plans and specifications, as well as supporting data consisting of a *soils engineering* report and *engineering geology* report. The plans and specifications shall be prepared and signed by a professional engineer licensed in the State of Texas.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall display the location of the work, the name and address of the owner, and the name of the person who prepared them.

The plans shall include the following information:

1. General vicinity of the proposed *site*.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations, or finish contours to be achieved by the *grading* and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.
5. Location of any buildings or structures on the *site* upon which the work is to be performed and the location of any buildings or structures on property adjacent to the *site* that are within 15 feet (4,572 mm) of the property or that may be affected by the proposed *grading* operations.
6. The dates of the *soils engineering* and *engineering geology* reports together with the names, addresses, and phone numbers of the firms or individuals who prepared the reports.

Recommendations included in the *soils engineering* report and the *engineering geology* report shall be incorporated in the *grading* plans or specifications. Specific recommendations

contained in the *soils engineering* report and the *engineering geology* report that are applicable to the proposed *grading* shall at minimum be included by reference in the *engineered grading plans*."

E106.5 Soils engineering report. The soils engineering report required by Section E106.4 shall include data regarding the nature, distribution, and strength of existing soils; conclusions and recommendations for grading procedures; design criteria for corrective measures, including buttress fills, when necessary; and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.

E106.6 Engineering geology report. The engineering geology report required by Section E106.4 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors.

E106.7 Liquefaction study. The *building official* may require a geotechnical investigation in accordance with Section 1802.4 when, during the course of an investigation, all of the following conditions are discovered:

1. *Shallow ground water, 50 feet (15 240 mm) or less.*
2. *Unconsolidated sandy alluvium.*
3. *Seismic Zones C and D.*

The report of the investigation shall address the potential for liquefaction.

E106.8 Regular grading requirements. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include the following information:

1. *General vicinity of the proposed site.*
2. *Limiting dimensions and depth of cut and fill.*
3. *Location of any buildings or structures on the site upon which the work is to be performed and the location of any buildings or structures within 15 feet (4572 mm) of the proposed grading.*

E106.9 Issuance. The provisions of Section 105.3 are applicable to *grading* permits. The *building official* may require that *grading* operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

The *building official* may require *professional inspection* and testing by a soils engineer. When the *building official* has cause to believe that geologic factors may be involved, the *grading* will be required to conform to the requirements for *engineered grading*.

SECTION E107 **GRADING FEES**

E107.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the city fee schedule.

E107.2 Grading permit fees. A fee for each grading permit shall be paid to the *building official* as set forth in Section 118.2.1. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

SECTION E108 **BONDS**

E108.1 Bond required. The *building official* may require bonds in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the *building official* in an amount equal to that which would be required in the surety bond.

SECTION E109 **CUTS**

E109.1 General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.

E109.2 Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

SECTION E110 **FILLS**

E110.1 General. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor fills not intended to support structures.

E110.2 Preparation of ground. Fill slopes shall not be constructed on natural slopes steeper than 1 unit vertical in 2 units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials; scarifying to provide a bond with the new fill; and where slopes are steeper than 1 unit vertical in 5 units horizontal (20% slope) and the height is greater than 5 feet (1524 mm), by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 1 unit vertical in 5 units horizontal (20% slope) shall be at least 10 feet (3048 mm) wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet (3048 mm) wide, but the cut shall be made before acceptance by the soils engineer or engineering geologist, or both, as a suitable foundation for fill and placement of the fill.

E110.3 Fill material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the *building official*, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305 mm) shall be buried or placed in fills.

Exception: The *building official* may permit placement of larger rock when the soils engineer properly devises a method of placement and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rocks of a size greater than 12 inches (305 mm) in maximum dimension shall be placed 10 feet (3048 mm) or more below grade, measured vertically.
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.

E110.4 Compaction. All fills shall be compacted to a minimum of 90 percent of maximum density.

E110.5 Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 1 unit vertical in 2 units horizontal (50% slope).

SECTION E111 **SETBACKS**

E111.1 General. Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in Figure E111.1.

E111.2 Top of cut slope. The top of cut slopes shall not be made nearer to a site boundary line than one fifth of the vertical height of cut with a minimum of 2 feet (610 mm) and a maximum of 10 feet (3048 mm). The setback may need to be increased for any required interceptor drains.

E111.3 Toe of fill slope. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the *building official* deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include, but are not limited to:

1. Additional setbacks.
2. Provision for retaining or slough walls.
3. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
4. Provisions for the control of surface waters.

E111.4 Modification of slope location. The *building official* may approve alternate setbacks. The *building official* may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

SECTION E112
DRAINAGE AND TERRACING

E112.1 General. Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provisions of this section for cut or fill slopes steeper than 1 unit vertical in 3 units horizontal (33.3% slope).

E112.2 Terrace. Terraces at least 6 feet (1829 mm) in width shall be established at not more than 30-foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris, except that where only one terrace is required, it shall be at midheight. For cut or fill slopes greater than 60 feet (18 288 mm) and up to 120 feet (36 576 mm) in vertical height, one terrace at approximately midheight shall be 12 feet (3658 mm) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36 576 mm) in height shall be designed by a civil engineer and approved by the *building official*. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5 percent and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of 1 foot (305 mm) and a minimum paved width of 5 feet (1524 mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1254.2 m²) (projected) without discharging into a down drain.

E112.3 Subsurface drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

E112.4 Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the *building official* or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of nonerosive downdrains or other devices.

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, unless waived by the *building official*.

Exception: The gradient from the building pad may be 1 percent if all of the following conditions exist throughout the permit area:

1. No proposed fills are greater than 10 feet (3048 mm) in maximum depth.
2. No proposed finish cut or fill slope faces have a vertical height in excess of 10 feet (3048 mm).
3. No existing slope faces steeper than 1 unit vertical in 10 units horizontal (10% slope) have a vertical height in excess of 10 feet (3048 mm).

E112.5 Interceptor drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above slopes toward the cut and has a drainage path greater than 40 feet (12 192 mm) measured horizontally. Interceptor drains shall be paved with a minimum of 3 inches (76 mm) of concrete or gunite and reinforced. They shall have a minimum depth of 12 inches (305 mm) and a minimum paved width of 30 inches (762 mm) measured horizontally across the drain. The slope of the drain shall be approved by the *building official*.

SECTION E113
EROSION CONTROL

E113.1 Slopes. The faces of cut and fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting. The protection for the slopes shall be installed as soon as practicable and prior to calling for final approval. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted.

E113.2 Other devices. Where necessary, check dams, cribbing, riprap, or other devices or methods shall be employed to control erosion and provide safety.

SECTION E114
GRADING INSPECTION

E114.1 General. Grading operations for which a permit is required shall be subject to inspection by the *building official*. *Professional inspection of grading operations shall be provided by the professional engineer* licensed in the State of Texas retained to provide such services in accordance with Section E114.5 for *engineered grading* and as required by the *building official* for *regular grading*.

E114.2 Civil engineer. The civil engineer shall provide *professional inspection* within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work they shall be prepared by the civil engineer.

E114.3 Soils engineer. The soils engineer shall provide *professional inspection* within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the *building official*, and the civil engineer.

E114.4 Engineering geologist. The engineering geologist shall provide *professional inspection* within such engineer's area of technical specialty, which shall include *professional inspection* of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

E114.5 Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage consultants, if required, to provide *professional inspections* on a timely basis. The permittee shall act as a coordinator among the consultants, the contractor, and the *building official*. In the event of changed conditions, the permittee shall be responsible for informing the *building official* of such change and shall provide revised plans for approval.

E114.6 Building official. The *building official* shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.

E114.7 Notification of noncompliance. If, in the course of fulfilling their respective duties under this chapter, the civil engineer, the soils engineer or the engineering geologist finds that

the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the *building official*.

E114.8 Transfer of responsibility. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept responsibility within the area of the consultant's technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the *building official* in writing of such change prior to the recommencement of such grading.

SECTION E115 **COMPLETION OF WORK**

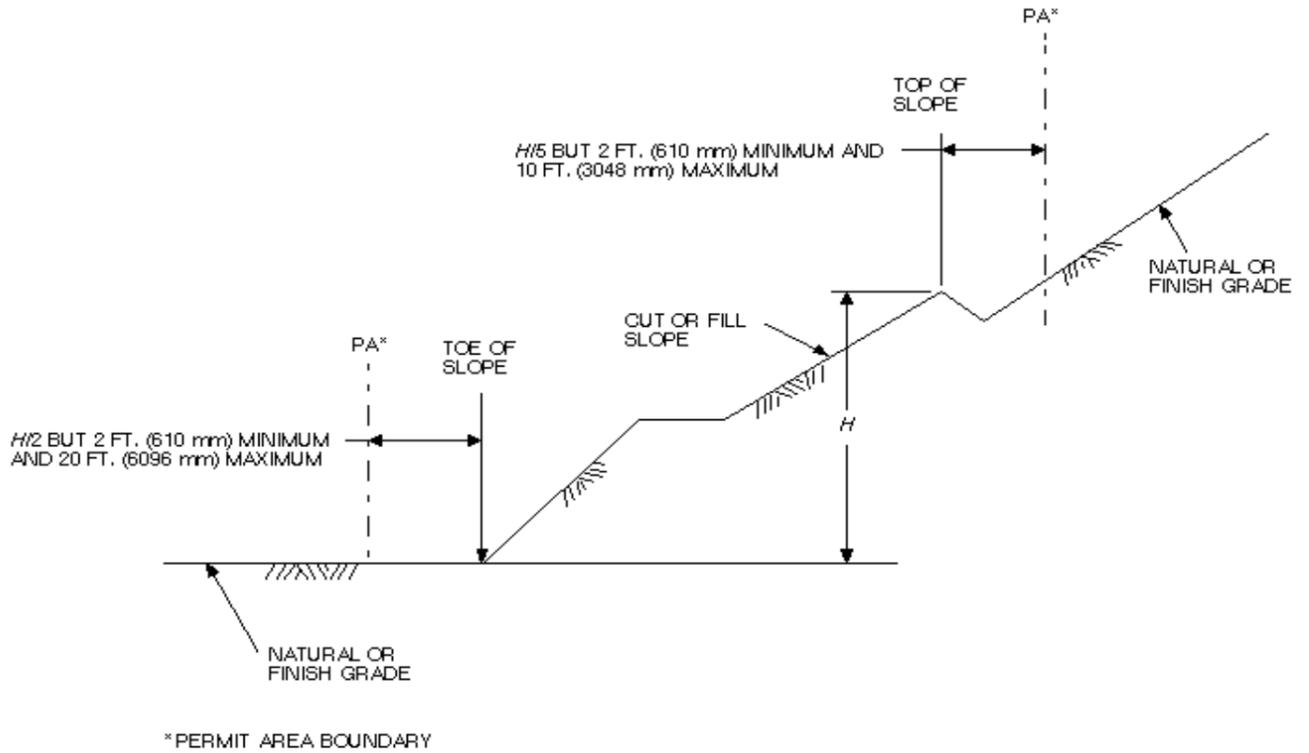
E115.1 Final reports. Upon completion of the rough *grading* work and at the final completion of the work, the following reports and drawings and supplements thereto are required for *engineered grading* or when *professional inspection* is performed for *regular grading*, as applicable.

1. An as-built *grading* plan prepared by the professional engineer licensed in the State of Texas retained to provide such services in accordance with Section E114.5 showing original ground surface elevations, *as-graded* ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the *soils engineer*. The professional engineers licensed in the State of Texas shall provide a *special inspection* report to the field inspector that states, to the best of their knowledge, the work within their area of responsibility was done in accordance with the final approved *grading* plan and applicable provisions of this chapter.
2. A report prepared by the *soils engineer* retained to provide such services in accordance with Section E114.5, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved *soils engineering* investigation report. *Soils engineers* shall provide a *special inspection* report to the field inspector that states, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved *soils engineering* report and applicable provisions of this chapter.
3. A report prepared by the *engineering geologist* retained to provide such services in accordance with Section E114.5, including a final description of the geology of the *site* and any new information disclosed during the *grading* and the effect of same on recommendations incorporated in the approved *grading* plan. *Engineering geologists* shall provide a *special inspection* report to the field inspector that states, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved *engineering geologist* report and applicable provisions of this chapter.

E115.2 Notification of completion. The permittee shall notify the *building official* when the *grading* operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control

measures have been completed in accordance with the final approved *grading plan*, and the required special inspection reports have been submitted.

Figure E111.1 – Setback Dimensions



[This page intentionally left blank.]

APPENDIX K

{EDITORIAL NOTE: DELETE ENTIRE APPENDIX K (ADMINISTRATIVE PROVISIONS) AND REPLACE WITH THE FOLLOWING.}

CONVENTIONAL LIGHT-FRAME WOOD CONSTRUCTION FOR HIGH-WIND AREAS

SECTION K101 GENERAL

K101.1 Scope. This chapter applies to regular-shaped buildings that are not more than three stories in height and are of conventional light-frame construction.

Exception: Detached carports and garages not exceeding 700 square feet (65 m²) and accessory to Group R-3 occupancies need only comply with the roof-member-to-wall-tie requirements of Section K103.8.

SECTION K102 DEFINITION

CORROSION RESISTANT or NONCORROSIVE. Refers to a material having a corrosion resistance equal to or greater than a hot-dipped galvanized coating of 1.5 ounces of zinc per square foot (4 g/m²) of surface area. When an element is required to be corrosion resistant or noncorrosive, all of its parts, such as screws, nails, wire, dowels, bolts, nuts, washers, shims, anchors, ties and attachments, shall also be corrosion resistant or noncorrosive.

SECTION K103 COMPLETE LOAD PATH AND UPLIFT TIES

K103.1 General. Blocking, bridging, straps, approved framing anchors or mechanical fasteners shall be installed to provide continuous ties from the roof to the foundation system. Tie straps shall be 1 $\frac{1}{8}$ -inch (28.6 mm) by 0.036-inch (0.91 mm) (No. 20 gage) sheet steel and shall be corrosion-resistant as herein specified. All metal connectors and fasteners used in exposed locations or in areas otherwise subject to corrosion shall be of corrosion-resistant or noncorrosive material. The number of common nails specified is the total required and shall be equally divided on each side of the connection. Nails shall be spaced to avoid splitting of the wood.

Exception: Pre-manufactured connectors that provide equal or greater tie-down capacity may be used, provided that they are installed in compliance with all the manufacturer's specifications.

K103.2 Wall-to-foundation tie. Exterior walls shall be tied to a continuous foundation system or an elevated foundation system in accordance with Section K105.

K103.3 Sills and foundation tie. Foundation plates resting on concrete or masonry foundations shall be bolted to the foundation with not less than $\frac{1}{2}$ -inch-diameter (13 mm) anchor bolts with 7-inch-minimum (178 mm) embedment into the foundation and spaced not more than 4 feet (1219 mm) on center.

K103.4 Floor-to-foundation tie. The lowest-level exterior wall studs shall be connected to the foundation sill plate or an approved elevated foundation system with bent tie straps spaced not

more than 48 inches (1219 mm) on center. Tie straps shall be nailed with a minimum of 4 ten penny nails.

K103.5 Wall framing details. The spacing of studs in exterior walls shall be in accordance with Chapter 23. Mechanical fasteners complying with this chapter shall be installed at a maximum of 32 inches (813 mm) on center as required to connect studs to the sole plates, foundation sill plate and top plates of the wall. The fasteners shall be nailed with a minimum of 8 eight penny nails.

Where openings exceed 32 inches (813 mm) in width, the required tie straps shall be at each edge of the opening and connected to a doubled full-height wall stud. When openings exceed 12 feet (3658 mm) in width, two ties at each connection or a manufactured fastener designed to prevent uplift shall be provided.

K103.6 Wall sheathing. All exterior walls and required interior main cross-stud partitions shall be sheathed in accordance with Chapter 23.

K103.7 Floor-to-floor tie. Upper-level exterior wall studs shall be aligned and connected to the wall studs below with tie straps placed a minimum of 32 inches (813 mm) on center and connected with a minimum of 6 eight penny nails per strap.

K103.8 Roof-members-to-wall tie. Tie straps shall be provided from the side of the roof-framing member to the supporting member below the roof. Tie straps shall be placed no further apart than every roof-framing member and connected with a minimum of 8 eight penny nails.

K103.9 Ridge ties. Opposing common rafters shall be aligned at the ridge and be connected at the rafters with tie straps spaced a maximum of 32 inches (813 mm) on center and connected with 8 eight penny nails.

K103.10 Gable-end walls. Gable-end wall studs shall be continuous between points of lateral support that are perpendicular to the plane of the wall. Gable-end wall studs shall be attached with approved mechanical fasteners at the top and bottom. Eight 8 penny nails shall be required for each fastener. Fasteners shall be spaced a maximum of 32 inches (813 mm) on center.

SECTION K104 **ROOFS**

K104.1 Roof sheathing. Solid roof sheathing shall be applied and shall consist of a minimum 1-inch-thick (25.4 mm) nominal lumber applied diagonally or a minimum 15/32-inch-thick (11.9 mm) wood structural panel or particle board (OSB) or other approved sheathing applied with the long dimension perpendicular to supporting rafters. Sheathing shall be nailed to roof framing in an approved manner. The end joints of wood structural panels or particle board shall be staggered and shall occur over blocking, rafters, or other supports.

K104.2 Roof covering. Roof coverings shall be approved and shall be installed and fastened in accordance with Chapter 15 and with the manufacturer's instructions.

K104.3 Roof overhang. The roof eave overhang shall not exceed 3 feet (914 mm) unless an analysis is provided showing that the required resistance is provided to prevent uplift.

The roof overhang at gabled ends shall not exceed 2 feet (610 mm) unless an analysis showing that the required resistance to prevent uplift is provided.

SECTION K105
ELEVATED FOUNDATION

K105.1 General. When approved, elevated foundations supporting not more than one story and meeting the provisions of this section may be used. A foundation investigation may be required by the *building official*.

K105.2 Material. All exposed wood-framing members shall be treated wood. All metal connectors and fasteners used in exposed locations shall be corrosion-resistant or noncorrosive steel.

K105.3 Wood piles. The spacing of wood piles shall not exceed 8 feet (2438 mm) on center. Square piles shall not be less than 10 inches (254 mm) and tapered piles shall have a tip of not less than 8 inches (203 mm). Eight-inch-square (51613 mm²) piles shall have a minimum embedment length of 5 feet (1524 mm) and shall project not more than 8 feet (2438 mm) above undisturbed ground surface. Eight-inch (203 mm) taper piles shall have a minimum embedment length of 6 feet (1828 mm) and shall project not more than 7 feet (2134 mm) above undisturbed ground surface.

K105.4 Girders. Floor girders shall consist of solid sawn timber, built-up 2-inch-thick (51 mm) lumber, or trusses. Splices shall occur over wood piles. The floor girders shall span in the direction parallel to the potential floodwater and wave action.

K105.5 Connections. Wood piles may be notched to provide a shelf for supporting the floor girders. The total notching shall not exceed 50 percent of the pile cross section. Approved bolted connections with ¼-inch (6.4 mm) corrosion-resistant or noncorrosive steel plates and ¾-inch-diameter (19 mm) bolts shall be provided. Each end of the girder shall be connected to the piles using a minimum of two ¾-inch-diameter (19 mm) bolts.

[This page intentionally left blank.]

APPENDIX L

{EDITORIAL NOTE: DELETE ENTIRE APPENDIX L (EARTHQUAKE RECORDING INSTRUMENTATION) AND REPLACE WITH THE FOLLOWING.}

LIFE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS

SECTION L101 GENERAL

L101.1 Purpose. The purpose of this appendix chapter is to provide a reasonable degree of safety to persons occupying existing buildings by providing for alterations to such existing buildings that do not conform with the minimum requirements of this code. This appendix chapter shall apply to and the term "existing building" shall be construed to mean any building existing within the corporate limits of the city on January 1, 1986, and any building annexed into the corporate limits after that date.

Exception: Group U, R-3 occupancies, and Group B, F, M, and S-1 or S-2 occupancies (other than motor vehicle repair garages) that are single-story buildings without basements.

L101.2 Compliance program. The owners of existing buildings shall apply for inspection by December 31, 1991, or one year from the date of annexation of the building into the jurisdiction, whichever is later. The *building official* shall determine the relative hazard category of each application and shall schedule inspections starting with the highest hazard category.

In situations where the jurisdiction or any other regulatory authority requires a valid certificate of occupancy prior to licensing a use and no certificate of occupancy was issued at the time of construction, a Life Safety Compliance Certificate shall satisfy the requirements for an existing building. Inspections that are required for permitting or licensing shall be given priority over other inspections provided that the applicant advises the *building official* of the need. An application for inspection under this appendix chapter shall be regarded as an application for a certificate of occupancy for purpose of Section 10-3.1 of the *City Code*, and each application must be accompanied by the affidavit specified therein.

Hazard categories (from highest to lowest group):

1. Group A, Divisions 1 and 2; Group E; Group I; Group H, Divisions 1 and 2.
2. Group A, Divisions 3, 4, and 5
3. Group R, Divisions 1 and 2; Group B, dining and drinking establishments; Group H other than Divisions 1 and 2.
4. Group B other than dining and drinking establishments and Groups F, M, and S.

The *building official* shall notify the building owner or the owner's agent of the scheduled inspections at least 30 days in advance. Within 15 days following notification of the inspection date, the owner or agent shall pay the applicable fees established in the city fee schedule. Following the inspection, the *building official* shall issue a Life Safety Compliance Certificate if there are no deficiencies. Where deficiencies are found, the owner or agent shall be advised in writing of the nature of the observed deficiencies that require correction. Such written notice shall not be construed to excuse compliance with any defects that may not have been observed or noted by the inspectors, and it shall be the duty of the owner to determine and correct all

violations of this appendix chapter. It shall be the duty of the owner or agent to bring the building into full compliance with this appendix chapter within six months from the date that notice is given of deficiencies of inspection except to the extent that an extension of time has been granted as provided in Section L109.

Promptly after the *building official's* receipt of notice from the owner that the building is in full compliance with this appendix chapter, the *building official* shall inspect the building. Upon confirmation that the building is in full compliance with this appendix chapter, the *building official* shall issue a Life Safety Compliance Certificate for the building.

L101.3 Unsafe or hazardous conditions. Any condition in a building or building system, including, but not limited to, electrical, mechanical and plumbing systems, that is found to be unsafe, unsanitary or hazardous during a life safety compliance inspection shall be corrected as a part of the owner's compliance plan.

L101.4 Alternate materials and methods. Alternate materials and methods may be used, provided such materials or methods are found by the *building official* to be, for the purpose intended, at least the equivalent of that prescribed in this chapter in suitability, strength, effectiveness, fire resistance, durability and safety. The *building official* may permit alternates in conformance with Section 104.11.

L101.5 Dangerous buildings. The provisions of this appendix chapter shall not be construed to authorize the maintenance, use or keeping of any building in such condition that it constitutes a dangerous building under the *Houston Building Standards Code*, or to excuse or extend the time given for compliance with any order issued thereunder by the hearing officer.

SECTION L102 **EXITS**

L102.1 Number of means of egress. Every floor above the first story used for human occupancy shall have at least two separate means of egress, one of which may be an exterior fire escape complying with Section L102.4. Subject to the approval of the *building official*, an approved exit ladder device may be used in lieu of a fire escape when the construction feature or location of the building on the property makes the installation of a fire escape impracticable.

Exception: In all occupancies, second stories with an occupant load of 10 or less may have one means of egress.

An exit ladder device, when used in lieu of a fire escape, shall conform with UBC Standard 10-3. The use of an exit ladder device shall be permitted under the following conditions:

1. The device shall serve an occupant load of 10 or fewer, a single dwelling, or guest room.
2. The building does not exceed three stories in height.
3. Access to the device is adjacent to an opening as specified for emergency egress or rescue from a balcony.
4. The device, when operated, shall not pass in front of any building opening below the unit being served.
5. The means of activating the device for the ladder is accessible only from the opening or balcony served.

6. The device shall be installed so that it will not cause a person using it to be within 6 feet (1829 mm) of exposed electrical wiring.

L102.2 Stair construction. All required stairs shall have a minimum run of 9 inches (229 mm) and a maximum rise of 8 inches (203 mm) and shall have a minimum width of 30 inches (762 mm) exclusive of handrails. Every stairway shall have at least one handrail. A landing having a minimum 30-inch (762 mm) run in the direction of travel shall be provided at each point of access to the stairway.

Exception: Fire escapes as provided for in this section.

Exterior stairs shall be of noncombustible construction.

Exception: On buildings of Types III, IV and V construction, provided the exterior stairs are constructed of wood of not less than 2-inch (51 mm) nominal thickness.

L102.3 Corridors. Corridors serving as an exit for an occupant load of 30 or more shall have walls and ceilings of not less than one-hour fire-resistive construction as required by this code. Existing walls surfaced with wood lath and plaster in good condition or ½-inch (12.7 mm) gypsum wallboard or openings with fixed wired glass set in metal frames are permitted for corridor walls and ceilings and occupancy separations when approved. Doors opening into such corridors shall be protected by 20-minute fire assemblies or solid wood doors not less than 1¾ inches (45 mm) thick. Where the existing frame will not accommodate a 1¾-inch-thick (45 mm) door, a 1⅜-inch-thick (35 mm) solid bonded wood-core door or equivalent insulated steel door shall be permitted. Except for Group I occupancy patient rooms, treatment rooms and emergency rooms, doors shall be self-closing or automatic closing by smoke detection. Transoms and openings other than doors from corridors to rooms shall comply with Section 714 or be covered with a minimum of ½-inch (12.7 mm) gypsum wallboard or equivalent material on the room side.

Exception: Existing corridor walls, ceilings and opening protection not in compliance with the above may be continued when such buildings are protected with an approved automatic sprinkler system throughout the floor or when such existing corridors are at least 10 feet (3048 mm) or more in width.

L102.4 Fire escapes.

L102.4.1 Use as required exit. Existing fire escapes that, in the opinion of the *building official*, comply with the intent of this section may be used as one of the required exits. The location and anchorage of fire escapes shall be of approved design and construction.

L102.4.2 General requirements. Fire escapes shall comply with the following:

1. Access from a corridor shall not be through an intervening room.
2. All openings within 10 feet (3048 mm) shall be protected by ¾ hour fire assemblies. When located within a recess or vestibule, adjacent enclosure walls shall be of not less than one-hour fire-resistive construction.
3. Egress from the building shall be by a clear opening having a minimum dimension of not less than 29 inches (737 mm). Such openings shall be openable from the inside without the use of a key or special knowledge or effort. The sill of an opening giving access shall not be more than 30 inches (762 mm) above the floor of the building or balcony.

4. Fire escape stairways and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot (4.79 kN/m²) and shall be provided with a top and intermediate handrail on each side. The pitch of the stairway shall not exceed 60 degrees with a minimum width of 18 inches (457 mm). Treads shall be not less than 4 inches (102 mm) in width and the rise between treads shall not exceed 10 inches (254 mm). All stair and balcony railings shall support a horizontal force of not less than 50 pounds per lineal foot (729.5 N/m) of railing.
5. Balconies shall be not less than 44 inches (1118 mm) in width with no floor opening, other than the stairway opening, greater than 5/8 inch (16 mm) in width. Stairway openings in such balconies shall be not less than 22 inches by 44 inches (599 mm by 1118 mm). The balustrade of each balcony shall be not less than 36 inches (914 mm) high with not more than 9 inches (229 mm) between balusters.
6. Fire escapes shall extend to the roof or provide an approved gooseneck ladder between the top floor landing and the roof when serving buildings four or more stories in height having roofs with a slope of less than 4 units vertical in 12 units horizontal (33.3 % slope). Fire escape ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot (1459 N/m); each rung shall support a concentrated load of 500 pounds (2224 N) placed anywhere on the rung. All ladders shall be at least 15 inches (381 mm) wide, located within 12 inches (305 mm) of the building and shall be placed flatwise relative to the face of the building. Ladder rungs shall be 3/4 inch (19 mm) in diameter and shall be located 12 inches (305 mm) on center. Openings for roof access ladders through cornices and similar projections shall have minimum dimensions of 30 inches by 33 inches (762 mm by 838 mm).
7. The lowest balcony shall be not more than 18 feet (5486 mm) from the ground. Fire escapes shall extend to the ground or be provided with counterbalanced stairs reaching to the ground.
8. Fire escapes shall not take the place of stairways required by the codes under which the building was constructed.
9. Fire escapes shall be kept clear and unobstructed at all times and maintained in good working order.

L102.5 Exit and fire escape signs. Exit signs shall be provided as required by this code.

Exception: The use of existing exit signs may be continued when found by the *building official* to provide adequate direction to the exits in emergency situations.

All doors or windows providing access to a fire escape shall be provided with fire escape signs.

L102.6 Exit illumination. Exits shall be illuminated as required by Section 1006.

SECTION L103 **ENCLOSURE OF VERTICAL SHAFTS**

L103.1 Enclosure of vertical shafts. Interior vertical shafts, including but not limited to stairways, elevator hoistways, and service and utility shafts, shall be enclosed by a minimum

one-hour fire-resistive construction. All openings into such shafts shall be protected with one-hour fire assemblies that shall be maintained self-closing or be automatic closing by smoke detection. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door closing devices may be permitted if the fusible link rating does not exceed 135°F (57.2°C).

Exceptions:

1. In other than Group I occupancies, an enclosure will not be required for openings serving only one adjacent floor.
2. Stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire resistive construction or approved wired-glass set in steel frames. In addition, all exit corridors shall be sprinklered, and each opening between the corridor and any occupant space shall have at least one sprinkler head above the opening on the tenant side. The sprinkler system may be supplied from the domestic water supply if of adequate volume and pressure.
3. Vertical openings need not be protected if the building is protected by an approved automatic sprinkler system.

SECTION L104
BUILDING ACCESS OR SPRINKLER PROTECTION

L104.1 Building access or sprinkler protection. An approved automatic sprinkler system shall be provided throughout a basement or a story that:

1. Exceeds 1,500 square feet (139.3 m²) in area; and
2. Does not have a minimum of 20 square feet (1.86 m²) of opening entirely above the adjoining ground level in each 50 lineal feet (15 240 mm), or fraction thereof, of exterior wall on at least one side of the building. Openings shall have a minimum clear dimension of 30 inches (762 mm).

Additionally, and notwithstanding the application of the foregoing criteria, if any portion of a basement is located more than 75 feet (22 860 mm) from required openings, the basement shall be provided with an approved automatic sprinkler system throughout. The distance of 75 feet shall be as measured in a straight line without regard to intervening walls or other objects.

Exception: Existing parking garages with no other occupancies may substitute an automatic fire alarm system utilizing "rate-of-rise" detectors when coupled with a smoke-removal system capable of six air changes per hour.

SECTION L105
STANDPIPES

L105.1 Standpipes. Any building over four stories in height shall be provided with an approved Class I or Class III standpipe system.

SECTION L106 **SMOKE DETECTORS**

L106.1 General. Day-care centers, dwelling units, and guest rooms in hotels or lodging houses that are used for sleeping purposes shall be provided with smoke detectors installed in accordance with the requirements of the *Fire Code*.

L106.2 Power source. Smoke detectors may be battery operated or may receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without disconnecting switches other than those required for over current protection.

L106.3 Location within dwelling units. In dwelling units, detectors shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each separate sleeping area. Where sleeping units are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. Detectors shall also be installed in the basements of dwelling units having stairways that open from the basement into the dwelling. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

L106.4 Location in efficiency dwelling units and hotels. In efficiency dwelling units, hotel suites and hotel sleeping units, detectors shall be located on the ceiling or wall of the main room or hotel sleeping unit. When sleeping units within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite, or sleeping unit in which it is located.

SECTION L107 **SEPARATION OF OCCUPANCIES**

L107.1 General. Occupancy separations shall be provided as specified in Section 508. When approved by the *building official*, existing wood lath and plaster in good condition or ½ inch (12.7 mm) gypsum wallboard may be acceptable where one-hour occupancy separations are required.

SECTION L108 **FIRE ALARMS**

L108.1 General. High-rise buildings as defined in Section 403 shall be equipped with an approved manual fire alarm system that will provide an audible signal at a constantly attended location within the building.

Exception: Systems that are connected to a central, proprietary, or remote station service.

SECTION L109 **EXTENSION OF TIME**

L109.1 Application. The owner of a building may apply to the *building official* for an extension of time to comply with any requirement of this appendix chapter. The owner of the building shall set forth the following information on such an application:

1. The specific requirements of this chapter for which the owner is seeking an extension of time;
2. The period of time the owner believes is necessary to meet the requirements; and
3. The reasons why the owner believes such an extension of time is necessary.

The application shall be accompanied by documents (examples of which include affidavits, photographs, receipts, loan applications, and contracts with third parties) demonstrating that the owner has made substantial and timely attempts to bring the building into full compliance with this appendix chapter.

The owner of the building shall swear to the accuracy of all facts stated in the application.

L109.2 Approval. No request for an extension of time shall be granted unless the *building official* finds that such an extension of time is reasonably necessary to perform the work and that granting such an extension of time will not result in an unreasonable risk to the safety of the occupants of the building or to others.

L109.3 Denial. If the *building official* denies any request for an extension of time under this section, the owner of the building may appeal such a decision to the General Appeals Board. If the General Appeals Board upholds the decision of the *building official* on the matter, the board's decision may be appealed to City Council, if notice of appeal, addressed to City Council, is delivered to the office of the City Secretary within 10 days of the date of the board's decision. Appeals shall be subject to City Council Rule 12 (see Section 2-2 of the *City Code*).

SECTION L110 **EXCEPTIONS**

L110.1 Application. The owner of a building may apply to the General Appeals Board for an exception from any requirement of this appendix chapter. The owner of the building shall set forth the following information on such application:

1. The specific requirements for which the owner is seeking an exception; and
2. The reasons the owner believes that an exception should be granted.

An application shall be sworn to by the owner of the building.

L110.2 Approval. No request for an exception shall be granted under this section unless the General Appeals Board finds that:

1. The application of certain requirements of this chapter is not reasonably necessary to protect the safety of the occupants of the building or other persons; or
2. Literal application of certain requirements of this chapter would have an unduly harsh impact so as to substantially destroy the value of the property to its owner after considering the totality of the circumstances.

L110.3 Denial. If the General Appeals Board denies any request for an exception under this section, the owner of the building may appeal such a decision to the City Council, if notice of the appeal, addressed to City Council, is delivered to the office of the City Secretary within 10 days of the date of the board's decision. Appeals shall be subject to City Council Rule 12 (see Section 2-2 of the *City Code*).

[This page intentionally left blank.]

APPENDIX M

{EDITORIAL NOTE: DELETE ENTIRE APPENDIX M (TSUNAMI-GENERATED FLOOD HAZARD) AND REPLACE WITH THE FOLLOWING.}

MINIMUM PROVISIONS FOR CHANGE OF OCCUPANCY

SECTION M101 **GENERAL**

M101.1 Change of occupancy. The character of the occupancy of existing buildings and structures may be changed, provided the building or structure meets the requirements of this appendix and the requirements of this code for new construction.

Every change of occupancy to one classified in a different group or a different division of the same group shall require a new certificate of occupancy, regardless of whether any alterations to the building are required by this appendix.

If the building or portion thereof does not conform to the requirements of this appendix for the proposed occupancy group or division, the building or portion thereof shall be made to conform to all requirements of this code as for new construction.

M101.2 Special uses or occupancies. Where the character or use of an existing building or part of an existing building is changed to one of the following special use or occupancy categories, the building or structure shall comply with all requirements of this code as for new construction.

1. Covered mall buildings.
2. Atriums.
3. Motor-vehicle-related occupancies.
4. Aircraft-related occupancies.
5. Motion picture projection rooms.
6. Stages and platforms.
7. Special amusement buildings.
8. Incidental use areas.
9. Hazardous materials.
10. Underground buildings.

M101.3 Hazard category classification tables. The relative degree of hazard between different occupancy groups or between divisions of the same group is set forth in the hazard category classifications in Tables M103 through M105. An existing building may have its occupancy changed to an occupancy within the same hazard group or to an occupancy in a lesser hazard group without complying with all the provisions of this code regarding Heights and Areas in Table M103, Life Safety in Table M104, and Exterior Walls in Table M105.

SECTION M102
STRUCTURAL SAFETY

M102 Vertical loads. Buildings and structures shall comply with the requirements for vertical load for new construction.

Exceptions:

1. Analysis and test methods for evaluation of existing materials may be conducted using the methods specified in the code under which the building was constructed, or other standards as approved by the *building official*.
2. Existing roofs may be retained, provided that:
 - 2.1. Any unsafe or overloaded conditions are corrected; and
 - 2.2. The roof dead load is not increased by use, reroofing or added equipment.

SECTION M103
HEIGHTS AND AREAS

M103.1 Heights and areas of buildings and structures shall meet all the requirements of this code for the new occupancy as for new construction.

Exception: Existing buildings exceeding the maximum allowable heights and areas permitted for new buildings may undergo a change of occupancy if the hazard level of the new occupancy is equal to or less than the existing hazard group as shown in Table M 103.

TABLE M103
HAZARD CATEGORIES AND CLASSIFICATIONS, HEIGHTS AND AREAS

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
1	H (highest hazard group)
2	A-1, A-2, A-3, A-4, I, R-1, R-2, R-4
3	E, F-1, S-1, M
4	B, F-2, S-2, A-5, R-3, U (lowest hazard group)

SECTION M104
LIFE SAFETY AND EXITS

M104.1 General. When a change of occupancy is made to a higher hazard group as shown in Table M104, all elements of the exit system shall comply with all of the requirements of this code as for new construction.

Exception: Existing corridors and stairways meeting all of the requirements of Appendix L may be used.

M104.2 Existing means of egress systems. Existing means of egress systems complying with Appendix L shall be accepted if the occupancy change is to an equal or lesser hazard group when evaluated in accordance with Table M104.

M104.3 Separation of occupancies. When approved by the *building official*, existing wood lath and plaster in good condition or ½-inch-thick (12.7 mm) gypsum wallboard may be accepted where a one-hour fire barrier is required.

M104.4 Vertical shafts.

M104.4.1 Enclosure of shafts. Vertical shafts may be designed to meet either the requirements of atria as required by this code for new construction or the requirements of this section.

M104.4.2 Stairways. Interior stairways shall be enclosed as required by this code for new construction when a change of occupancy is made to a higher hazard group as shown in Table M104.

Exceptions:

1. In other than Group I occupancies, an enclosure will not be required for openings serving only one adjacent floor and not connected with corridors or stairways serving other floors.
2. Existing stairways not enclosed need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wired glass set in steel frames and all exit corridors are sprinklered. The openings between the corridor and occupant space shall have at least one sprinkler head above the openings on the tenant side. The sprinkler system may be supplied from the domestic water-supply system, provided the system is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements.

M104.4.3 Other vertical shafts. Interior vertical shafts, including, but not limited to, elevator hoistways and service and utility shafts, shall be enclosed with a minimum of one-hour fire-resistive construction.

Exceptions:

1. Vertical openings other than stairways need not be enclosed if the entire building is provided with an approved automatic sprinkler system.
2. Where one-hour fire-resistive floor construction is required, vertical shafts need not be enclosed when such shafts are blocked at every floor level by the installation of not less than 2 full inches (51 mm) of solid wood or equivalent construction.

M104.4.4 Openings into vertical enclosures. All openings into vertical shafts shall be protected by fire assemblies having a fire-protection rating of not less than one hour and shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices may be permitted if the fusible link rating does not exceed 135°F (57°C).

**TABLE M104
HAZARD CATEGORIES AND CLASSIFICATIONS, LIFE SAFETY AND EXITS**

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
<u>1</u>	<u>H (highest hazard group)</u>
<u>2</u>	<u>I-2, I-3, I-4</u>
<u>3</u>	<u>A, E, I-1, M, R-1, R-2, R-4</u>
<u>4</u>	<u>B, F-1, R-3, S-1</u>
<u>5</u>	<u>F-2, S-2,</u>
<u>6</u>	<u>U (lowest hazard group)</u>

**SECTION M105
EXTERIOR WALLS AND STAIRWAY ENCLOSURES**

M105.1 Fire resistance of walls. Exterior walls shall have fire resistance and opening protection as set forth in this code for new construction. This provision shall not apply to walls at right angles to the property line.

Exceptions:

1. Where a fire-resistive rating greater than two hours is required for a building of any type of construction, existing noncombustible exterior walls having a fire-resistive rating equivalent to two hours, as determined by Section 720.1, may be accepted, provided:
 - 1.1. The building is classified as Group A, B, F, M or S; and
 - 1.2. The building does not exceed three stories in height.
2. Existing exterior walls shall be accepted if the occupancy is changed to a hazard group that is equal to or less than the existing occupancy as defined in Table M105.

M105.2 Opening protection. Openings in exterior walls shall be protected as required for new construction. When openings in the exterior walls are required to be protected due to distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:

1. Protected openings shall not be required for Group R-1 occupancies that do not exceed three stories in height and are located not less than 3 feet (914 mm) from the property line.
2. Where opening protection is required, an automatic fire-extinguishing system throughout may be substituted for opening protection.
3. Opening protection may be omitted when the change of occupancy is to an equal or lower hazard classification in accordance with Table M105.

TABLE M105
HAZARD CATEGORIES AND CLASSIFICATIONS OF EXTERIOR WALLS AND
STAIRWAY ENCLOSURES

<u>RELATIVE HAZARD</u>	<u>OCCUPANCY CLASSIFICATION</u>
<u>1</u>	<u>H (highest hazard group)</u>
<u>2</u>	<u>F-1, M, S-1</u>
<u>3</u>	<u>A, B, E, I, R</u>
<u>4</u>	<u>F-2, S-2, U (lowest hazard group)</u>

[This page intentionally left blank.]

APPENDIX N

AIRPORT SOUND ATTENUATION REQUIREMENTS

SECTION N101 GENERAL

N101.1 Purpose. The purpose of this appendix is to set forth sound attenuation specifications for buildings when such sound attenuation is required by Chapter 9, Article VI, of the *City Code* to achieve an interior sound level of 45 dBA.

N101.2 Applicability. These provisions shall apply under circumstances where an airport land use permit is required under Section 9-381(a)(2) and (3) of the *City Code* and are in addition to other applicable building standards set forth elsewhere in this code.

N101.3 Alternate compliance. Alternative means or methods which equal or exceed the standards set forth in these provisions may be used when approved by the *building official* in accordance with Section 104.11.

SECTION N201 DEFINITIONS

N201.1 Definitions. For purposes of these provisions, the following words shall have the meanings shown herein.

SOUND TRANSMISSION CLASS (STC). An integer rating relating to the quality of sound attenuation for building partitions such as walls, ceilings, doors, and windows.

SECTION N301 WALLS

N301.1 General. The specific exterior wall assemblies set forth in N301.2 and N301.3 shall include the interior finishes set forth therein.

Exception: Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of 40.

N301.2 Brick veneer. When exterior walls are constructed using brick veneer, a minimum of ½ inch gypsum drywall shall be applied as the interior finish.

N301.3 Vinyl or cement sidings. When exterior walls are constructed using vinyl or cement sidings, a minimum of 5/8 inch gypsum drywall shall be applied as the interior finish.

N301.4 Other assemblies and materials. All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of 40.

SECTION N401
WINDOWS

N401.1 Windows. All windows shall have a minimum STC rating of 40 when tested in accordance with ASTM E 90.

N401.2 Insulation at windows. The cavity between the framing and the window frame shall be insulated with fiberglass or foam insulation to the depth of the window frame.

SECTION N501
DOORS

N501.1 Doors. All exterior doors shall be provided with a minimum STC Rating of 40 when tested in accordance with ASTM E 90.

Exception: An exterior door may have a tested or listed STC rating of less than 40 when installed with a storm door which when combined achieve a minimum tested or listed STC rating of 40.

SECTION N601
ROOF/CEILING ASSEMBLIES

N601.1 General. Roof/ceiling assemblies shall be constructed in accordance with the requirements of N601.2 or N601.3.

Exception: Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of 40.

N601.2 Ceilings with unconditioned attic space above. Ceilings with unconditioned attic space above shall be insulated with a minimum of ½ inch gypsum drywall on the interior ceiling side covered with a minimum of 12 inches of blown in fiberglass insulation.

N601.3 Ceilings without attic space above. Ceilings without attic space above shall be insulated with a minimum of 5/8 inch gypsum drywall on the interior side filled with a minimum of 9 inches of fiberglass batt insulation with a 1 inch air space between the roof sheathing and the fiberglass.

APPENDIX R

REUSE OF MATERIALS

SECTION R101

GENERAL

R101.1 Scope. The reuse of materials shall be allowed in accordance with the provisions of this section.

R101.2 Intent. This appendix is intended to encourage the reuse of materials when possible and divert construction debris from landfills. This appendix is not mandatory, but specifies parameters when materials may be considered for reuse where integrity of the materials under consideration has not been compromised.

R101.3 General notice. The user should be vigilant regarding lead, asbestos, radon, PCBs, and other potentially harmful substances that are no longer allowed in buildings. Buildings built before 1978 may have used lead paint. Asbestos may be found in the insulation, fireproofing, floors, walls or roof. Newer buildings may have asbestos in the floors or roof. Any fluorescent light fixtures manufactured prior to 1979 may contain PCBs; new capacitors should be labeled: No PCBs.

SECTION R201

DEFINITIONS

R201.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein.

DOWN CYCLED MATERIALS. Material that may be used more than once, but that cannot be used for the same purpose for which it was originally intended. This material would require some special processing. For example, re-using crushed concrete as an aggregate for more concrete.

GOOD CONDITION. Describes materials that have been visually inspected by the *building official* and determined to be fit for installation. Materials shall be in sufficient condition to reuse without potential harm to the health, safety, and welfare of the public. Materials shall not have any mold or water damage. Wood products shall not contain any holes other than wire or nail holes. Wood products shall not contain rot, splits, buckling, warpage or other deterioration that would prevent the material from functioning in its intended use. The condition shall be determined by the *building code-official*.

IRREGULAR MATERIALS. Materials that have been made by a manufacturer, but do not meet the exact specifications of the product and cannot be sold for their specific purpose. These materials can be down-cycled. For example, an irregular paver meant for commercial use could be used for residential purposes.

RECOVERABLE RESOURCES. Materials that have useful physical or chemical properties after serving their original purposes. Recoverable resources can be re-used or recycled for the same or for other purposes.

RECYCLABLE MATERIALS. Materials that normally have been or would be discarded (such as scrap and waste) and materials that may be reused after undergoing some kind of physical or chemical processing. Recyclable materials may include materials that have been used and

deformed prior to demolition or deconstruction. Recyclable materials do not include those items that may be used again for their original purposes or functions without any special processing.

RECYCLING. A series of activities by which materials that would become or otherwise remain waste are diverted from the solid waste stream by collection, separation, and processing and are used as raw materials in the manufacture of goods sold or distributed in commerce or the reuse of such materials as substitutes for goods made of virgin materials.

RECYCLED MATERIALS. Materials that contain post-industrial or post-consumer waste as defined by the Federal Trade Commission.

REUSED MATERIALS. Materials that are reused more than once in their original form for their original purpose or for another purpose without any special processing.

SECTION R301 **ACCEPTABLE APPLICATIONS**

R301.1 Acceptable applications. The reused materials are allowed as identified in Table R301.1.

**TABLE R301.1
REUSED MATERIALS – ACCEPTABLE APPLICATIONS FOR USED MATERIALS**

<u>CODE SECTION</u>	<u>ORIGINAL MATERIAL USE</u>	<u>PERMITTED REUSE APPLICATION</u>	<u>COMMENTS</u>	<u>EXCLUSIONS</u>
CONCRETE ASPHALT				
3112	Asphalt	Reuse for driveways and sidewalks or road base	-	1, 7
3112	Concrete	As fill or aggregate for concrete mix, garden borders, driveways (as gravel), road base	-	1, 7
3112	Pilings	See concrete	-	3
MASONRY AND STONE				
-	Brick and stone veneer	Horizontal surfaces on site and interior floors, nonstructural walls and veneer	-	3
-	Pavers	Nonstructural paving or floors and veneer	-	3
-	Concrete blocks and products	Finishes, interior walls, low fences, and base for porous paving	Reused in original structural capacity.	3
-	Stone-sandstone, slate, granite and marble	Finishes, roofing (slate)	-	3
2103.6, exception	Glass block	Original use	-	5
METALS				
-	Cold-formed metal framing— studs, joists, rafters, purlins and girts	Repetitive members in original capacity, structural if identifiable	Steel with mill test certificates may be reused in original capacity; steel design values for materials manufactured after 1910 can be found in Design Guide 15: <i>AISC Rehabilitation and Retrofit Guide</i> ; weldability for sections produced prior to the 1950s need testing.	4
-	Metal joists	If identifiable, can be used for structure		4
Chapter 17	Structural steel— columns, pillars and posts	Reuse in structural capacity with special inspection		4
WOOD, AGRI-FIBER, AND PLASTIC MATERIALS				
-	Columns, pillars and posts	Reuse in original capacity.	-	-
-	Dimensional lumber, 4-foot-long minimum unstamped (includes roughewn)	Install as one dimension higher than required, or: (1) Floor plates; (2) Second top plates; (3) Fillers, fire-blocking and nailers; and (4) Strut-bracing, bridging, and ledgers (if ledger is one dimension larger than what otherwise might be used	For species not easily recognized may need special inspection. ⁴	-
-	Dimensional lumber (stud capacity), with original stamp (includes roughewn)	Reused in original capacity: (1) Studs (cripple, trim and jack), joists and rafters; or (2) Wind bracing	-	8
-	Glue-laminated beams, I-joists, laminated veneer lumber, parallel strand lumber and oriented strand lumber (unstamped)	Install as per dimensional lumber	-	-

Houston Amendments to 2012 IBC

	<u>Trusses</u>	-	<u>Trusses to be inspected by structural engineer as installed.</u>	<u>4</u>
	<u>Utility poles (untreated)</u>	-	-	<u>3</u>
	<u>Oriented strand board (OSB) and plywood</u>	<u>Reuse in original capacity</u>	-	<u>8</u>
	<u>Plastic lumber</u>	<u>Reuse in original capacity</u>	-	-
	<u>Masonite and chipboard</u>	<u>Reuse in original capacity</u>	-	<u>8</u>
WINDOWS DOORS INSULATION SIDING AND ROOFING				
Chapter 7	<u>Insulation– batt, gently used</u>	<u>Reuse in horizontal capacities only, such as attics or sound attenuation in cavities.</u>	<u>25% reduction in R-value to be assumed.</u>	<u>2</u>
Chapter 7	<u>Insulation– board, gently used</u>	<u>Reuse in original capacity.</u>	<u>Polyisocyanurte to be reduced by R-2 per board; extruded and/or expanded polystyrene to remain the same R-value and reused in the same orientation (horizontal or vertical).</u>	<u>2</u>
	<u>Windows</u>	<u>Reuse in original capacity or as decor</u>	-	<u>2</u>
	<u>Doors and door assemblies</u>	<u>Reuse in original capacity</u>	-	<u>2, 5</u>
	<u>Glass sheet and plexiglass</u>	<u>Reuse in original capacity or as decor</u>	-	<u>2</u>
	<u>Stained Glass</u>	<u>Reuse in original capacity</u>	-	<u>2</u>
	<u>Siding–cement board, wood, vinyl, metal panels</u>	<u>Reuse in original capacity</u>	-	<u>5</u>
	<u>Soffits–cement board, wood, perforated metal panels, aluminum panels</u>	<u>Reuse in original capacity</u>	-	<u>5</u>
	<u>Roof tiles</u>	<u>Reuse in original capacity, or as fencing or ornamental decoration.</u>	-	-
	<u>Metal roof panels</u>	<u>Reuse in original capacity</u>	-	-
FINISHES				
Section 803	<u>Acoustical ceiling tiles</u>	<u>Reuse in original capacity</u>	-	<u>5</u>
Section 804	<u>Carpet and carpet pad</u>	<u>Reuse in original capacity</u>	-	-
Section 803	<u>Drywall</u>	<u>Reuse in original capacity</u>	-	-
Chapter 8	<u>Flooring–wood</u>	<u>Reuse in original capacity</u>	-	-
	<u>Cement board</u>	<u>Reuse in original capacity</u>	-	-
	<u>Hinges and other hardware</u>	<u>Reuse in original capacity</u>	-	<u>1, 5</u>
General Exclusions.				
<ol style="list-style-type: none"> <u>1. TAS – Texas Accessibility Standards.</u> <u>2. Must comply with the <i>Energy Conservation Code</i>.</u> <u>3. For structural reuse applications, review and stamp of plans by an engineer.</u> <u>4. For structural reuse of material, the material and its new application must be inspected and certified by an engineer.</u> <u>5. Not allowed in fire assemblies, unless tested or marked for such use.</u> <u>6. Energy Policy Act (EPAAct) of 1995 (water flush/flow rates).</u> <u>7. In accordance with jurisdiction planning requirements, not permitted in driveway approach or sidewalks located in the right-of-way.</u> <u>8. Material should be stamped. For structural steel, the material shall be identifiable.</u> 				

