

AN ORDINANCE

2011-12-01-0984

REPEALING CHAPTER 10 OF THE SAN ANTONIO CITY CODE, ENTITLED “ELECTRICAL” AND ADOPTING A NEW CHAPTER 10 ENTITLED “BUILDING-RELATED CODES OF THE CITY OF SAN ANTONIO”; CONSOLIDATING THE FOUR BUILDING-RELATED AND FIRE CODE APPELLATE BOARDS INTO ONE APPEALS AND ADVISORY BOARD; ADOPTING THE 2012 TECHNICAL BUILDING-RELATED CODES AND LOCAL AMENDMENTS; AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, as an efficiency and effectiveness measure, Councilwoman Ramos initiated a City Council Request (CCR) on July 6, 2011, directing the Development Services Department to review processes and prepare a proposed ordinance consolidating the various building-related codes administrative provisions into one chapter and consolidating the various appellate boards into one board whose members are appointed at large; and

WHEREAS, in response to the CCR, the Development Services Department, as part of the triennial review process for technical code adoption and amendment, took this request through its various technical boards, conducting public meetings regarding the newly published 2012 editions of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Existing Building Code, International Fuel Gas Code, and the 2008 edition of the National Electrical Code, and local amendments, and consolidating the various appellate and advisory boards, as well as City Code chapters; and

WHEREAS, the Building and Fire Codes Board of Appeals, the Mechanical Appeals and Advisory Board, the Plumbing and Fuel Gas Appeals and Advisory Board, the Electrical Board, and the Development Services Department recommend approval and adoption of the codes, local amendments, as well as consolidation of the various appellate and advisory boards and City Code chapters; and

WHEREAS, as part of the review process, this initiative was forwarded through the City Council Governance Committee and the Infrastructure and Growth Committee for review, receiving recommendation to proceed to City Council; and

WHEREAS, in order to effectuate a consolidated appeals and advisory board, it is necessary to dissolve the existing Building and Fire Codes Board of Appeals, the Mechanical Appeals and Advisory Board, the Plumbing and Fuel Gas Appeals and Advisory Board, and the Electrical Board, repeal the Ordinances establishing the various boards, and create a new 17-member board named the “Building-related and Fire Codes Appeals and Advisory Board”, with improved efficiencies and consolidated responsibilities, advising the Development Services and Fire

Departments on combined technical code related issues as well as fielding technical code appeals; and

WHEREAS, all statutory and Charter prerequisites for adoption of the various codes and local amendments have been satisfied; **NOW THEREFORE**:

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

SECTION 1.

- a. Chapter 10, Electrical, of the City Code of San Antonio, Texas, is repealed, and replaced with a new Chapter 10 entitled “Building-related Codes of the City of San Antonio”, attached to this Ordinance as Attachment 1.
- b. Chapter 6, Article III entitled “Building Code,” Article V entitled “Mechanical Code,” Article VI entitled “House Moving,” Article VII entitled “Relocation of Buildings,” Article XIII entitled “International Residential Code,” Article XIV entitled “Demolition Contractor Licenses and Bonding and Demolition Permit Requirements,” Article XV entitled “International Energy Conservation Code,” are repealed.
- c. Chapter 16, Article IV entitled “Home Improvement Contractor Registration,” Article XVI entitled “Local Registration of State Registered Homebuilders,” Article XV entitled “Irrigation Systems and Irrigators,” are repealed.
- d. Chapter 24 entitled “Plumbing and Fuel Gas Code” is repealed.

SECTION 2. The Building and Fire Codes Board of Appeals, the Mechanical Appeals and Advisory Board, the Plumbing and Fuel Gas Appeals and Advisory Board, and the Electrical Board are abolished. Ordinances establishing the boards, including Ordinance No. 2009-10-01-0776 (fire), passed and approved on October 1, 2009, Ordinance Nos. 2009-10-01-0777A, B, C and E (IRC, IBC, IMC, IPC), all passed and approved on October 1, 2009, and Ordinance No. 2009-01-15-0031 (NEC), passed and approved on January 15, 2009 are repealed.

SECTION 3. The “Building-related and Fire Codes Appeals and Advisory Board” is established as detailed under Sec. 10-14. “Building-related and Fire Codes Appeals and Advisory Board” of this Ordinance.

SECTION 4. All previous provisions of the 2009 International Fire Code, International Fuel Gas Code, International Building Code, International Existing Building Code, International Residential Code, International Plumbing Code, and International Mechanical Code as well as the 2008 National Electrical Code and the 2009 International Energy Conservation Code with local amendments as adopted by the City of San Antonio, Texas, remain in full force and effect during the period for which they were enacted. Three copies of these codes and local amendments are filed in the office of the City Clerk, pursuant to section 17 of the Charter for permanent record and inspection.

SECTION 5. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision in this Ordinance be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and

valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 6. There is no financial impact as a result of the passage of this ordinance.

SECTION 7. No other provision of the City Code is amended by this Ordinance. All other provisions remain in effect.

SECTION 8. The City Clerk for the City of San Antonio is directed to publish notice of this ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of San Antonio, Texas.

SECTION 9. The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted in this Ordinance, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 10. This ordinance is effective on the 1st day of March, 2012.

PASSED AND APPROVED this 1st day of December, 2011.


M A Y O R
Julián Castro

ATTEST:



Leticia M. Vadek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney




Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 9

Name:	9						
Date:	12/01/2011						
Time:	10:12:25 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance repealing Chapter 10, Electrical, of the City Code of San Antonio, Texas, and creating a new Chapter 10, Building-Related Codes of the City of San Antonio in order to consolidate the administrative and technical provisions for all of the building-related codes into one chapter, to consolidate the four building-related and fire codes appellate boards into one appeals and advisory board, to adopt the technical building-related codes and local amendments, and to provide for penalties and an effective date. [T.C. Broadnax, Assistant City Manager, Roderick Sanchez, Director, Development Services].						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				x

ATTACHMENT 1

Chapter 10

BUILDING-RELATED CODES OF THE CITY OF SAN ANTONIO

TABLE OF CONTENTS

Art. I	Administration and General	§§ 10-1 –10-24
Art. II	Definitions	§§ 10 -25 – 10-28
Art. III	Building Code	§§ 10-29-10-35
Art. IV	Residential Code	§§ 10-36 - 10-45
Art. V	Existing Building	§§ 10-46- 10-50
Art. VI	Electrical	§§ 10-51 - 10-60
Art. VII	Mechanical	§§ 10-61 - 10-70
Art. VIII	Gas	§§ 10-71- 10-80
Art. IX	Plumbing	§§ 10-81 - 10-90
Art. X	Energy	§§ 10-91 - 10-100
Art. XI	Fire	§§ 10-101 - 10-110
Art. XII	Licensing and Registration	§§ 10-111 - 10-120
•	Billboard operators license	§§ 10-111
•	Commercial sign operators license	§§ 10-112
•	Electrical contractors and electrical sign contractors, installers, maintenance electricians; licenses and regulations	§§ 10-113
•	San Antonio Mechanical License	§§ 10-114
•	Residential Building Contractor Registration	§§ 10-115
•	Home Improvement Contractor Registration	§§ 10-116
•	Irrigation Systems and Irrigators	§§ 10-117
•	Responsible Master Plumber license registration	§§ 10-118
•	Demolition contractor licenses and bonding; demolition permit requirements.	§§ 10-119
•	Licensed house mover	§§ 10-120
Art. XIII	Signs and Billboards	§§ 10-125 - 10-150

ARTICLE I. ADMINISTRATION AND GENERAL

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

- (a) This chapter is the *Building-related Codes*. Unless otherwise indicated by its use and context, the term “this chapter” refers to this chapter 10 including all provisions incorporated by reference in this chapter.
- (b) The *Building Official* shall be known as the Director of Development Services, and such term shall include his authorized representatives. Further, whenever the

term or title “administrative authority,” “code official,” “authority having jurisdiction,” “responsible official,” “*Building Official*,” “director” or other similar designation is used in any of the codes adopted by this chapter, it shall be construed as the Director of Development Services, or his designee and authorized representatives.

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

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

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

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

Exceptions:

- a. 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*, as amended. See Article IV of this chapter.
 - b. Existing buildings and structures undergoing repair, alteration, change of occupancy, addition and/or relocation of existing buildings shall be permitted to comply with the *International Existing Building Code*, as amended. See Article V of this chapter.
 - c. Live/work units complying with the requirements of Section 419 of the *International Building Code*, as amended, shall be permitted to be built as one- and two-family dwellings and townhouses. Fire suppression required by Section 419.5 of the *International Building Code* when constructed under the *International Residential Code for One- and Two-family Dwellings* shall conform to Section P2904.
 - d. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the *International Residential Code for One- and Two-family Dwellings* when equipped with a fire sprinkler system in accordance with Section P2904.
- (2) **Electrical.** The provisions of the *National Electrical Code*, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. See Article VI of this chapter.
 - (3) **Mechanical.** The provisions of the *International Mechanical Code*, as amended, 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. See Article VII of this chapter.
 - (4) **Gas.** The provisions of the *International Fuel Gas Code*, as amended, shall apply to the installation of fuel gas piping from point of delivery, fuel gas appliances, gaseous hydrogen systems and related accessories as covered in this code. These requirements apply to fuel gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of gas appliances and related accessories. Piping system requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection and operation and maintenance. See Article VIII of this chapter.

- (5) **Plumbing.** The provisions of the *International Plumbing Code*, as amended, shall apply to the installation, alteration, repair, relocation, addition to, use or maintenance and replacement of plumbing systems, including equipment, appliances, fixtures and fittings and appurtenances. The code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. See Article IX of this chapter.
- (6) **Energy.** The provisions of the *International Energy Conservation Code*, as amended, shall apply to all matters governing the design and construction of buildings for energy efficiency. See Article X of this chapter.
- (d) **Process.** The *Building Official* has the responsibility to make timely recommendations to update this chapter, upon the publication of nationally recognized model codes. Technical committees established by the Building-related and Fire Codes Board of Appeals shall assist the *Building Official* in determining recommendations for the adoption of any model code.

Sec. 10-3. Applicability.

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

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

- (e) **Partial invalidity.** In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.
- (f) **Existing structures.** The legal occupancy of any structure existing on the date of adoption of this chapter shall be permitted to continue without change, except as specifically covered in this chapter, the 2009 San Antonio Property Maintenance Code or the *International Fire Code*, as amended, or as is deemed necessary to the *Building Official* for the general safety and welfare of the occupants and the public.

Sec. 10-4. Department of Development Services

- (a) **Enforcement agency.** The Department of Development Services shall be the enforcement agency for the Building-related Codes, and the Director thereof shall be known as the *Building Official* and as the code official.
- (b) **Appointment.** The *Building Official* shall be appointed by the City Manager or the City Manager's designee.

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

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

Exception: Repairs and Level 1 alterations.

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

- (d) **Notices and orders.** The *Building Official* shall issue all necessary notices or orders to ensure compliance with the provisions with this chapter.
- (e) **Inspections.** The *Building Official* shall make all of the required inspections, or may accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The *Building Official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- (f) **Identification.** The *Building Official* shall carry proper identification when inspecting structures or premises in the performance of duties under this chapter.
- (g) **Impersonation prohibited.** A person shall not impersonate the *Building Official* or designees through the use of a uniform, identification card, badge or any other means. Any such impersonation shall be deemed a violation of this code.
- (h) **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this chapter, or where the *Building Official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this chapter which makes the structure or premises unsafe, dangerous or hazardous, the *Building Official* is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this chapter, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *Building Official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *Building Official* has recourse to the remedies provided by law to secure entry.
- (i) **Notice of defects.** The *Building Official* shall examine, or cause to be examined, every building or structure or portion thereof reported as dangerous or damaged. If such is found to be unsafe as defined in this section, the *Building Official* shall give to the owner of such building or structure written notice stating the defects thereof. This notice shall require the owner or person in charge of the building, structure or premise, within 48 hours to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof. All such work shall be completed within 30 days from the date of notice

unless otherwise stipulated by the *Building Official*. Service of notice shall be by certified mail made upon the owner or his agent. The designated period within which said owner or agent is required to comply with the order of the *Building Official* shall begin as of the date he received such notice.

- (j) **Department records.** The *Building Official* shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records are retained in the official records for the period required for retention of public records.
- (k) **Liability.** The *Building Official*, members and alternate members of the Building-related and Fire Codes Board of Appeals, or employees charged with enforcement of this chapter, while acting for the City of San Antonio in good faith and without malice in the discharge of the duties required by this chapter or other pertinent law or ordinance, are not liable personally and are relieved from personal liability for any damage accruing to persons or property as a result of any act, or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this chapter shall be defended by legal representative of the City of San Antonio until the final termination of the proceedings. The *Building Official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this chapter.
- (l) **Approved materials and equipment.** Materials, equipment and devices approved by the *Building Official* shall be constructed and installed in accordance with such approval.
 - (1) **Appliance and fixture listing.** Appliances and fixtures shall be tested and listed in published reports by approved agencies and shall be installed in accordance with all instructions included as part of such listing.
 - (2) **Used materials and equipment.** The use of used materials which meet the requirements of this chapter for new materials is permitted. Used equipment and devices shall not be reused unless approved by the *Building Official*.
- (m) **Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this chapter, the *Building Official* has the authority to grant modifications for individual cases, upon application of the owner or owner's representative, providing the *Building Official* first finds that special individual reason makes the strict letter of this chapter impractical, and the modification is in compliance with the intent and purpose of this chapter, and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Development Services.

- (n) **Alternative materials, design and methods of construction and equipment.** The provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this chapter, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the *Building Official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this chapter, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness, fire resistance, durability and safety.
- (1) **Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this chapter, shall consist of valid research reports from approved sources.
- (2) **Tests.** Whenever there is insufficient evidence of compliance with the provisions of this chapter, or evidence that a material or method does not conform to the requirements of this chapter, or in order to substantiate claims for alternative materials or methods, the *Building Official* has the authority to require tests as evidence of compliance to be made at no expense to the city. Test methods shall be as specified in this chapter or by other recognized test standards. In the absence of recognized and accepted test methods, the *Building Official* shall approve the testing procedures. Testing shall be performed by an approved agency. Reports of such tests shall be retained by the *Building Official* for the period required for retention of public records.

Sec. 10-6. Permits

- (a) **Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, to include a sign or billboard, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this chapter, who performs site work or causes any such work to be done, shall first make application to the *Building Official* and obtain the required permit. See Chapter 28, San Antonio Code, for additional permit requirements for signs and billboards.
- (b) **Annual permit.** In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the *Building Official* is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The

Building Official shall have access to such records at all times, or such records shall be filed with the *Building Official* as designated.

- (c) **Annual electrical maintenance permit.** An annual electrical maintenance permit is issued by the City to allow a property owner, property lessee or management company to employ persons qualified by this code to maintain and make minor repairs to existing electrical systems on a property that is registered with the department. An electrical maintenance permit is not required when the property owner, property lessee or management company is registered with the city as an electrical contractor or employs a master electrician of record, registered with the city as an electrical contractor, who oversees and is responsible for the electrical maintenance.
- (1) **Registration of persons qualified to perform work.** All persons performing electrical work under this section shall be licensed or registered as required by the City or State. All electrical work performed under this permit must be performed by master electricians, journeyman electricians, maintenance electricians, or electrical maintenance technicians. Initial applicants for maintenance technicians will have to complete 8 hours of training approved by the code official.
- (2) **Limitations of work.** Work that may be performed under this permit by an electrical maintenance technician shall be limited to the maintenance of, repair or replacement of devices or lighting fixtures, having the same characteristics as the existing devices or fixtures, in or on existing outlets and shall include, but not be limited to the following:
- a. 120-volt receptacles of all types.
 - b. 240-volt 3-wire and 4-wire dryer and range receptacles. Replacement of these receptacles shall be limited to like configuration and amperage receptacles.
 - c. Replacement of overcurrent devices and safety switches of only the same voltage, current, ampere interrupting capacity (AIC) including:
 1. One or two pole circuit breakers not exceeding 60-amps at 240-volts.
 2. One or two pole safety switches (fused or non-fused) not to exceed 60-amps at 240-volts.
 3. Fuses not to exceed 60-amps at 240-volts.
 - d. Photo cells and time clocks not to exceed 277-volts nominal.

- e. Range hoods, disposals and dishwasher motors.
- f. Interior, exterior lighting and switches not to exceed 277-volts nominal.
- g. Ceiling fans on approved boxes with proper bracing.
- h. Pool lights and outlets provided they are protected with GFCI and are replaced with same.
- i. Doorbell transformers and wiring to other low voltage devices with 120-volt connections.
- j. Bathroom-type exhaust vents.
- k. Electric gate repair.

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

- (3) **Record keeping.** The applicant for an electrical maintenance permit must:
- a. Maintain a copy of the permit at either the site where the work is being conducted or applicant’s place of business if within the city.
 - b. Maintain a copy of the registration card for the certified personnel either at the location where the work is performed or the applicant’s place of business if within the city.
 - c. Maintain a record of all work performed by registered personnel for a minimum of 12 months.

- (d) **Annual mechanical maintenance permit and annual plumbing maintenance permit for Residential Group R-2 apartment houses.** An annual mechanical maintenance permit and an annual plumbing maintenance permit, or the combination of both as one annual mechanical/plumbing maintenance permit, are required for all apartment houses containing more than four dwelling units where the occupants are primarily permanent in nature. In this section the term “permanent in nature” means having dwelling units where the original lease term is greater than two months.

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

(1) **Scope.**

a. **Mechanical.** The annual mechanical maintenance permit replaces the necessity of obtaining individual permits for work performed on environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or commercial refrigeration equipment. The permit does not cover nor is a permit required for the installation, repair, or removal of the following:

1. Vent hood used in residential kitchens.
2. Portable or self-contained ductless air conditioning product that has a cooling capacity of three tons or less.
3. Portable or self-contained heating product that does not require the forced movement of air outside the heating unit.
4. Environmental air conditioning equipment that is intended for temporary use and is not fixed in place.
5. Residential refrigerator, freezer or ice machine.

b. **Plumbing.** The annual plumbing maintenance permit replaces the necessity of obtaining individual permits for work performed by an owner or maintenance technician or maintenance engineer employed by the owner who performs plumbing maintenance work incidental to and in connections with other duties.

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

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

Annual Mechanical Maintenance Permit Fee For Single Location	\$50.00 per permit plus \$0.21 per residential apartment unit
Annual Mechanical Maintenance Permit Fee For Multiple Locations	\$50.00 per permit plus \$2.00 per residential apartment unit
Annual Plumbing Maintenance Permit Fee For Single Location	\$50.00 per permit plus \$0.21 per residential apartment unit
Annual Plumbing Maintenance Permit Fee For Multiple Locations	\$50.00 per permit plus \$2.00 per residential apartment unit

Note: Owners of apartment houses have the option of taking out a combined annual mechanical/plumbing maintenance permit. These fees shall be as follows:

Annual Mechanical/Plumbing Maintenance Permit Fee For Single Location	\$100.00 per permit plus \$0.42 per residential apartment unit
Annual Mechanical/Plumbing Maintenance Permit Fee For Multiple Locations	\$100.00 per permit plus \$4.00 per residential apartment unit

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

Mechanical:

- a. All work required for the continued normal performance of an existing environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or a commercial refrigeration system. Work does not include the following:
 1. Total replacement of a system.
 2. Installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under Chapter 755, Health and Safety Code.
- b. Diagnosing and repairing problems associated with air conditioning, commercial refrigeration, or process cooling or heating equipment, and remedying or attempting to remedy these problems.

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

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

Mechanical:

- a. Simultaneous replacement of the condensing unit, furnace and evaporator coil.
- b. Replacement of any condensing unit that is more than ½ ton larger than the current size.
- c. Replacement of any furnace that is more than 35,000 BTU's larger than the current size.
- d. Replacement of any evaporator coil that is more than ½ ton larger than the current size.
- e. Extension of any duct work more than one foot.
- f. Relocating any equipment to a new location more than five feet from the original location.

Plumbing:

- a. Cutting into fuel gas plumbing systems.
 - b. Installation of gas fueled water heaters.
- (8) **Who may perform work.** The following may perform maintenance work under these permits:
- a. Licensed air conditioning contractors for the mechanical maintenance permit.
 - b. A person licensed as an engineer under Chapter 1001 of the Texas Occupational Code and who engages in air conditioning and refrigeration contracting work and/or plumbing work in connection with the business in which the person is employed but does not engage in that work for the public.
 - c. A person who performs air conditioning and refrigeration maintenance work and/or plumbing maintenance work if the person:
 - 1. is a maintenance technician or maintenance engineer and is a regular employee of the building owner/manager of the property where the work is being performed;
 - 2. performs the work in connection with the business in which the person is employed; and
 - 3. the person's employer does not engage in air conditioning and refrigeration contracting for the public and/or plumbing contracting work for the public.
- (e) **Work exempt from permit.** Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of the city. Permits shall not be required for the following:

Building:

- (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
- (2) Minor repairs to fences not over six feet (1829 mm) high. Replacement of up to 25% of the overall contiguous length of a fence shall constitute minor repair.

- (3) Oil derricks.
- (4) Retaining walls that are not over four 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 does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
- (6) Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 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.
- (12) Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
- (13) Nonfixed and movable fixtures, cases, racks, counters and partitions not over five feet nine inches (1,753 mm) in height.
- (14) Patios not more than 30 inches (762 mm) above grade or not over any basement or story below.

Electrical:

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

- (2) Replacement of a refrigeration or HVAC system motor, solenoid valves or controls associated with the motor when performed by a licensed mechanical contractor.
- (3) The installation of that portion of wiring and equipment for telephone, voice, data, cable TV, broadband and other types of communication systems that operate at fifty volts nominal or less. Such systems shall be grounded according to the applicable provisions of Article 250 and Chapter 8 of the NEC.
- (4) The installation of wiring and equipment by or for the City for the purpose of generating, transmitting and delivering service to its customers.
- (5) **Radio and television transmitting stations:** The provisions of this chapter shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
- (6) **Temporary testing systems:** A permit shall not be required for the installation for any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

- (1) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (2) Portable LP-gas appliances and equipment of all types that is not connected to a fixed fuel piping system.
- (3) Installation of farm appliances and equipment such as brooders, dehydrators, dryers and irrigation equipment.
- (4) Raw material (feedstock) applications except for piping to special atmosphere generators.
- (5) Oxygen-fuel gas cutting and welding systems.
- (6) Industrial gas applications using gases such as acetylene and acetylene compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.
- (7) Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.

- (8) Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions.
- (9) LP-gas installations at utility gas plants.
- (10) Liquefied natural gas (LNG) installations.
- (11) Fuel gas piping in power and atomic energy plants.
- (12) Proprietary items of equipment, apparatus or instruments such as gas-generating sets, compressors and calorimeters.
- (13) LP-gas equipment for vaporization, gas mixing and gas manufacturing.
- (14) Temporary LP-gas piping for buildings under construction or renovation that is not to become part of the permanent piping system.
- (15) Installation of LP-gas systems for railroad switch heating.
- (16) Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.
- (17) Except as provided in Section 401.1.1 of the IFGC as amended, gas piping, meters, gas pressure regulators and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
- (18) Piping systems for mixtures of gas and air within flammable range with an operating pressure greater than 10 psig (69 kPa gauge).
- (19) Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.

Mechanical:

- (1) Portable heating appliance.
- (2) Portable ventilation appliances and equipment.
- (3) Portable cooling units.
- (4) Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this code.

- (5) The replacement of any minor part that does not alter approval of equipment or an appliance or make such equipment or appliance unsafe.
- (6) Portable evaporative coolers.
- (7) Self-contained refrigeration systems that contain 10 pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of 1 horsepower (0.75 kW) or less.
- (8) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

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 chapter.
- (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.

Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for work conducted in violation of the provisions of this chapter and other laws and ordinances of the city.

- (f) **Emergency repairs.** Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next business day to the *Building Official*.
- (g) **Repairs.** Application or notice to the *Building Official* is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. When making repairs, defective material or parts shall be replaced or repaired in such a manner so as to preserve the original approval or listing.

- (h) **Public service agencies.** A permit shall not required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

- (i) **Application for permit.** To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Department of Development Services for that purpose. Such application shall:
 - (1) Identify and describe the work to be covered by the permit for which application is made.
 - (2) Describe the land on which the proposed work is to be done, by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
 - (3) Indicate the use and occupancy for which the proposed work is intended.
 - (4) Be accompanied by construction documents and other information as required in Section 10-8 of this chapter.
 - (5) State the valuation of the proposed work. Valuation shall include the cost of labor, materials and profit.
 - (6) Be signed by the applicant, or the applicant’s authorized agent.
 - (7) Give such other data and information as required by the *Building Official*.

- (j) **Authorization to obtain plumbing permits.** The following lists those individuals, contractors and companies that are authorized to obtain plumbing permits:
 - (1) Any duly licensed master plumber.
 - (2) Any homeowner performing plumbing work on a homestead wherein he/she resides. The installation must be made by the homeowner without the assistance of any person or persons.
 - (3) Licensed irrigators, who have a state irrigators license, for the installation of backflow devices for irrigation systems.
 - (4) Water softener companies that hold a Class III Texas Commission of Environmental Quality (TCEQ) license for the installation or change out of water softeners and associated equipment.

- (5) Licensed fire line contractors for backflow devices on fire lines.
- (6) Plumbing work performed by anyone who is regularly employed or acting as a maintenance man or maintenance engineer, incidental to and in connection with the business in which he is employed or engaged, and who does not engage in plumbing work for the general public. See state licensing law for definition of maintenance person or maintenance engineer.

Exceptions:

- a. Any person who is employed by the railroad for plumbing work done upon the premises or equipment of the railroad, and who does not engage in plumbing work for the general public.
 - b. Any person engaged by any public service company for plumbing work in connection with laying, maintaining and the operation of its service mains or lines and the installation, alteration, adjustment, repair, removal or renovation of all types of appurtenances, equipment and appliances directly related to public service companies, properties and/or jurisdiction.
- (7) Gas work performed by a certified LP gas installer licensed under chapter 113, Natural Resources Code, as amended (limited to underground service piping from the tank to the building or pool heater).

Insurance. Before any person shall engage in plumbing work within the city, such person shall provide a certificate of insurance issued by an insurance company authorized and admitted to do business in the state for commercial general liability insurance and products completed operations coverage for master plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim, and shall be in a coverage amount of not less than \$300,000 for all claims arising in any one year period. Further, any persons engaged in plumbing work shall indemnify and hold harmless the city from any and all damages, claims, liens or losses, including, but not limited to personal injury or death and property damage, arising from any acts or omission of any character whatsoever caused by such person, his agents or employees, engaged in plumbing work.

- (k) **Action on application.** The *Building Official* shall examine or cause to be examined application for permits and amendments thereto within a reasonable time after filing. Such applications may be reviewed by other departments of the city to verify compliance with any applicable laws and ordinances under their jurisdiction. If the application or the construction documents do not conform to the requirements of the pertinent laws, the *Building Official* shall reject such application in writing, stating the reasons for the rejection. If the *Building*

Official is satisfied that the proposed work conforms to the requirements of this chapter and applicable laws and ordinances, and that fees specified in ordinances adopted by the city have been paid, the *Building Official* shall issue a permit for the work as soon as practicable. No building permit shall be issued where there is not a supply of approved water for domestic or fire protection use, and adequate to the purposes for which the property is intended to be used, and where there is not an all-weather road surface adequate to withstand the weight of a fire truck.

- (l) **Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, except that the *Building Official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- (m) **Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *Building Official* from requiring the correction of errors in the construction documents and other data. The *Building Official* is also authorized to prevent occupancy or use of a structure where in violation of this chapter or of any other ordinances of the city.
- (n) **Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 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.
- (o) **Suspension or revocation.** The *Building Official* is authorized to suspend or revoke a permit issued under the provisions of this chapter whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this chapter.
- (p) **Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.
- (q) **Demolition permit.** See Section 10-119 of this chapter.
- (r) **House moving permit.** See Section 10-120 of this chapter.

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

- (a) **Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.
- (b) **Issuance of certificate of occupancy.** A certificate of occupancy required by Section 10-12 shall not be issued until the floor load signs, required by Section 10-7, have been installed.
- (c) **Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this chapter.

Sec. 10-8. Submittal documents.

- (a) **General.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data as required by the Development Services Department's application procedures shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by this code, the State, or any of its regulatory agencies. Where special conditions exist, the *Building Official* is authorized to require additional construction documents to be prepared by a registered design professional. Buildings, additions and major renovations for the following occupancies shall also require a design professional to prepare the construction documents:
 - (1) All Group A (Assembly) occupancies.
 - (2) All Group E (Educational) occupancies.
 - (3) All Group I (Institutional) occupancies.
 - (4) Buildings and structures three stories or more high.
 - (5) Buildings and structures 5,000 square feet or more in area.
 - (6) **Electrical plans and specifications prepared by engineer.** Installation or alteration of any equipment on the customer side of the CPS Energy point of delivery (service point) rated over 600 amps at 250 volts or less and rated at over 400 amps at greater than 250 volts, any system above 600 volts or when required by the Texas Engineering Practice Act shall have the electrical plans sealed by a professional engineer, licensed or registered with the State of Texas.

Exception: The *Building Official* is authorized to waive the submission of construction documents and other data not required to be prepared by a registered

design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

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

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

- (5) **Site plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, if applicable, flood hazard areas, floodways, and design flood elevations and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *Building Official* is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.
 - a. **Design flood elevations.** Where design flood elevations are not specified, they shall be established in accordance with Appendix F, Floodplains – Areas of Special Flood, of the Unified Development Code.
- (c) **Examination of documents.** The *Building Official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.
 - (1) **Approval of construction documents.** When the *Building Official* issues a permit, the construction documents shall be approved, in writing or by stamp, as “Reviewed for Code Compliance”. One set of reviewed construction documents shall be retained by the *Building Official*. The other set shall be returned to the applicant, kept at the work site, and open to inspection by the *Building Official* or his duly authorized representative.
 - (2) **Previous approvals.** This chapter shall not require changes to the construction documents, construction or designated occupancy of a structure for which a lawful permit has been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this chapter and not abandoned.
 - (3) **Phased approval.** The *Building Official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided adequate information and detailed statements have been filed complying with pertinence requirements of this chapter. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the owner’s own risk with the building operation and without assurance that a permit for the entire structure will be granted.
 - (4) **Design professional in responsible charge.**

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

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

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

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

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

- (d) **Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.
- (e) **Retention of construction documents.** One set of approved construction documents shall be retained by the *Building Official* for a period of not less than 180 days from the date of completion of the permitted work, or as required by state of Texas or local laws.

- (f) **Changes to standard tower release agreement.** Changes to the individual control such as tenant and premise description found in the standard tower release agreement, attached to Ordinance Number 83931 as Exhibit II, do not require City Council approval, provided there are no substantial changes to the standard tower lease agreement. All other substantial changes to such agreement shall require City Council approval subject to approval of the Office of the City Attorney.

Sec. 10-9. Temporary structures and uses.

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

Sec. 10-10. Fees.

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

detailed estimates to meet the approval of the *Building Official*. Final building-related permit valuations shall be set by the *Building Official*.

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

Sec. 10-11. Inspections and testing.

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

be on the job, except where concrete is ready mix in accordance with ASTM C 94, the concrete need not be on the job.

- (2) **Underground.** Underground inspections shall be made after trenches or ditches are excavated and bedded, raceways and cable or conductors installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunk and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other approved means.
- (3) **Concrete slab and under-floor inspections.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
- (4) **Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevations certification required in Section 1612 of the IBC, as amended, shall be submitted to the *Building Official*.
- (5) **Plumbing, mechanical, gas and electrical systems inspections and tests.** Concealment or rough-in inspections of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

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

- (6) **Duct test for one- and two-family dwellings and townhomes.** All ducts for one- and two-family dwellings as well as townhomes, in unconditioned spaces, shall be duct tested prior to covering or concealment to disclose leaks and defects. Tests shall be made by an independent certified RESNET energy rater or an alternative approved by the *Building Official* using objective, verifiable testing criteria and results provided to the *Building Official*. Apparatus, material and labor required for testing a mechanical system shall be furnished by the independent certified RESNET energy rater or *Building Official* approved alternate. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made to achieve compliance with this chapter. The work or installation shall then be re-submitted to the *Building Official* for inspection and testing. See also Section 403.2.2 of the 2009 IECC, as amended.

- (7) **Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.
- (8) **Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after the lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or any gypsum board joints and fasteners are taped and finished.

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

- (9) **Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.
- (10) **Energy efficiency inspections.** Inspections shall be made to determine compliance with Chapter four of the 2009 IECC for one and two family dwellings and for townhomes, and Chapter five of the 2009 IECC for all other occupancies, as amended, and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency. For one and two-family dwellings and townhomes, an independent certified RESNET energy rater or an alternative approved by the *Building Official* using objective, verifiable testing criteria, shall test or inspect the air barrier as per Section 402.4.2 Air sealing and insulation, of the 2009 IECC. The results must be submitted on a form approved by the *Building Official*. The form shall show that construction is in compliance with the 2009 IECC.
- (11) **Other inspections.** In addition to the inspections specified above, the *Building Official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this chapter and other laws that are enforced by the department of development services.

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

- 1. **Evaluation report.** Prior to the approval of a prefabricated construction assembly having concealed electrical work and the issuance of an electrical permit, the *Building Official* requires the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and

similar information, and other data as necessary for the *Building Official* to determine conformance to this chapter.

2. **Evaluation service.** The *Building Official* shall designate the evaluation service of an approved agency as the evaluation agency and review such agency's evaluation report for adequacy and conformance to this chapter.
 3. **Follow-up inspection.** Except where ready access is provided to the electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the *Building Official* is authorized to conduct the in-plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the *Building Official* with the follow-up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.
 4. **Test and inspection records.** Required test and inspection records shall be available to the *Building Official* at all times during the fabrication of the electrical system and the erection of the building, or such records as the *Building Official* designates shall be filed.
- (12) **Special inspections.** For special inspections, see Section 1704 of the IBC, as amended.
 - (13) **Final inspection.** The final inspections shall be made after work required by building-related permits is completed. Failure to request a final inspection within 30 days after the completion of a permit's work is a violation of this chapter.
- (d) **Inspection agencies.** The *Building Official* is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
 - (e) **Inspection requests.** It shall be the duty of the holder of the building-related permit or their duly authorized agent to notify the *Building Official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this chapter.
 - (f) **Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *Building Official*

The *Building Official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this chapter. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *Building Official*.

- (g) **Reinspection and retesting.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this chapter. The work or installation shall then be resubmitted to the *Building Official* for inspection and testing. To receive a reinspection or retest, the applicant shall make a request to the *Building Official* and pay the reinspection fee in accordance with the fee schedule prior to the inspection or test.

Sec. 10-12. Certificate of occupancy.

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

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

- (b) **Certificate issued.** After the *Building Official* inspects the building or structure and finds no violations of the provisions of this chapter or other laws that are enforced by the department, the *Building Official* shall issue a certificate of occupancy that contains the following:
- (1) The building permit number.
 - (2) The address of the structure.
 - (3) The name and address of the owner.
 - (4) A description of that portion of the structure for which the certificate is issued.
 - (5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this chapter for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 - (6) The name of the *Building Official*.
 - (7) The edition of the IBC or IRC under which the permit was issued.

- (8) The use and occupancy, in accordance with the provisions of Chapter three of the IBC.
 - (9) The type of construction as defined in Chapter six of the IBC.
 - (10) The design occupant load.
 - (11) If an automatic sprinkler system is provided, whether the sprinkler system is required.
 - (12) Any special stipulations and conditions of the building permit.
- (c) **Temporary occupancy.** The *Building Official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The *Building Official* shall set a time period during which the temporary certificate of occupancy is valid.
- (d) **Revocation.** The *Building Official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this chapter wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this chapter.

Sec. 10-13. Service utilities.

- (a) **Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this chapter for which a permit is required, until released by the *Building Official*.
- (b) **Authority to disconnect service utilities.** The *Building Official* has the authority to authorize disconnection of utility service to the building, structure or system regulated by the referenced codes and standards of Section 10-2 (c) of this chapter in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section (a) or (b). The *Building Official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.
- (c) **Connection after order to disconnect.** A person shall not make utility service or energy source connections to systems regulated by this code which have been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such systems.

- (d) **Changing location of electric meters.** If alterations of the building, dwelling, structure or wiring require changes in the location or size of the electric meter/service equipment, a licensed electrical contractor with the city shall acquire a permit for the work to be performed and coordinate the disconnecting and reconnecting of service with the utility.
- (e) **Emergencies.** Where life or property may be in danger, a licensed electrical contractor with the city may disconnect the electric service to the building, dwelling or structure and shall immediately notify the utility.
- (f) **Utility company rules.** The latest edition of the CPS Energy publication, “Electrical Service Standards,” as approved by the *Building Official* and adopted by city council, is hereby incorporated and made a part of this chapter for all electric services and meter installations. All other wiring, either public or private, shall conform to this chapter.

Sec. 10-14. Building-related and Fire Codes Appeals and Advisory Board.

- (a) **General.** A Building-related and Fire Codes Appeals and Advisory Board also known as the Appeals and Advisory Board is created. The Board shall hear and decide appeals of orders, decisions or determinations made by the *Building Official* or the *Fire Chief* relative to the application and interpretations of Chapter 10, Chapter 11 and specific Articles in Chapter 28 of the City Code, and in order to provide advice to the *Building Official* or *Fire Chief* on code-related matters.
 - (1) Members of the Appeals and Advisory Board shall be appointed by the Mayor and City Council and shall hold office at its pleasure.
 - (2) Applications for appeal for any order, decision or determination made by the *Building Official* or the *Fire Chief* shall be filed on a form obtained from the *Building Official* within 21 calendar days after the notice was served.
 - (3) A filing fee must accompany each application for appeal to the Appeals and Advisory Board, as set forth in the fee schedule adopted by the City.
 - (4) The Appeals and Advisory Board shall meet quarterly on general and codes-related matters and shall meet within 14 calendar days after either the *Building Official* or the *Fire Chief* receives an application appealing an associated order, decision or determination relative to the application and interpretation of Chapter 10, Chapter 11 and specific Articles in Chapter 28.
 - (5) When requested by the *Building Official* or *Fire Chief*, the Appeals and Advisory Board shall conduct public hearings on nationally recognized building-related codes, following publication, and shall make

recommendations to the *Building Official* or *Fire Chief* for adoption or local amendment.

- (b) **Application for Appeal.** An application for appeal shall be based on a claim that:
- (1) the true intent of Chapters 10, 11 and specific Articles in Chapter 28 or the rules legally adopted thereunder have been incorrectly interpreted;
 - (2) the provisions of this chapter do not fully apply; or
 - (3) an equally good or better form of construction is proposed.
- (c) **Limitation on Authority.**
- (1) The Appeals and Advisory Board shall have no authority to waive requirements of Chapters 10, 11 or 28.
 - (2) The Appeals and Advisory Board shall review building-related and fire codes issues when requested to do so by the *Building Official* or *Fire Chief* and shall provide a recommendation to the *Building Official* or *Fire Chief*.
 - (3) The Appeals and Advisory Board may also review and make recommendations to the *Building Official* or *Fire Chief* on any building-related or fire code issue, as requested by a citizen or board member when the request for board review is approved by both the *Building Official* and Appeals and Advisory Board chairman.
 - (4) Appeals, as defined in § 10-14 (a), do not require approval by either the *Building Official* or chairman of the Appeals and Advisory Board in order to be heard.
 - (5) All meetings of the Board must comply with the provisions of the Texas Open Meetings Act. Through Board action, technical issue items may be added for discussion to any future board meeting agenda. Administrative and non-technical agenda items may only be added to the agenda and discussed when approved by the *Building Official*.
 - (6) Technical committees shall be established by the board to assist the *Building Official* and *Fire Chief* in determining recommendations for the adoption of the model codes listed in § 10-2, paragraphs (1) through (6) of this chapter and the model code listed in Chapter 11 and any associated local amendments to these codes.
 - (7) The responsibilities of the Appeals and Advisory Board shall be limited to those specifically contained in this Chapter.

- (d) **Qualifications.** The Board of Appeals shall consist of 17 members and 17 alternates who are qualified by experience and training to act on matters pertaining to building-related and fire codes, and may not be employees of the City. Board of Appeals members and alternate members shall reside in the City of San Antonio unless the residence requirement is waived by City Council. Nominations to City Council of both primary and alternate members for each category shall be made to the secretary of the Board of Appeals by industry associations that are affiliated with nationally recognized organizations. Membership of the Appeals and Advisory Board, including alternates, is by category and as follows:
- (1) One member and one alternate shall be a structural engineer licensed or registered by the State of Texas as a professional engineer.
 - (2) One member and one alternate shall be a fire protection engineer licensed or registered by the State of Texas as a professional engineer.
 - (3) One member and one alternate shall be an electrical engineer licensed or registered by the State of Texas as a professional engineer.
 - (4) One member and one alternate shall be a plumbing engineer or a mechanical engineer licensed or registered by the State of Texas as a professional engineer.
 - (5) One member and one alternate shall be an architect licensed by the State of Texas.
 - (6) Two members and two alternates shall be building contractors registered by the City of San Antonio.
 - (7) Two members and two alternates shall be licensed by the State of Texas as a master electrician. Of these, one member and one alternate represent organized labor, and one member and one alternate represent open shop.
 - (8) Two members and two alternates shall be licensed by the State of Texas as an air conditioning and refrigeration contractor. Of these, one member and one alternate shall represent organized labor and one member and one alternate shall represent open shop.
 - (9) Two members and two alternates shall be licensed by the State of Texas as a master plumber. Of these, one member and one alternate represent organized labor and one member and one alternate represent open shop.
 - (10) One member and one alternate shall be a commercial building contractor.
 - (11) One member and one alternate shall be a commercial building owner, manager, or their representative.

- (12) One member and one alternate shall be a Residential Group R-2 multi-family building owner, manager, or their representative.
- (13) One member and one alternate: licensed by either the City of San Antonio or the State of Texas as a master sign electrician.

The *Fire Chief* or designee shall be an ex-officio member. The *Building Official* or designee shall also be an ex-officio member and shall act as secretary to the Appeals and Advisory Board. The *Building Official* or *Fire Chief* or their respective designees shall not have a vote on any matter before the Appeals and Advisory Board.

The Appeals and Advisory Board shall be subject to City Code Chapter two, Article IX entitled “Boards and Commissions”, to the extent not in conflict with these provisions. Members shall be limited to three consecutive two-year terms. Board membership shall continue in a holdover capacity until a replacement is appointed. The Appeals and Advisory Board shall elect a chairman and vice-chairman annually, shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with copies to the *Building Official* or *Fire Chief*. All vacancies are filled for the unexpired portion of the term only.

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

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

Appeals and Advisory Board to have these subject matter experts present does not result in the approval of the applicant's appeal.

- (d) **Committees.** The Appeals and Advisory Board may form committees to advise it on specific matters. Prior to conducting public hearings on any of the nationally recognized building-related codes and any associated amendments thereto, the Appeals and Advisory Board shall form code review committees and shall select a chairman for such committee. The purpose of code review committees is to review the newly published codes and to receive public comments on these codes and their associated amendments. The *Building Official* will provide appropriate staff support to all such committees. The chairman of each code review committee shall report his committee recommendations to the Appeals and Advisory Board during the subsequent public hearings conducted by the board on these codes.
- (1) **Committee membership.** Committee membership shall consist of appointed members or their appointed alternates, should the member not be present, and may also consist of not more than four individuals who are not appointed by the Mayor and City Council and who are not required to reside in the City. A committee is required to have at least four appointed members or their appointed alternates. Both the primary board member and alternate board member for any category may serve on a committee, but only one category member, primary or alternate, may serve as a voting member on the committee. Committees shall have not more than seven primary and alternate board members.
- (2) **Committee quorum and voting.** A majority of the appointed members or their appointed alternates, should the member not be present, of the committee shall constitute a quorum. Only committee members who are Appeals and Advisory Board members or their alternates, should the member not be present, shall be allowed to vote on committee items. Committee members not appointed by the Mayor and City Council to the Appeals and Advisory Board, as either a member or alternate member, may not vote on committee matters. A majority of committee members authorized to vote shall be required.
- (e) **Procedure.** The meeting of the Board of Appeals shall be conducted in conformity with Parliamentary Rules (Robert's Rules of Order), or other rules established by the Appeals and Advisory Board, unless otherwise specified in Chapters 10, Chapter 11 and specific Articles in Chapter 28. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.
- (f) **Open hearing and meeting.** All hearings and meetings of the Appeals and Advisory Board shall be open to the public, and subject to the Texas Public Meetings Act. The appellant, the appellant's representative, the *Building Official*

and any person whose interests are affected shall be given equal opportunity to be heard.

- (g) **Appeals and Advisory Board decision on appeals.** A concurring vote of the majority of appointed members present once a quorum is established is required in order for the Appeals and Advisory Board to modify or reverse the decision of the *Building Official* or *Fire Chief*.
- (1) **Resolution.** The decision of the Appeals and Advisory Board shall be by resolution. Certified copies, signed by the chairman of the Appeals and Advisory Board, shall be furnished to the appellant and to the *Building Official* and *Fire Chief*.
- (2) **Administration.** The *Building Official* and *Fire Chief* shall take immediate action in accordance with the decision of the Appeals and Advisory Board.
- (h) **Appeal of Board of Appeals action.** Any action taken by the Building-related and Fire Codes Board of Appeals may be appealed by written petition for a hearing before the Mayor and City Council. Such petition must be filed with the City Clerk within seven days from the receipt of Board's action by certified mail and accompanied by a filing fee as set forth in the fee schedule adopted by the City.

Sec. 10-15. Violations.

- (a) **Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this chapter.
- (b) **Notice of violation.** The *Building Official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this chapter, or in violation of a permit or certificate issued under the provisions of this chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- (c) **Prosecution of violation.** If the notice of violation is not complied with promptly, the *Building Official* is authorized to request legal counsel of the city to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of such provisions of this chapter or of the order or direction made pursuant thereto.

- (d) **Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *Building Official*, or of a permit or certificate issued under the provisions of this chapter, shall be subject to penalties prescribed by law.
- (e) **Misdemeanor.** Any person violating any of the provisions of this code or other ordinances which are enforced by the *Building Official* shall be deemed guilty of a misdemeanor. Each such person shall be deemed guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted. Each violation may be punishable by a fine not to exceed \$500.

Sec. 10-16. Stop work order.

- (a) **Authority.** Whenever the *Building Official* finds any work regulated by this chapter being performed in a manner either contrary to the provisions of this chapter or dangerous or unsafe, the *Building Official* is authorized to issue a stop work order.
- (b) **Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
- (c) **Unlawful continuance.** Any person who shall continue any work having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec. 10-17. Unsafe structures and equipment.

- (a) **Conditions.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *Building Official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.
- (b) **Record.** The *Building Official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.
- (c) **Notice.** If an unsafe condition is found, the *Building Official* shall serve on the owner, agent or person in control of the structure, a written notice that describes

the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *Building Official* acceptance or rejection of the terms of the order.

- (d) **Method of service.** Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address as referenced in the deed records with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- (e) **Restoration.** The structure or equipment determined to be unsafe by the *Building Official* is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with Sec. 10-6 (d) and Chapter 34 of the IBC.

Sec. 10-18 through 10-24. Reserved.

ARTICLE II. DEFINITIONS

Sec. 10-25. Non-referenced definitions. The following definitions are in addition to or supersede those listed in the referenced model codes of this chapter:

AHJ. Authority Having Jurisdiction

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

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

- The total replacement of a system; or

- The installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under Chapter 755, Health and Safety Code.

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

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

AWG. American Wire Gauge.

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

BOARD OF APPEALS. The Building-related and Fire Codes Appeals and Advisory Board of the City of San Antonio.

BUILDING OFFICIAL. The Director of the Development Services Department or a duly authorized representative who may act on his behalf charged with the administration and enforcement of this chapter. For the purpose of this chapter, the *Building Official* shall also be known as the Code Official and AHJ.

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

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

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

CITY. The City of San Antonio, Texas.

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

CPS ENERGY. City Public Service Energy.

DEMOLITION. Has the meanings assigned in appendix A of chapter 35 of the City Code of San Antonio, Texas.

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

DEPARTMENT. Development Services Department of the City.

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

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

DRAIN CLEANER. An individual who has completed at least 4,000 hours working under the supervision of a responsible master plumber as a drain cleaner-restricted registrant, who has fulfilled the requirements of and is registered with the State Plumbing Licensing Board, and who installs cleanouts and removes and resets p-traps to eliminate obstructions in building drains and sewers under the supervision of a responsible master plumber.

DRAIN CLEANER - RESTRICTED REGISTRANT. An individual who has worked as a plumber's apprentice under the supervision of a responsible master plumber, who has fulfilled the requirements of and is registered with the State Plumbing Licensing Board, and who clears obstructions in sewer and drain lines through any code-approved existing opening under the supervision of a responsible master plumber.

DWV. Drain, waste and vent.

ELECTRICAL APPRENTICE. An individual, licensed by the State of Texas as an apprentice who works under the on-site direct supervision of a master electrician, a journeyman electrician, or a residential wireman, on behalf of an electrical contractor, or

employing governmental entity who performs "Electrical Work" as defined in this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENERGY STAR CERTIFIED ROOF. See Section 1502.1. Sec. 10-26.

FIRE CHIEF. The chief officer of the fire department serving the jurisdiction, or a duly authorized representative.

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

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

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

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

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

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

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

IBC. *International Building Code*, 2012 edition, as amended by the City.

IEBC. *International Existing Building Code*, 2012 edition, as amended by the City.

IECC. *International Energy Conservation Code*, 2009 edition, as amended by the City.

IFC. *International Fire Code*, 2012 edition, as amended by the City.

IFGC. *International Fuel Gas Code*, 2012 edition, as amended by the City.

IMC. *International Mechanical Code*, 2012 edition, as amended by the City.

IPC. *International Plumbing Code*, 2012 edition, as amended by the City.

IRC. *International Residential Code*, 2012 edition, as amended by the City.

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

grading.

IRRIGATION CONTRACTOR. A person licensed under Chapter 37 of the Texas Water Code and Chapter 1903 of the Texas Occupations Code.

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

JOURNEYMAN ELECTRICIAN. An individual, licensed by the State of Texas as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor or employing governmental entity who performs “Electrical Work” as defined in this chapter.

JOURNEYMAN PLUMBER. An individual, licensed by the State of Texas as a journeyman plumber who has met the qualifications for registration as a plumber’s apprentice or for licensure as a tradesman plumber – limited licensee, who has completed at least 8,000 hours working under the actual installation, alteration, repair, service and renovating of plumbing, and who has successfully fulfilled the examinations and requirements of the State Plumbing Licensing Board.

JOURNEYMAN SIGN ELECTRICIAN. An individual, licensed by the State of Texas as a journeyman sign electrician, who works under the general supervision of a master electrician or a master sign electrician on behalf of an electrical sign contractor who performs “Electrical Sign Work” as defined in this chapter.

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

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

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

MASTER ELECTRICIAN. An individual, licensed by the State of Texas as a master electrician who, on behalf of an electrical contractor, electrical sign contractor, or employing governmental entity, performs “Electrical Work” as defined by this chapter.

MASTER PLUMBER. An individual, licensed in the State of Texas as a master plumber who is skilled in the design, planning, superintending, and the practical installation, repair, and service of plumbing; who is knowledgeable about the codes, ordinances, or rules and regulations governing those matters; who alone, or through an

individual or individuals under his supervision, performs plumbing work; and who has successfully fulfilled the examinations and requirements of the State Plumbing License Board.

MASTER SIGN ELECTRICIAN. An individual licensed by the State of Texas as a master sign electrician who, on behalf of an electrical sign contractor, performs “Electrical Sign Work” as defined in this chapter.

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

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

MEDICAL GAS PIPING INSTALLATION ENDORSEMENT. A document entitling the holder of a master or journeyman plumbing license to install piping used solely to transport gases used for medical purposes including, but not limited to oxygen, nitrous oxide, medical air, nitrogen, and medical vacuum.

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

NEC. *National Electrical Code*, NFPA 70.

NFPA. National Fire Protection Association.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REGISTERED CONTRACTOR. A *residential building contractor*, as defined in this chapter, registered in the City of San Antonio to do residential building contracting.

RESIDENTIAL WIREMAN. A person licensed by the State of Texas who may only perform electrical installations in single-family and multifamily dwellings not exceeding three stories.

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

RP DEVICE. See definition of Reduced Pressure Principle Backflow Preventer.

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

SITE WORK. Site work includes any of the following:

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

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

STATE. Texas.

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

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

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

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

TRADESMAN PLUMBER – LIMITED LICENSE. An individual, who has completed at least 4,000 hours working under the direct supervision of a journeyman or master plumber as a registered plumber’s apprentice, who has passed the required examination and fulfilled the other requirements of the State Plumbing License Board, who constructs and installs plumbing for one- and two-family dwellings under the supervision of the responsible master plumber, and who has not met or attempted to meet the qualifications for a journeyman plumber license.

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

Sec. 10-26 through 10-28. Reserved.

ARTICLE III. BUILDING CODE

Sec. 10-29. Adoption of *International Building Code* (2012).

The 2012 edition of the *International Building Code*, promulgated by the International Code Council, Chapters 2 through 35, and Appendix H is hereby adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-30. Provisions of this article are in addition to the provisions of the *International Building Code*. The following provisions coinciding with the provisions of the *International Building Code* supersede, or delete, when indicated, the corresponding provisions of the *International Building Code*.

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

Sec. 10-30. Amendments to the adopted chapters of the *International Building Code* (2012).

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

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

SPECIAL INSPECTOR. A qualified person employed or retained by an *approved* agency who shall prove to the satisfaction of the registered design professional in responsible

charge and ~~[approved by]~~ the *Building Official* that he/she has ~~[building official as having]~~ the competence necessary to inspect a particular type of construction requiring *special inspection*.

SECTION 304, BUSINESS GROUP B, is amended by adding Fire Stations in the group as follows:

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

- Airport traffic control towers
- Ambulatory care facilities*
- Animal hospitals, kennels and pounds
- Banks
- Barber and beauty shops
- Car wash
- Civic administration
- Clinic, outpatient*
- Dry cleaning and laundries: pick-up and delivery stations and self-service
- Educational occupancies for students above the 12th grade
- Electronic data processing
- Fire stations (including the dormitory, apparatus bays, living and offices areas) if installed with an *automatic smoke detection system* in accordance with 907.2.10.2 and *smoke alarms* installed in accordance with 907.2.11.2 through 907.2.11.4
- Laboratories: testing and research
- Motor vehicle showrooms
- Post offices
- Print shops
- Professional services (architects, attorneys, dentists, physicians, engineers, etc.)
- Radio and television stations
- Telephone exchanges
- Training and skill development not within a school or academic program

Section 310.4, Residential Group R-3, is amended by adding Foster Care Family Homes as follows:

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

- Buildings that do not contain more than two *dwelling units*
- Boarding houses* (nontransient) with 16 or fewer occupants
- Boarding houses* (transient) with 10 or fewer occupants
- Care facilities that provide accommodations for five or fewer persons receiving care
- Congregate living facilities* (nontransient) with 16 or fewer occupants
- Congregate living facilities* (transient) with 10 or fewer occupants

Foster Care Family Homes

Section [F] 501.2, Address identification, of the IBC is amended to read as follows:

[F] 501.2 Address identification. All existing commercial and industrial buildings issued certificates of occupancy after September 10, 2006 and all new ~~[New and existing]~~ buildings shall be provided with approved address numbers or letters. Each character shall be not less than six inches (153 mm) ~~[4 inches (102 mm)]~~ in height and not less than 0.5 inch (12.7 mm) in width. For buildings with individual suites, the suite numbers shall be a minimum of four inches high with a minimum stroke width of 0.5 inch (12.7mm). 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.

Section 510.2, Horizontal building separation allowance, is amended by adding Section 510.2.1, Two-story “podium” construction with horizontal building separation allowance, to read as follows:

510.2.1 Two-story “podium” construction with horizontal building separation allowance. A building shall be considered as a separate and distinct building for the purpose of determining area limitations, continuity of firewalls, limitation of number of stories and type of construction where all of the following conditions are met:

1. The buildings are separated with a horizontal assembly having a minimum three - hour fire-resistance rating.
2. The building below the horizontal assembly is no more than two stories above grade plane.
3. The building below the horizontal assembly is of Type IA construction except that floor construction and associated structural members shall have a minimum three hour fire-resistance rating.
4. All exit stairs, exit ramps and elevator shaft enclosures, whether or not they penetrate through the horizontal assembly, shall have not less than a three-hour fire-resistance rating with opening protectives in accordance with Section 715.4. All other vertical opening through the horizontal assembly shall have not less than a two-hour fire-resistance rating with opening protectives in accordance with Section 715.4.
5. Both buildings (i.e., above and below the horizontal assembly listed in Item 1 are protected throughout by an approved automatic sprinkler system in accordance with Section 903.3.1.1.

6. The buildings shall be permitted to be any of the following occupancies:
 - 6.1. Group S-2 parking garage used for the parking and storage of private motor vehicles;
 - 6.2. Multiple Group A, each with an occupant load of less than 300;
 - 6.3. Group B;
 - 6.4. Group M;
 - 6.5. Group R; and
 - 6.6. Uses incidental to the operation of the building (including entry lobbies, mechanical rooms, storage areas and similar uses).
7. The maximum *building height* in feet (mm) shall not exceed the limits set forth in Section 503 for the building having the smaller allowable height as measured from the *grade plane*.
8. The height of the entire structure shall not be more than six *stories above grade plane*.
9. The highest occupied floor (including mezzanines and occupied roofs) shall not be greater than 75 feet from the lowest level of fire department vehicle access.

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

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

901.5 Acceptance tests. Fire protection systems shall be tested in accordance with the requirements of this code and the *International Fire Code*. When required, the tests shall be conducted in the presence of the *Building Official*. 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*. A representative of the Fire Marshal shall witness all required acceptance tests for all these systems.

SECTION 901, GENERAL, is amended by adding Section 901.9, Permits, to read as follows:

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

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

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

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

1. The outdoor covered area is a Group A2 Occupancy less than 1,000 ft² or is a Group A3 Occupancy. If multiple Group A2 Occupancy outdoor covered areas are proposed, then the aggregate area of all of these areas shall be less than 1,000 ft² or separated by a minimum of 20 feet from each other.
2. The outdoor covered area is open on at least three sides and open a minimum of 50% of the perimeter of the area covered. In order to be considered “open” for the purpose of this exception, an open side shall be at least 50% open with the open area uniformly distributed to prevent the accumulation of smoke and toxic gases.
3. The outdoor covered area shall have adequate independent means of egress such that the occupants of the outdoor covered area are not required to egress through a connected or adjacent building.

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

903.1.2 Safety factor. Automatic sprinkler systems shall be designed with a minimum of 10% or five psi safety factor (whichever is greater) to the hydraulically most demanding design area.

903.1.3 High volume low speed fans in new and existing buildings. The use of High Volume Low Speed (HVLS) or High Volume Low Velocity (HVLV) fans shall be prohibited in areas protected by an *automatic sprinkler system*.

Exception: When a technical opinion and report is provided in accordance with Section 104.7.2, the Fire Marshal or his designee shall analyze the opinion and report and recommend changes as necessary.

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

[F] 903.2.1.3 Group A-3. An automatic sprinkler system shall be provided 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; or
4. Any Group A-3 occupancy that serves alcohol shall comply with the fire sprinkler requirements for Group A-2 occupancies in Section 903.2.1.2.

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

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

Exception: Foster care family homes as defined in Section 202

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

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

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

[F] 903.2.13 Porte-cocheres. For buildings protected with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, porte-cocheres greater than 1,000 square feet (92 m²) in area shall be sprinklered.

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

[F] 903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or area 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 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 of the International Building Code.
7. Equipment storage areas of fire stations where sprinklers are considered undesirable because of the nature of the contents, including firefighting apparatus and specialized equipment, when *approved* by the fire code official.

Section [F] 903.3.1.2, NFPA 13R sprinkler systems, is amended by adding Section [F] 903.3.1.2.2, Elevator machine room, to read as follows:

[F] 903.3.1.2.2 Elevator machine room. In all R occupancies or occupancies using a 13R system with elevator systems, the elevator machine room shall be sprinklered per NFPA 13.

SECTION 903, AUTOMATIC SPRINKLER SYSTEMS, is amended by adding Section [F] 903.6, Separation from non-sprinklered areas, to read as follows:

[F] 903.6 Separation from non-sprinklered areas. Unless otherwise exempted by this code or the 2012 *International Fire Code (IFC)* or required to be of a higher fire resistive construction by this *code* or the IFC, a minimum one hour *fire barrier* constructed in accordance with Chapter 7 shall be between sprinklered and non-sprinklered areas within a *building*.

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

[F] 905.1.1 Safety factor. Standpipe systems shall be designed with a minimum 10% or five psi safety factor, whichever is greater, to the hydraulically most demanding system and/or outlet.

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

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

SECTION [F] 905, STANDPIPE SYSTEMS, is amended by adding Section [F] 905.11, Hose stations, as follows:

[F] 905.11 Hose stations. No fire hose is required for standpipes in fully sprinklered buildings, except on stages as defined by Section 410.2. The hose shall be equipped with smooth bore nozzles with shutoffs unless otherwise approved by the fire marshal.

SECTION [F] 906, PORTABLE FIRE EXTINGUISHERS, is amended by adding Section [F] 906.2.1, Travel distance, as follows:

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

Section [F] 907.1.2, Fire alarm shop drawings, is amended to read as follows:

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

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Location of fire alarm control unit, transponders and notification power supplies.
5. Annunciators.
6. Power connection.
7. Battery calculations. Calculations are to be completed using a battery derating factor of 20% minimum.
8. Conductor type and sizes.

9. Voltage drop calculations. Calculations shall be completed using a maximum starting voltage of 20.4 volts for 24-volt systems and 10.2 volts for 12-volt systems.
10. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials.
11. Details of ceiling height and construction.
12. The interface of fire safety control functions.
13. Classification of the supervising station.

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

Section [F] 907.2.3, Group E, is repealed and replaced with Section [F] 907.2.3 Group E as follows:

[F] 907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section [F] 907.5 shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
 - 2.1. Interior corridors are protected by smoke detectors
 - 2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved devices.
 - 2.4. The capability to activate the evacuation signal from a central point is provided.

2.5. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in location specifically designated by the fire code official.

3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system in accordance with [F] 903.3.1.1, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

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

Section [M] 907.2.13.1.2, Duct smoke detection, is amended by adding condition 3 as follows:

[M] 907.2.13.1.2 Duct smoke detection. Duct smoke detectors complying with Section 907.3.1 shall be located as follows:

1. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m³/s) and serving not more than 10 air-inlet openings.
3. In systems with open air returns, the duct smoke detector shall be placed on the supply side.

Section [F] 907.2, Where required – new buildings and structures, is amended by adding Section [F] 907.2.24, High occupant load, to read as follows:

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

Exception: Open parking garages.

Section [F] 907.3, Fire safety functions, is amended to read as follows:

[F] 907.3, Fire safety functions. Automatic fire detectors utilized for the purpose of performing fire safety functions shall be connected to the building's fire alarm control unit where a fire alarm system is required by Section 907.2. Detectors shall, upon actuation, perform the intended function and activate the alarm notification appliances or activate a visible and audible supervisory signal at a constantly attended location. In buildings not equipped with a fire alarm system, the automatic fire detector shall be powered by normal electrical service and, upon actuation, perform the intended function. The detectors shall be located in accordance with NFPA 72, except that the duct smoke detectors shall be located in accordance with the 2012 *International Mechanical Code*.

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

[F] 907.3.1 Duct smoke detectors. Smoke detectors installed in ducts shall be *listed* for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a *constantly attended location* and shall perform the intended fire safety function in accordance with this code and the *International Mechanical Code*. Duct smoke detectors shall not be used as a substitute for required open area detection. In systems with open air returns, the duct smoke detector shall be placed on the supply side.

Exceptions:

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

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

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

1. Elevator capture and control in accordance with ASME/ANSI A17.1b-2007, Safety Code for Elevators and Escalators.
2. Release of automatic door closures and hold open devices.
3. Stairwell and/or elevator shaft pressurization.

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

Section [F] 907.4.2.1, Location, is amended to add the following exception to read as follows:

[F] 907.4.2.1 Location. Manual fire alarm boxes shall be located not more than 5 feet (1524 mm) from the entrance to each exit. Additional manual fire alarm boxes shall be located so that travel distance to the nearest box does not exceed 200 feet (60 960 mm).

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

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

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

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

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

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

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

[F] 907.5.2.1.4 Testing of audible alarms in Group R occupancies. Audibility levels for all Group R occupancies shall be in accordance with the requirements of Section [F] 907.6.2.1.1, and shall be tested utilizing the following criteria:

1. A UL listed sound pressure level meter, which has been calibrated within the last calendar year, and supplied by the fire alarm system installing contractor, shall be utilized to obtain readings. The audiometer will be held five feet above floor, pointed in the direction of the audible device.
2. Sleeping room doors within the occupancy shall be in the closed position.
3. Bathroom doors within the occupancy shall be in the closed position.
4. Ambient sound level shall be established with the television set at 50% of maximum volume, showers running, bathroom exhaust systems running, and air conditioning units running.
5. Levels shall be taken in the most remote area of the dwelling or sleeping unit first, including bathrooms.

6. Initial readings to confirm the ambient sound level in each area shall be taken.
7. The fire alarm system shall be activated and readings in the tested areas shall be retaken and compared with the requirements.

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

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

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

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

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

Section [F] 907.5.2.3.1, Public and common areas, is amended to read as follows:

[F] 907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public areas and common areas. A common area is defined as an area that may be shared by two or more individuals (e.g., shared office, meeting room, conference room, huddle room, break room, storage room with a total area of 100 square feet or more that is accessible from a corridor, open work area to which access is not restricted, etc.).

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

[F] 907.5.2.3.5 Group R-2 sleeping areas. Living room in Group R-2 occupancies shall have visible notification devices that meet the effective intensity requirements of NFPA 72, Table 7.5.4.6.2.

Section [F] 907.5.2.3, Visible alarms, is amended by adding Section [F] 907.5.2.3.6, Combination devices, to read as follows:

[F] 907.5.2.3.6 Combination devices. Combination 120 VAC single or multiple-station smoke detectors with an onboard visible notification appliance if utilized to meet the requirements of Section [F] 907.2.11, will not be given credit for meeting the visible alarm notification requirements of Section [F] 907.6.2.3.4 if these devices do not have the capability of supplying backup power for the visible notification appliance portion of the device. Should such devices be utilized to comply with Section [F] 907.2.11, the visible appliance side of the device shall flash in synchronization with the notification appliances required in the unit.

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

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

Section [F] 912.3.1, Locking fire department connection caps, is repealed and replaced to read as follows:

[F] 912.3.1 Locking fire department connection caps. Fire department connection(s) shall have locking caps in the following areas/occupancies: the area described in Section 11-37 of the city's fire code; Group A, E, I occupancies; *high-rise buildings*; any other location that the fire code official determines that a locking cap would be necessary and/or beneficial for firefighting needs.

SECTION [F] 912, FIRE DEPARTMENT CONNECTIONS, is amended by adding Section [F] 912.6, Location and type, as follows:

[F] 912.6 Location and type. Sprinkler system and standpipe fire department hose connections shall be as follows:

1. Within 40 feet of a public street, *approved* fire lane or access roadway; and

2. Within 250 feet of an *approved* fire hydrant measured per hose lay criteria in Section 507.5.1.2 except for R-2 apartments the fire department connection shall be within 500 feet of an *approved* fire hydrant measured per hose lay criteria in Section 507.5.1.2 ; and
3. Minimum of two feet above finished grade and a maximum of four feet above finished grade for standard inlets and minimum of 30 inches at lowest point above finished grade and maximum of four feet above finished grade for the five inch “Stortz” inlet.
4. The Fire Code Official shall *approve* the location of freestanding fire department connections. Freestanding FDCs must be physically protected against impact per the requirements of Section 312 or other *approved* means.
5. Where provided, the five inch “Stortz” inlet shall be installed at a 30 degree angle pointing down;
6. Fire department connections for H occupancies will be freestanding remove and located as determined by the fire code official; and
7. See Table 912.6

Table 912.6
FDC Connections required by System Type

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

There shall be no more than one Stortz connection in any configuration

Section [F] 1003, General Means of Egress, is amended by adding the Section [F] 1003.8, Special provisions, as follows:

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

Exceptions:

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

Section 1004.1.2, Areas without fixed seating, is amended by adding a sentence to the end of the main body of the section to read as follows:

1004.1.2 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without *fixed seating*, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the *Building Official* ~~[building official]~~ shall establish a function based on a listed use that most nearly resembles the intended function. When the calculated number is not a whole number, it is required to round up to the next whole number for determination of the occupant load of a space.

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

Section 1006.3, Emergency power for illumination, is amended by adding Section 1006.3.2, Illumination in Group E occupancies, to read as follows:

1006.3.2 Illumination in Group E occupancies. Group E occupancies shall have emergency lighting in interior stairs, corridors, windowless areas with student occupancy, shops, and laboratories.

SECTION 1007, ACCESSIBLE MEANS OF EGRESS, is repealed and replaced with a new SECTION 1007 to read as follows:

SECTION 1007

ACCESSIBLE MEANS OF EGRESS

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

Section 1008.1.9.8, Access-controlled egress doors, is amended as follows:

1008.1.9.8 Access-controlled egress doors. The entrance doors in a *means of egress* in buildings with an occupancy in Groups A, B, E, I-2, M, R-1 or R-2 and entrance doors to tenant spaces in occupancies in Groups A, B, E, I-2, M, R-1 or R-2 and interior doors in Group I-2 occupancies, with the approval of the *Building Official*, are permitted to be equipped with an *approved* entrance and egress access controls system, listed in accordance with UL 294, which shall be installed which shall be installed in accordance with all of the following criteria:

1. A sensor shall be provided on the egress side arranged to detect an occupant approaching the doors. The doors shall be arranged to unlock by a signal from or loss of power to the sensor.
2. Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors.
3. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "PUSH TO EXIT." When operated, the manual unlocking device shall result in direct interruption of power to the lock – independent of the access control system electronics – and the doors shall remain unlocked for a minimum of 30 seconds.
4. Activation of the building fire alarm system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
5. Activation of the building automatic sprinkler or fire detection system, if provided, shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.
6. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.

Section 1008.1.9.6, Special locking arrangements in Group I-2, is amended as follows with the remaining code sections staying unchanged:

1008.1.9.6 Special locking arrangements in Group I-2. Where approved by the Building Official, approved ~~[Approved]~~ special egress locks shall be permitted in a Group I-2 occupancy where the clinical needs of persons that require specialized security measures for their safety (i.e., infant/pediatric security safe areas, dementia and Alzheimer’s disease care areas, etc.) ~~[receiving care]~~ require such locking. Special egress locks on doors, including stairway doors, shall be permitted in such occupancies where the *building* is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 of an *approved* automatic smoke or heat detection system in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 7 below.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism.
3. The door locks shall have the capability of being unlocked by a signal from the fire command center, a nursing station or other approved location.
4. A building occupant shall not be required to pass through more than one door equipped with a special egress lock before entering an exit.
5. The procedures for the operation(s) of the unlocking system shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code.
6. All clinical staff shall have the keys, codes or other means necessary to operate the locking devices.
7. Emergency lighting shall be provided at the door.

Exception: Items 1 through 4 shall not apply to doors to areas where persons, which because of clinical needs, require restraint or containment as part of the function of a psychiatric treatment area.

Section 1008.1.9.7, Delayed egress locks, is amended as follows:

1008.1.9.7 Delayed egress locks. *Approved, listed,* delayed egress locks shall be permitted to be installed on doors, including stairway doors in a Group I-2 occupancy, serving any occupancy except Group A, E and H occupancies in *buildings* that are equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or an *approved* automatic smoke or heat detection system in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A *building* occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an *exit*.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or locking mechanism.
3. The door locks shall have the capability of being unlocked by a signal from the fire command center.
4. The initiation of an irreversible process which will release the latch is not more than 15 seconds when a force of not more than 15 pound (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.

Exception: Where approved, a delay of not more than 30 seconds is permitted.

5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 [30] SECONDS.
6. Emergency lighting shall be provided at the door.

Section 1008.1.9.8, Access-controlled egress doors, is amended by amending the first paragraph as follows with items 1 through 6 remaining unchanged:

1008.1.9.8 Access-controlled egress doors. The entrance doors in a *means of egress* in *buildings* with an occupancy in Groups A, B, E, I-2, M, R-1 or R-2 and entrance doors to tenant spaces in occupancies in Groups A, B, E, I-2, M, R-1 or R-2 and interior doors in Group I-2 occupancies, with the approval of the *Building Official*, are permitted to be equipped with an *approved* entrance and egress access controls system, listed in accordance with UL 294, which shall be installed which shall be installed in accordance with all of the following criteria:

1. A sensor shall be provided on the egress side arranged to detect an occupant approaching the doors. The doors shall be arranged to unlock by a signal from or loss of power to the sensor.
2. Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors.
3. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 Mm to 1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads “PUSH TO EXIT.” When operated, the manual unlocking device shall

result in direct interruption of power to the lock – independent of the access control system electronics – and the doors shall remain unlocked for a minimum of 30 seconds.

4. Activation of the building fire alarm system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
5. Activation of the building automatic sprinkler or fire detection system, if provided, shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.
6. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.

SECTION 1026, EXTERIOR EXIT RAMPS AND STAIRWAYS, is amended by adding Section 1026.7, Exterior fire escape, to read as follows:

1026.7 Exterior fire escape. Any existing fire escape which is deemed to be adequate fire escape under the laws of the state or under the provisions of the city fire prevention regulations shall be deemed an adequate means of egress for emergency use, as required by this chapter, and the number of existing exterior fire escapes shall be provided to comply with the fire escape law of the state and the city fire prevention regulations.

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

CHAPTER 11 **ACCESSIBILITY**

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

CHAPTER 15, ROOF ASSEMBLIES AND ROOFTOP STRUCTURES is amended by amending Section [P]1503.4, Roof drainage, by adding Section 1503.4.4, Zero lot line development, and Section 1503.4.5 to read as follows:

1503.4.4 Zero lot line development. On zero lot line development where roof projections are allowed by deed covenant or ingress/egress easements and the roof slopes towards the adjoining property, adequate gutters and downspouts shall be provided to direct roof water away from adjacent property. Roof projections shall not extend beyond a point one third the width of the easement or a maximum of 24 inches (610 mm). If there is no slope towards zero lot line, gutters are not necessary.

1503.4.5 Any Group R or Group U occupancy with roof edges less than three feet (914 mm) to any property line shall be provided with gutters and downspouts to direct roof water away from adjacent property.

SECTION 1704, SPECIAL INSPECTIONS, CONTRACTOR RESPONSIBILITIES AND STRUCTURAL OBSERVATIONS, is amended by amending Section 1704.2, Special inspections, to read as follows:

1704.2 Special inspections. Where application is made for construction as described in this section, the owner or the *registered design professional in responsible charge* acting as the owner's agent shall employ one or more *approved agencies* to perform inspections during construction on the types of work listed under Section 1705. The special inspector shall not be employed by the contractor. These inspections are in addition to the inspections identified in Section 10-6 of this chapter. ~~{110.}~~

Exceptions:

1. *Special inspections* are not required for construction of a minor nature or as warranted by conditions in the jurisdiction as *approved* by the Building Official ~~{building official}~~.
2. Unless otherwise required by the Building Official ~~{building official}~~, *special inspections* are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
3. Special inspections are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.7 of the conventional light-frame construction provisions of Section 2308.

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

1704.2.1 Special inspector qualifications. Upon request, the ~~{The}~~ special inspector shall provide written documentation to the Building Official ~~{building official}~~ demonstrating to the Building Official ~~{building official}~~ his or her competence and relevant experience or training. Experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of *special inspection* activities for projects of similar complexity and material qualities. These qualifications are in addition to qualifications specified in other section of this code.

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

satisfaction of the registered design professional in responsible charge and the Building Official ~~[building official]~~.

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

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

Section 1704.2.5.2, Fabricator approval, is amended to read as follows:

1704.2.5.2 Fabricator approval. *Special inspections* required by Section 1704 are not required where the work is done on the premises of a fabricator that is enrolled in a nationally accepted inspections program acceptable to the registered design professional in responsible charge. ~~[registered and approved to perform such work without special inspection. Approval shall be based upon review of the fabricator's written procedural and quality control manuals and periodic auditing of fabrication practices by an approved special inspection agency.]~~ At completion of fabrication, the approved fabricator shall submit a certificate of compliance to the Building Official ~~[building official]~~ upon request. A certificate of compliance shall also be submitted to the registered design professional in responsible charge stating that the work was performed in accordance with the approved construction documents.

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

3306.7 Covered walkways. Covered walkways shall have a minimum clear height of 8 feet (2438 mm) as measured from the floor surface to the canopy overhead. Adequate lighting shall be provided at all times. Covered walkways shall be designed to support all imposed loads. In no case shall the design live load be less than 250 psf (7.2 kN/m²) for the entire structure.

Exception A: Roofs and supporting structures of covered walkways for new, light-frame construction not exceeding two stories above grade plane are permitted to be designed for a live load of 75 psf (7.2 kN/m²) or the loads imposed on them, whichever is greater. In

lieu of such designs, the roof and supporting structure of a covered walkway are permitted to be constructed as follows:

1. Footings shall be continuous 2-inch by 6-inch (51 mm by 152 mm) members.
2. Posts not less than 4 inches by 6 inches (102 mm by 152 mm) shall be provided on both sides of the roof and spaced not more than 12 feet (3658 mm) on center.
3. Stringers not less than 4 inches by 12 inches (102 mm by 305 mm) shall be placed on edge upon the posts.
4. Joists resting on the stringers shall be at least 2 inches by 8 inches (51 mm by 203 mm) and shall be spaced not more than 2 feet (610 mm) on center.
5. The deck shall be planks at least 2 inches (51 mm) thick or wood structural panels with an exterior exposure durability classification of at least 23/32 inch (18.3 mm) thick nailed to the joists.
6. Each post shall be knee braced to joists and stringers by 2-inch by 4-inch (51 mm by 102 mm) minimum members 4 feet (1219 mm) long.
7. A 2-inch by 4-inch (51 mm by 102 mm) minimum curb shall be set on edge along the outside edge of the deck.

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

CHAPTER 34, EXISTING STRUCTURES is repealed and replaced with a new CHAPTER 34, EXISTING STRUCTURES, to read as follows:

CHAPTER 34 **EXISTING STRUCTURES**

SECTION 3401 GENERAL

3401.1 Scope. The provisions of this chapter shall control the repair, alteration, change of occupancy, addition and relocation of existing structures.

Exception: Existing *bleachers, grandstands and folding and telescopic seating* shall comply with ICC 300-02.

3401.2 Maintenance. *Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which they were installed. The owner or the owner’s designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be reinspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.*

3401.3 Compliance. *The repair, alteration, change of existing occupancy classification, addition and relocation of existing structures shall be required to meet the provisions of the 2012 International Existing Building Code as adopted by the City.*

APPENDIX H, SIGNS, is amended as follows:

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

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

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

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

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

4. Channel letters that weigh 7.5 psf (359.1 N/m²) or less.

Section H107, COMBUSTIBLE MATERIALS, is amended by repealing Sections H107.1.2 and H107.1.3.

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

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

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

Section H115, REFERENCED STANDARDS, is amended by referencing the 2011 NEC as follows:

NFPA 70-11 [~~70-08~~] National Electrical Code H106.1, H106.2

Sec. 10-31 Fee Schedule

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

<i>Commercial Plan Review Fees</i>	
Valuation \$0–\$1,000	\$100.00
Valuation \$1,001–\$200,000	\$100.00+\$1.60/\$1,000, or fraction thereof, over \$1,000
Valuation \$200,001–\$1,000,000	\$418.40+\$1.50/\$1,000, or fraction thereof, over \$200,000
Valuation \$1,000,001–\$5,000,000	\$1,618.40+\$0.75/\$1,000, or fraction thereof, over \$1,000,000
Valuation \$5,000,001+	\$4,618.40+\$0.50/\$1,000, or fraction thereof, over \$5,000,000
<i>School District Plan Reviews:</i>	
School districts with school district projects valued at over five hundred thousand dollars (\$500,000.00) shall be entitled to a twenty-five (25) percent waiver of plan review and permit fees, but in no case shall said school district pay less than a minimum fee of eight hundred sixty-eight dollars and forty cents (\$868.40) for plan review, one thousand four hundred ten dollars (\$1,410.00) for building permit, and one hundred thirty-six dollars and seventy cents (\$136.70) for the related surcharges.	
<i>Landscape Plan Review</i>	
Base fee Plus 11% of the Building Plan Review Fee	\$27.50
<i>Commercial Irrigation Plan</i>	\$100.00

<i>Review</i>	
<i>Commercial Swimming Pool Plan Review Fee</i>	(based upon valuation)
<i>Pool Commercial Landscape Plan Review</i>	
Base fee Plus 11% of the Building Plan Review Fee	\$27.50
<i>Commercial Permit Fees</i>	
Valuation: \$0–\$1,000	\$100.00
Valuation: \$1,001–\$25,000	\$100.00+\$7.28/\$1,000, or fraction thereof, over \$1000
Valuation: \$25,001–\$75,000	\$274.87+\$5.72/\$1,000, or fraction thereof, over \$25,000
Valuation: >75,000	\$560.00+\$2.00/\$1,000, or fraction thereof, over \$75,000
<i>School District Plan Reviews:</i>	
School districts with school district projects valued at over five hundred thousand dollars (\$500,000.00) shall be entitled to a twenty-five (25) percent waiver of plan review and permit fees, but in no case shall said school district pay less than a minimum fee of eight hundred sixty-eight dollars and forty cents (\$868.40) for plan review, one thousand four hundred ten dollars (\$1,410.00) for building permit, and one hundred thirty-six dollars and seventy cents (\$136.70) for the related surcharges.	
Commercial Conditional Permit Fees (plus the Building Permit Fee)	\$200.00
Commercial Fence (plus Plan Review Fee)	Based Upon Building Valuation
Commercial Re-Roof (plus Plan Review Fee when applicable)	Based Upon Building Valuation
Document Management Fee	Walk Through Plans - \$10.00; School Districts - Interior Finishout - \$10.00; Retaining Walls - \$10.00; Demolition - \$10.00; 10 Day Plans - \$25.00; Site Plans - \$30.00; 20 Day Plans - \$50.00; 35 Day Plans - \$150.00/Roll; School Districts - New - \$150/Roll
<i>Special Services Fees—Building Plan Review and Inspection</i>	
Additional Plan Review (i.e. revised)—Per Reviewer (All Disciplines) per Hour (1 hour minimum)	\$100.00
Administrative Exception	\$350.00
Code Variance	\$350.00
After-hour Inspection Fee (per hour with 1 hour minimum)	\$100.00
After-hours Commercial Plan Review—Per Reviewer (All Disciplines) per Hour (1 hour minimum)	\$100.00
Commercial Plan Retrieval Fee per Plan	\$100.00
Commercial Project Modification	\$350.00

Request Fee per Modification Request	
Commercial Walk-Through Fee for Plans over 500 Square Feet (per plan)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Inspection Schedule Fee (Free on-line)	\$3.00
Mail-in Building Plan Fee (Processing Fee for Building Plans received in the mail) per Plan	\$500.00
Plan Review by Appointment Processing Fee (per appointment)	\$200.00
Plus Additional Plan Review Fee per Reviewer per hour (1 hour minimum)	\$100.00
Preliminary Plan Review	
Fee per Reviewer per hour and per discipline (1 hour minimum per discipline)	\$100.00
Plus Additional Plan Review Fee per Reviewer per hour and per discipline (1 hour minimum per discipline)	\$100.00
Re-inspection Fee	\$50.00
Median and turn lane review (outside of plat) per hour	\$100.00
Permit extension fee: 50% of permit (plus cost of permit)	
<i>Building-related and Fire Codes Appeals and Advisory Board Fees</i>	
<i>Building-related and Fire Codes Appeal Fee</i>	\$155.00
Appeal to City Council	\$155.00
<i>Certificate of Occupancy</i>	
<i>Commercial</i>	
Commercial Certificate of Occupancy	\$200.00
Temporary Commercial Certificate of Occupancy	\$500.00
Temporary Commercial	\$100.00

Certificate of Occupancy Extension	
Expired Certificate of Occupancy Fine (basic fee plus C of O fee)	\$500.00
Fine for New Commercial Construction Occupancy without C of O	\$500.00
Fine for Existing Commercial Construction Occupancy without C of O (plus C of O Fee)	\$200.00
<i>Miscellaneous</i>	
Certificate of Occupancy Tent Fee	\$100.00
Certificate of Occupancy Mall Cart	\$100.00
Certificate of Occupancy--Name Change	\$50.00
Certificate of Occupancy--Address Correction	\$50.00
Duplicate Copy of Certificate of Occupancy (plus tax)	\$5.00
Re-inspection Fee	\$50.00
<i>Miscellaneous Building Development Fees</i>	
Permit Processing Fee	\$10.00
Building Permit ready/status letter	\$50.00
Link child-parent permits in Hansen, per commercial permit	\$10.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
Building/Suite assignment fee:	
Building	\$100.00
Suite	\$20.00
Permit Reprint Fee (subject to sales tax)	\$5.00
Name, Address or DBA Change on Permit	\$50.00
Notary Public	\$3.00
Open Permit Review Fee	\$3.00/Permit

<i>Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)</i>	
<i>Commercial</i>	
Occupant load adjustment fee per hour .	100.00

Sec. 10-32 through 10-35. Reserved.

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

Sec. 10-36 Adoption of *International Residential Code (2012)*.

The 2012 edition of the *International Residential Code for One-and-Two-family Dwellings*, promulgated by the International Code Council, Chapters 2 through 10, 12 through 23, Section P2904, Chapter 44 and Appendices G, J and K is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of Section 10-37. Provisions of this article are in addition to the provisions of the *International Residential Code*. The following provisions coinciding with the provisions of the *International Residential Code* supersede, or delete, when indicated, the corresponding provisions of the *International Residential Code*.

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

Sec. 10-37. Amendments to the adopted chapters and Appendix G of the *International Residential Code (IRC) (2012)*.

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

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

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

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM		
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frostline depth ^b	Termite ^c
5	90	NO	A	Negligible	0	<u>Moderate</u> <u>To Heavy</u>

WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
30 ^o	NO	Appendix F, 2009 UDC	16	68.7 ^o

Section R303.4, Mechanical ventilation, is amended to read as follows:

R303.4 Mechanical ventilation. Where local exhaust or whole house mechanical ventilation is provided, the dwelling unit shall be ventilated ~~[Where the air infiltration rate of a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2 inch we (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole house mechanical]~~ ventilation in accordance with Section M1507.3.

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

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

Exceptions:

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

Section R313.2, One- and two-family dwellings automatic fire systems, and Section R313.2.1, Design and installation, are repealed in their entirety and replaced with the following:

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

Section R315.3, Where required in existing dwellings, is amended to read as follows:

R315.3 Where required in existing dwellings. Where work requiring a building permit occurs inside of ~~[in]~~ existing dwellings that have attached garages or inside of existing

dwellings within which fuel-fired *appliances* exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

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

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

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

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

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

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet (1829 mm) on center. Bolts shall be at least ½ inch (12.7 mm) in diameter and shall extend a minimum of 7 inches (178 mm) into concrete or grouted cells of concrete masonry units. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318. Cold-formed steel framing systems shall be fastened to wood sill plates or anchored directly to the foundation as required in Section R505.3.1 or R603.3.1.

Exceptions:

1. Foundation anchorage, spaced as required to provide equivalent anchorage to ½-inch-diameter (12.7 mm) anchor bolts.
2. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in item 8 of Table R602.3(1).

3. Connection of walls 12 inches (305 mm) total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in item 8 of Table R602.3(1).

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

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

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

Section M1305.1.3 Appliances in attics, is amended by adding Subsection M1305.1.3.2, Access for cooling or heating appliance, to read as follows:

M1305.1.3.2 Access for cooling or heating appliance. For residential applications, the attic space in which any cooling or heating appliance is installed shall be provided with a permanent ladder or fold-away ladder.

Section M1411.3.1, Auxiliary and secondary drain systems, is amended by eliminating auxiliary protection method #2 and #4 and renumbering as follows:

M1411.3.1 Auxiliary and secondary drain systems. In addition to the requirements of Section M1411.3, a secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1/8 unit vertical in 12 units horizontal (1-percent slope). Drain piping shall be a minimum of 3/4-inch (19 mm) nominal pipe size. One of the following methods shall be used:

1. An auxiliary drain pan with a separate drain shall be installed under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1.5 inches (38 mm), shall not be less than 3 inches (76 mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0236-inch (0.6010 mm) (No. 24 Gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).

- ~~{2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.}~~
2. {3} An auxiliary drain pan without a separate drain line shall be installed under the coils on which condensation will occur. This pan shall be equipped with a water level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The pan shall be equipped with a fitting to allow for drainage. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.
- ~~{4. A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.}~~

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

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

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

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

Section G2415.6 Underground penetrations prohibited, is amended as follows:

G2415.6 Underground penetration prohibited. *Gas piping shall not penetrate building foundation walls at any point below grade. Gas piping shall enter and exit the building at a point above grade and the annular space between the pipe and the wall shall be sealed.*

Exception: *Gas piping may penetrate a slab-on-grade foundation, above or below grade, where the installation complies with Section G2415.14.*

APPENDIX G, SWIMMING POOLS, SPAS AND HOT TUBS, is amended by repealing Section AG101.2, Pools in flood hazard areas, and Subsections AG101.2.1, Pools located in designated floodways, and AG101.2.2, Pools located where floodways have not been designated.

Sec. 10-38. Fee Schedule.

<i>Building</i>	
<i>Residential Plan Review Fees</i>	
Valuation: \$0–\$24,000	\$100.00
Valuation: \$24,001–\$200,000	\$100.00 plus \$1.38/1000, or fraction thereof, over \$24,000
Valuation \$200,001–\$1,000,000	\$342.88+\$0.72/\$1,000, or fraction thereof, over \$200,000
Valuation \$1,000,001+	\$918.88+\$0.17/\$1,000, or fraction thereof, over \$1,000,000
Construction for new homes valued under \$100,000 will receive a 25% discount applied to the building plan review fees.	
Mobile home Installation	\$50.00
Landscape Plan Review	
Base Fee	\$27.50
Plus percent of the Building Plan Review Fee	11%
Residential Swimming Pool Plan Review Fee	Based upon valuation
Residential Plan Retrieval Fee	\$100.00
<i>Residential Permit Fees</i>	
<i>Residential Building Permit Fees</i>	
Valuation: \$0–\$1,000	\$100.00
Valuation: \$1,001–\$25,000	\$100.00+\$7.28/\$1,000, or fraction thereof, over \$1000
Valuation: \$25,001–\$75,000	\$274.87+\$5.72/\$1,000, or fraction thereof, over \$25,000
Valuation >\$75,000	\$560.00+\$1.25/\$1,000, or fraction thereof, over \$75,000
*Homes valued under \$100,000 will receive a 25% discount applied to the building permit fees.	

Residential Fence Permit	\$25.00
Residential Swimming Pool Permit Fee	Based upon valuation with \$30,000/minimum value
Residential Re-roof Permit	\$25.00
<i>Special Services Fees—Building Plan Review and Inspection</i>	
Additional Plan Review (i.e. revised)—Per Reviewer per Hour (1 hour minimum)	\$100.00
Administrative Exception/Code Variance	\$350.00
After-hours Plan Review—per Reviewer per Hour (1 hour minimum)	\$100.00
After-hours Plan Review—Residential—Building, Tree Preservation, Drainage (Per hour with 1.24 hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
After-hour Inspection Review—per Reviewer per Hour (1 hour minimum)	\$100.00
Link child-parent permits to Hansen	\$5.00/residential permit
Inspection Schedule Fee (Free on-line)	\$3.00
Mail-in Building Plan Fee (Processing Fee for Building Plans received in the mail) per Plan	\$500.00
Re-inspection Fee	\$50.00
Residential Building Plan Application Administrative Processing Fee (free on-line)	\$10.00
Permit extension fee	50% of permit
<i>Building-related and Fire Codes Appeals and Advisory Board Fees</i>	
<i>Building-related and Fire Codes Appeal Fee</i>	\$155.00
Appeal to City Council	\$155.00
<i>Certificate of Occupancy</i>	
<i>Residential</i>	
Temporary Residential Certificate of Occupancy	\$150.00
Temporary Residential Certificate of Occupancy Extension	\$75.00
Residential Construction Moving in without Certificate of Occupancy	\$300.00
<i>License and Registration Fees</i>	
Homebuilders--Annual State License Registration for Homebuilders	\$85.00
Home Improvement Contractor—Initial—City License	\$75.00
Home Improvement Contractor—Renewal—City License	\$75.00
Home Improvement Contractor—Appeal	\$75.00
Home Improvement Contractor—Duplicate license (plus tax)	\$5.00
Salesman Initial City License	\$60.00

Salesman Renewal City License	\$35.00
Salesman Duplicate City License (plus tax)	\$5.00
<i>House Moving Contractor License</i>	
Annual License	\$60.00
Duplicate (plus tax)	\$5.00
<i>Moving Buildings</i>	
Moving building on same property in one section	\$18.00
Moving buildings or structures over 400 sq. ft. per section, per day on city street	\$100.00
Moving buildings or structures under 400 sq. ft. per section, per day on city street	\$90.00
<i>Street Number Painter License</i>	
Annual License	\$35.00
<i>Building Plan Review and Permit Fees</i>	
Building plan review and building permit fees are based on the valuation (building square footage times standard rate for occupancy) of each building or building addition. For fee calculation purposes, building square footage shall be the total area of all floors under roof and enclosed within the outer surface of the outside enclosing walls or columns. The fees for each separate building shall be separately calculated.	
Minimum valuation of the work for residential projects shall be determined by the foregoing table and shall include architectural, structural, electrical, plumbing, mechanical work and contractor's profit.	
Minimum valuation of the work for commercial projects shall be determined by the Building Official based on nationally recognized standards and shall include architectural, structural, electrical, plumbing, mechanical work and contractor's profit.	
<i>Residential Construction</i>	
<i>Residential Building Plan Review Valuation Check</i>	
Development Services established minimum values for the cost of residential construction based upon the following costs per square foot. This value is established at the time the building plans are submitted. Additional valuation checks may be performed by the plans examiners during their review of the plans. For residential projects, determination of minimum value per square foot shall be established as follows:	
Wood Frame	\$65.00
Wood Frame with Masonry	\$70.00
Solid Masonry	\$80.00
Concrete Block on Slab Foundation	\$16.00
<i>Residential Accessory Building</i>	
Finished (percent of valuation/square footage)	100%
Unfinished Interior (including Carport) (percent of valuation/square footage)	50%
Future Construction—Foundation Only (per square foot)	\$3.00
Detached Accessory Building Foundation over 600 square feet (per square foot)	\$3.00

Foundation over 600 square feet (per square foot)	\$3.00
<i>Miscellaneous Building Development Fees</i>	
Permit Refund Fee	\$50.00
Permit Reprint Fee (subject to sales tax)	\$5.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
Name, Address or DBA Change on Permit	\$50.00
Notary Public	\$3.00

Sec. 10-39 through 10-45. Reserved.

ARTICLE V. EXISTING BUILDING CODE

Sec. 10-46. Adoption of *International Existing Building Code (2012)*.

The 2012 edition of the *International Existing Building Code*, promulgated by the International Code Council, Section 101 and 102 of Chapter 1, and Chapters 2 through 15, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-47. Provisions of this article are in addition to the provisions of the *International Existing Building Code*. The following provisions coinciding with the provisions of the *International Existing Building Code* supersede, or delete, when indicated, the corresponding provisions of the *International Existing Building Code*.

Sec. 10-47. Amendments to the adopted chapters of the *International Existing Building Code (2012)*.

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

Section 101.1, Title, is amended as follows:

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

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

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

BUILDINGS, SECTION 605, ACCESSIBILITY, SECTION 705, ACCESSIBILITY, SECTION 806, ACCESSIBILITY, SECTION 906 ACCESSIBILITY, Section 912.8, Accessibility,

SECTION 1006, ACCESSIBILITY, SECTION 1205, ALTERATIONS, and Section [B] 1401.2.5, Accessibility requirements, are repealed in their entirety.

Sec. 10-48. Fee Schedule. See the Fee Schedule for the International Building Code above.

Sec. 10-49 through 10-50. Reserved.

ARTICLE VI. ELECTRICAL CODE

Sec. 10-51. Adoption of *National Electrical Code* (2011).

The 2011 edition of the *National Electrical Code*, promulgated as a standard by the National Fire Protection Association, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-52. Provisions of this article are in addition to the provisions of the *National Electrical Code*. The following provisions coinciding with the provisions of the *National Electrical Code* supersede, or delete, when indicated, the corresponding provisions of the *National Electrical Code*.

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

Sec. 10-52. Amendments to the adopted chapters of the *National Electrical Code* (2011).

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

Article 200.6, Means of Identifying Grounded Conductors, paragraph (A), items (1) through (3) and paragraph (B), items (1) through (4) are amended by changing the size of the conductors, by clarifying the color of the conductor and by prohibiting a method of identification and are to read as follows:

- (A) **Sizes 10 [~~6~~] AWG or Smaller.** An insulated grounded conductor of 10 [~~6~~] AWG or smaller shall be identified by one of the following means:
- (1) A continuous white outer finish shall be used on all systems with a voltage of less than 150Volts between the grounded and ungrounded conductors.
 - (2) A continuous gray outer finish shall be used on all systems with a voltage of 150 Volts or higher between the grounded and ungrounded conductors.
 - (3) [~~Three continuous white stripes along the conductor's entire length on other than green insulation~~]

- (4) Wires that have their outer covering finished to show a white or gray color but have colored tracer threads in the braid identifying the source of manufacture shall be considered as meeting the provisions of this section.
 - (5) The grounded conductor of a mineral-insulated, metal-sheathed cable shall be identified at the time of installation by distinctive marking at its terminations.
 - (6) A single-conductor, sunlight-resistant, outdoor-rated cable used as a grounded conductor in photovoltaic power systems, as permitted by 690.31, shall be identified at the time of installation by distinctive white marking at all terminations.
 - (7) Fixture wire shall comply with the requirements for grounded conductor identification as specified in 402.8
 - (8) For aerial cable, the identification shall be as above, or by means of a ridge located on the exterior of the cable so as to identify it.
- (B) Sizes eight [4] AWG or Larger.** An insulated grounded conductor of eight [4] AWG or larger shall be identified by one of the following means:
- (1) A continuous white outer finish shall be used on all systems with a voltage of less than 150 Volts between the grounded and ungrounded conductors.
 - (2) A continuous gray outer finish shall be used on all systems with a voltage of 150 Volts or higher between the grounded and ungrounded conductors.
 - ~~(3) [Three continuous white stripes along the conductor's entire length on other than green insulation.]~~
 - (3) [(4)] At the time of installation, by a distinctive white or gray marking tape at its terminations. The [This] marking tape shall encircle the conductor or insulation a minimum of two-inches in length.

The title of Article 200.7 is amended to limit this method of identification for use on cables listed in Article 334 to read as follows:

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

Article 210.5, Identification for Branch Circuits is amended to read as follows:

- (A) Grounded Conductor.** The grounded conductor of a branch circuit shall be identified in accordance with 200.6

- (B) **Equipment Grounding Conductor.** The equipment grounding conductor shall be identified in accordance with 250.119.
- (C) **Identification of Underground Conductors.** Underground conductors shall be identified in accordance with 210.5(C)(1), (2), and (3).

- (1) **Application.** Where the premises wiring system has branch circuits supplied from more than one nominal voltage system, each underground conductor of a branch circuit shall be identified by phase or line and system at all termination, connection, and splice points.
- (2) **Means of Identification.** Conductors 10 AWG and smaller shall have factory colored insulation. Conductors eight AWG and larger may have factory colored insulation or black insulation with a marking tape that encircles the insulation a minimum of two-inches in length. Color of insulation or marking tape shall comply with the following table: [The means of identification shall be permitted to be separate color coding, marking tape, tagging, or other approved means.]

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

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

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

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

- (3) **Posting of Identification Means.** The method utilized for conductors originating within each branch-circuit panelboard or similar branch-circuit distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each branch-circuit panelboard or similar branch-circuit distribution equipment.

Article 210.19(A)(1), Conductors – Minimum Ampacity and Size (1) General, is amended by adding the following sentence to the end of paragraph (1) to read as follows:

210.19(A)(1), Conductors – Minimum Ampacity and Size.

(A) Branch Circuits Not More Than 600 Volts.

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

Exception: If the assembly, including the overcurrent devices protecting the branch circuit(s), is listed for operation at 100 percent of its rating, the allowable ampacity of the branch circuit conductors shall be permitted to be not less than the sum of the continuous load plus the noncontinuous load.

Informational Note No. 1: See 310.15 for ampacity ratings of conductors.

Informational Note No. 2: See Part II of Article 430 for minimum rating of motor branch-circuit conductors.

Informational Note No. 3: See 310.15(A)(3) for temperature limitation of conductors.

Informational Note No. 4: Conductors for branch circuits as defined in Article 100, sized to prevent a voltage drop exceeding 3 percent at the farthest outlet of power, heating, and lighting loads, or combinations of such loads, and where the maximum total voltage drop on both feeders and branch circuits to the farthest outlet does not exceed 5 percent, provide reasonable efficiency of operation. See Informational Note No. 2 of 215.2(A)(3) for voltage drop on feeder conductors.

Article 210.52(B)(1), Small Appliances - Receptacle Outlets Served, is amended by deleting Exception No. 2 and adding language as follows:

In the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit, the two or more 20-ampere small-appliance branch circuits required by 210.11(C)(1) shall serve all wall and floor receptacle outlets covered by 210.52(A), and all countertop outlets covered by 210.52(C) ~~{and receptacle outlets for refrigeration equipment.}~~ Receptacle outlets for refrigeration equipment shall be supplied from an individual branch circuit rated 20 amps or greater.

Exception ~~No. 1~~: In addition to the required receptacles specified by 210.52, switched receptacles supplied from a general-purpose branch circuit as defined in 210.70(A)(1), Exception No. 1, shall be permitted.

~~Exception No. 2: The receptacle outlet for refrigeration equipment shall be permitted to be supplied from an individual branch circuit rated 15 amperes or greater.~~

The last sentence of Article 210.63, Heating, Air-Conditioning, and Refrigeration Equipment Outlet, is amended to clarify the mounting and circuiting requirements of the receptacle outlet required by this Article. The sentence is amended as follows with the Exception and Informational Note remaining as published in the NEC:

210.63. Heating, Air-Conditioning, and Refrigeration Equipment Outlet. A 125-volt, single-phase, 15- or 20- ampere-rated outlet shall be installed at an accessible location for the servicing of heating, air-conditioning, and refrigeration equipment. The receptacle shall be located on the same level and within 7.5 m (25 ft) of the heating, air-conditioning, and refrigeration equipment. The receptacle outlet shall not be mounted on the equipment and shall not be connected to the circuit serving the equipment. ~~connected to the load side of the equipment disconnecting means.~~

Article 210.70, Lighting Outlets Required, is amended by adding Subsection (D), Open Lamps, to read as follows:

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

* * * * *

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

Article 220.14(J) Dwelling Occupancies, is amended by adding the following sentence to the end of the paragraph:

220.14(J) Dwelling Occupancies. In one-family, two-family, and multifamily dwellings and in guest rooms or guest suites of hotels and motels, the outlets specified in (J)(1), (J)(2), and (J)(3) are included in the general lighting load calculations of 220.12. No additional load calculations shall be required for such outlets. A maximum of eight receptacle outlets shall be permitted on a 15 A branch circuit and a maximum of 10 receptacle outlets shall be permitted on a 20 A branch circuit.

- (1) All general-use receptacle outlets of 20-ampere rating or less, including receptacles connected to the circuits in 210.11(C)(3).

- (2) The receptacle outlets specified in 210.52(E) and (G).
- (3) The lighting outlets specified in 210.70(A) and (B).

Article 230.43 Wiring Methods for 600 Volts, Nominal, or Less amended to restrict the wiring methods for service entrance conductors inside of buildings to read as follows:

230.43 Wiring Methods for 600 Volts, Nominal, or Less. Service-entrance conductors shall be installed in accordance with the applicable requirements of this *Code* covering the type of wiring method used and shall be limited to methods (3), (4), (8), (9), and (10) of the following methods for service entrance conductors inside of buildings and methods (1) through (19) of the following methods for service entrance conductors outside of buildings: ~~[the following methods]~~

- (1) Open wiring on insulators
- (2) Type IGS cable
- (3) Rigid metal conduit
- (4) Intermediate metal conduit
- (5) Electrical metallic tubing
- (6) Electrical nonmetallic tubing (ENT)
- (7) Service-entrance cables
- (8) Wireways
- (9) Busways
- (10) Auxiliary gutters
- (11) Rigid polyvinyl chloride conduit (PVC)
- (12) Cablebus
- (13) Type MC cable
- (14) Mineral-insulated, metal-sheathed cable
- (15) Flexible metal conduit not over 1.8 m (6 ft) long or liquidtight flexible metal conduit not over 1.8 m (6 ft) long between raceways, or between raceway and service equipment, with equipment bonding jumper routed with the flexible metal conduit or the liquidtight flexible metal conduit according to the provisions of 250.102(A), (B), (C), and (E)
- (16) Liquidtight flexible nonmetallic conduit
- (17) High density polyethylene conduit (HDPE)
- (18) Nonmetallic underground conduit with conductors (NUCC)
- (19) Reinforced thermosetting resin conduit (RTRC)

Article 250.52(A)(3)(1), Concrete-Encased Electrode, is amended by adding the following Informational Note:

230.52 Individual Conductors Entering Buildings or Other Structures. Where individual open conductors enter a building or other structure, they shall enter through roof bushings or through the wall in an upward slant through individual, noncombustible, nonabsorbent insulating tubes. Drip loops shall be formed on the conductors before they enter the tubes.

Informational Note: A piece of reinforcing steel conforming to (1) above which has additional length, without splice, extended up past the sole plate of the structure to which the grounding electrode may be connected to and extended to the service equipment is acceptable. The portion of the reinforcing steel extending above the sole plate shall be painted green and the paint removed from the bar where the connection is made to the grounding electrode conductor.

Article 250.52(A), Electrodes Permitted for Grounding, (5) Rod and Pipe Electrodes, is amended to clarify the minimum diameter of rod-type grounding electrodes to read as follows:

250.52 Grounding Electrodes.
(A) Electrodes Permitted for Grounding.

* * * * *

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

- (a) Grounding electrodes of pipe or conduit shall not be smaller than metric designator 21 (trade size 3/4) and, where of steel, shall have the outer surface galvanized or otherwise metal-coated for corrosion protection.
- (b) Rod-type grounding electrodes of stainless steel and copper or zinc coated steel shall be at least 15.87 mm (5/8 in.) diameter~~[, unless listed].~~

Article 250.118, Types of Equipment Grounding Conductors, is amended to require an equipment grounding conductor to be installed in all feeders and branch circuits. The first sentence of Article 250.118 is amended to read as follows with items (1) through (14) remaining as published in the NEC:

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

* * * * *

Article 250.119(A), Conductors Larger Than 6 AWG, is amended to read as follows:

250.119 Identification of Equipment Grounding Conductors. Unless required elsewhere in this Code, equipment grounding conductors shall be permitted to be bare, covered, or insulated. Individually covered or insulated equipment grounding conductors shall have a continuous outer finish that is either green or green with one or more yellow stripes except as permitted in this section. Conductors with insulation or individual covering that is green, green with one or more yellow stripes, or otherwise identified as permitted by this section shall not be used for ungrounded or grounded circuit conductors.

Exception: Power-limited Class 2 or Class 3 cables, power-limited fire alarm cables, or communications cables containing only circuits operating at less than 50 volts where connected to equipment not required to be grounded in accordance with 250.12(1) shall be permitted to use a conductor with green insulation or green with one or more yellow stripes for other than equipment grounding purposes.

(A) Conductors Larger Than 10 ~~6~~ AWG. Equipment grounding conductors larger than 10 ~~6~~ AWG shall comply with 250.119(A)(1) and (A)(2).

- (1) An insulated or covered conductor larger than 6 10 AWG shall be permitted, at the time of installation, to be permanently identified as an equipment grounding conductor at each and every point where the conductor is accessible.

Exception: Conductors larger than 10 ~~6~~ AWG shall not be required to be marked in conduit bodies that contain no splices or unused hubs.

- (2) Identification shall encircle the conductor and shall be accomplished by one of the following:
 - a. Stripping the insulation or covering from the entire exposed length
 - b. Coloring the insulation or covering green at the termination
 - c. Marking the insulation or covering with green tape, a minimum of two-inches in length, or green adhesive labels at the termination.

Article 300.5(D) Protection from Damage is amended to read as follows:

300.5. Underground Installations.

* * * * *

(D) Protection from Damage. Direct-buried conductors and cables shall be protected from damage in accordance with 300.5(D)(1) through (D)(4).

- (1) **Emerging from Grade.** Direct-buried conductors and cables emerging from grade and specified in columns 1 and 4 of Table 300.5 shall be protected by enclosures or race-ways extending from the minimum cover distance below grade required by 300.5(A) to a point at least 2.5 m (8 ft.) above finished grade. In no case shall the protection be required to exceed 450 mm (18 in.) below finished grade.
- (2) **Conductors Entering Buildings.** Conductors entering a building shall be protected to the point of entrance.

- (3) **Service Conductors.** Underground service conductors installed horizontally shall be encased in a minimum 75 mm (3 in.) thick concrete envelope, be buried a minimum of 450 mm (18 in.) below final grade and ~~[that are not encased in concrete and that are buried 450 mm (18 in.) below grade]~~ shall have their location identified by a warning ribbon that is placed in the trench at least 300 mm (12 in.) above the underground installation.

Table 310.15(B)(3)(c), Ambient Temperature Adjustment for Circular Raceways Exposed to Sunlight on or Above Rooftops, is amended by adding the following Informational Note to include the design ambient temperature for San Antonio to read as follows:

Informational Note to Table 310.15(B)(3)(c): The temperature adders in Table 310.15(B)(3)(c) are based on the results of averaging the ambient temperatures.

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

Article 314.19, Boxes Enclosing Flush Devices, is amended by adding a sentence to end of the article that requires a minimum volume for such boxes to read as follows:

314.19 Boxes Enclosing Flush Devices. Boxes used to enclose flush devices shall be of such design that the devices will be completely enclosed on back and sides and substantial support for the devices will be provided. Screws for supporting the box shall not be used in attachment of the device contained therein. Boxes for flush devices shall have a minimum volume of 221 cm³ (13.5 in.³).

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

ARTICLE 330, Metal-Clad Cable: Type MC, is amended to restrict its use and construction specifications as follows with the remainder of the Article unchanged and as published in the NEC:

330.10 Uses Permitted.

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

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

* * * * *

(B) **Specific Uses.**

* * * * *

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

(3) ~~{(4)}~~ **Installed Outside of Buildings or Structures or as Aerial Cable.** Type MC cable installed outside of buildings or structures or as aerial cable shall comply with 225.10, 396.10, and 396.12.

Article 330.40, Boxes and Fittings is amended to read as follows:

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

Article 330.104, Conductors is amended to read as follows:

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

Article 330.112, Insulation is amended to read as follows:

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

Article 330.116, Sheath is amended to read as follows:

330.116 Sheath. Metallic covering shall be ~~{one of the following types: smooth metallic sheath, corrugated metallic sheath,}~~ interlocking metal tape armor. The metallic sheath shall be continuous and close fitting. A nonmagnetic sheath or armor shall be used on single conductor Type MC. Supplemental protection of an outer covering of corrosion-resistant material shall be permitted and be required where such protection is needed. The sheath shall not be used as a current-carrying conductor. The sheath of branch circuit wiring shall be factory color-coded its entire length by the manufacturer as follows: blue for general use and green for use in health care facilities, where permitted by Article 517; however, color-coding is not required for cable listed for direct burial, concrete encasement or in wet locations. The sheath may be field painted after it has passed all required inspections. The cutting of the interlocking metal tape armor shall be performed with an approved rotary cutting tool designed for cutting MC cable.

Article 334.10, Uses Permitted, Items (3) and (4) and their informational notes are deleted, and Items (6) through (9) added to limit the use of Types NM, NMC and NMS cables in multifamily dwellings and other structures as follows with the remainder of the article remaining as published in the NEC:

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

* * * * *

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

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

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

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

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

* * * * *

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

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

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

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

Article 362.20(B) is amended to limit the maximum size of the raceway to 1" and reads as follows:

362.20 Size.

- (A) **Minimum.** ENT smaller than metric designator 16 (trade size ½) shall not be used
- (B) **Maximum.** ENT larger than metric designator 27 (trade size 1) ~~[53 (trade size 2)]~~ shall not be used.

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

Article 400.7(A)(2), Flexible Cords and Cables, Uses Permitted, is amended to limit the use of flexible cords as follows with the remainder of the Article unchanged and as published in the NEC:

400.7 Uses Permitted.

- (A) **Uses.** Flexible cords and cables shall be used only for the following:
 - (1) Pendants
 - (2) Wiring of luminaires (fixtures) when supplied as part of a UL listed luminaire

* * * * *

Article 408.30, is amended to specify the location of a panelboard in one- and two-family dwelling units by adding the following sentence to the end of the article.:

408.30 General.

All panelboards shall have a rating not less than the minimum feeder capacity required for the load calculated in accordance with Part III, IV, or V of Article 220, as applicable. Panelboards containing the 120 Volt branch circuits serving the interior of one- and two-family dwelling units shall be located in the interior of the structure in a readily accessible location.

Article 424.19, Disconnecting Means is amended to specify the type and location of the disconnecting means by adding the following sentences to the end of the article.:

424.19 Disconnecting Means.

Means shall be provided to simultaneously disconnect the heater, motor controller(s), and supplementary overcurrent protective device(s) of all fixed electric space-heating equipment from all ungrounded conductors. Where heating equipment is supplied by more than one source, the disconnecting means shall be grouped and marked. The disconnecting means specified in 424.19(A) and (B) shall have an ampere rating not less than 125 percent of the total load of the motors and the heaters. The provision for locking or adding a lock to the disconnecting means shall be installed on or at the switch or circuit breaker used as the disconnecting means and shall remain in place with or without the lock installed. An integral factory installed or a separate field installed disconnecting means is permitted. An accessible field installed disconnecting means may be installed on or within sight of the equipment. The

branch circuit serving the equipment shall be clearly marked on the equipment or the disconnecting means.

Article 440.14, Locations is amended to specify the type and location of the disconnecting means by deleting the second sentence of the first paragraph and replacing as follows with the remainder of the Article unchanged and as published in the NEC:

440.14 Locations. Disconnecting means shall be located within sight from and readily accessible from the air-conditioning or refrigerating equipment. An integral factory installed or a separate field installed disconnecting means is permitted. A field installed disconnecting means may be installed on the equipment. The branch circuit serving the equipment shall be clearly marked on the equipment or the disconnecting means. ~~{The disconnecting means shall not be located on panels that are designed to allow access to the air-conditioning or refrigeration equipment or to obscure the equipment nameplate(s).}~~

The disconnecting means shall not be located on panels that are designed to allow access to the air-conditioning or refrigeration equipment or to obscure the equipment nameplate(s).

* * * * *

Article 525.20(B), Wiring Methods, Single-Conductor, is amended for temporary events such as, carnivals, circus, fairs, and similar events, to add minimum requirements for flexible cords to read as follows:

525.20 Wiring Methods

(B) Flexible Cords and Single-Conductor Cables. Flexible cords shall be permitted only in sizes 12 AWG or larger and shall contain a separate grounding conductor. A maximum of one 25 foot (7.65 m) extension cords may be connected to each individual receptacle provided as part of the manufacturers listed generator. Single-conductor cable shall be permitted only in sizes 2 AWG or larger.

Article 600.32 Neon Secondary-Circuit Wiring, over 1000 Volts, Nominal, paragraph (A)(1) is amended to prohibit the use of PVC conduit and liquid tight flexible nonmetallic conduit and paragraph (A)(3) is amended to allow the use of 3/8" conduit as follows with the remainder of the Article unchanged and as published in the NEC:

600.32 Neon Secondary-Circuit Wiring, over 1000 Volts, Nominal.

(A) Wiring Methods.

- (3) **Installation.** Conductors shall be installed in rigid metal conduit, intermediate metal conduit, ~~{PVC conduit,}~~ RTRC, ~~{liquid tight flexible nonmetallic conduit,}~~ flexible metal conduit, electrical metallic tubing, metal enclosures, on insulators in metal raceways, or other equipment listed or use with neon secondary circuits over 1000 volts.

- (4) **Number of Conductors.** Conduit or tubing shall contain only one conductor.
- (5) **Size.** Conduit or tubing shall be a minimum of metric designator 12 (trade size 3/8"). [~~16 (trade size 1/2")~~]

* * * * *

ARTICLE 604, Manufactured Wiring Systems, is amended to restrict its uses and construction specifications and installation as follows in Sections 604.1, 604.4, 604.6 and 604.7 with the remainder of the Article unchanged and as published in the NEC:

604.1 Scope. The provisions of this article apply to field-installed wiring using off-site manufactured subassemblies for lighting and underfloor power branch circuits [~~remote-control circuits, signaling circuits, and communications circuits~~] in accessible areas.

604.4 Uses Permitted. Manufactured wiring systems shall be permitted in accessible and dry locations and in ducts, plenums, and other air-handling spaces where listed for this application and installed in accordance with 300.22.

Exception No.1: In concealed spaces, one end of tapped cable shall be permitted to extend into hollow walls of manufactured wall systems, with removable panels for access to the wiring system, for direct termination at switch and outlet points.

Exception No.2: Manufactured wiring system assemblies installed outdoors shall be listed for use in outdoor locations.

604.6 Construction.

(A) Cable or Conduit Types.

- (1) **Cables.** Only type MC cables conforming to item (2), below, and color coded per the requirements of this Code are permitted. [~~Cables shall be one of the following:~~]

* * * * *

604.7 Installation. Manufactured wiring systems shall be secured and supported in accordance with the applicable cable or conduit article for the cable or conduit type employed. All manufactured wiring system junction boxes shall be grounded in accordance with the manufacturer's instructions and all unused openings shall be covered with a factory supplied cover.

Sec. 10-53. Electrical provisions.

- (a) **General.** The provisions of this section shall apply to the design, construction, installation, use and maintenance of electrical systems and equipment. Where differences occur between provisions of this code and referenced codes or standards, the provisions of this code shall apply.
- (b) **Equipment and door labeling.** The disconnecting means for each service, feeder or branch circuit originating in a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident to the code official. Doors into electrical panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording.
- (c) **TOPS (Temporary on Permanent Set) Permit.** The section outlines the requirements for obtaining a permit to allow the connection of the new or existing electrical service to CPS Energy prior to having all final inspections completed on a project. The issuance of a TOPS permit and the subsequent connection to the utility company service does not allow an owner or the occupants to occupy the building or structure until a C of O has been issued. The above permit does not waive any of the applicable provisions of Articles IV and VIII.
 - (1) **Sec. 10-1302.3.1 Permit Application.** A licensed electrical contractor registered with the City must make the application for the TOPS permit. The electrical contractor must also request that the TOPS permit be attached to the main building permit in the City's computer system. The TOPS permit is required in addition to the main electrical permit for the project.
 - (2) The following are the general conditions for obtaining a TOPS permit for new construction and may be modified by the code official to suit project specific conditions:
 - a. The electrical service must be complete along with all grounding requirements, and the electrical conductors originating from the service equipment must be terminated in an approved electrical manner.
 - b. The building permit on residential construction shall have an approved foundation and complete frame inspection. The building permit on commercial construction shall have a complete foundation and at minimum a partial frame inspection.
 - c. On residential construction all trade permits must have approved rough-ins and a complete plumbing top out. On commercial construction all trade permits must have a minimum of a partial rough in including a partial plumbing top out.

- d. The plumbing sewer permit shall have an approved final inspection on both commercial and residential.
- (3) **Existing Construction.** The following are the general conditions for obtaining a TOPS permit for existing construction and may be modified by the code official to suit project specific conditions:
- a. The electrical service must be in good condition and comply with the City electrical code including all grounding requirements.
 - b. The electrical loads originating from the existing service equipment, that will not be utilized for construction power, must be disconnected and safeguarded from accidental contact with an energized electric bus bar.
 - c. Temporary GFCI protected outlets must be provided at the service equipment location to be used during construction related activities.
 - d. All necessary and or required trade permits must be obtained prior to giving a final approval to CPS to energize the service equipment.
- (d) **Electrified fences or barriers.** Electrified fences or barriers conforming to the following requirements shall be permitted:
- (1) Electrified fences or barriers shall conform to the requirements of the International Electrotechnical Commission (IEC) Standard IEC 60335-1 - Household and similar electric appliances - Safety - Part 1: General Requirements (Reference number IEC 60335-1:2001+A1:2004(E)) and Standard IEC 60335-2 - Household and similar electric appliances -Safety - Part 2-76: Particular requirements for electric fence energizers (Reference number CEI/IEC 60335-2-76:2002+A1:2006) or Underwriters Laboratories Inc. (UL) Standard number 60335-2. Safety of Household and Similar Electrical Appliances, Part 1: General Requirements have.
 - (2) Electrified fences or barriers shall be limited to outdoor storage areas only in zoning designations: Light Industrial District (L), General Industrial District (I-1) and Heavy Industrial District (I-2). Unless specifically designated in this subsection, electrified fences or barriers shall not be permitted in any zoning district.
 - (3) The exterior (public side) perimeter of the electrified fence or barrier shall be protected by an additional non-electrified fence or wall and shall be separated by six-inches.

- (4) The height of the non-electrified fence or wall shall be no less than six feet in height and no more than eight feet in height at its highest point.
- (5) The height of the electrified fence or barrier shall be no more than 10 feet in height at its highest point measured at existing grade.
- (6) Electrified fences or barriers shall be clearly marked with warning signs. The warning signs shall be placed at each entrance to the property on the electrified fence or barrier and a maximum of 40 feet on centers thereafter around the entire perimeter of the electrified fence. The warning signs shall be placed above the non-electrified fence or wall and be clearly visible from the ground on both sides of the electrified fence or barrier. The warning signs shall be printed on both sides with the following “WARNING ELECTRIFIED FENCE” and contain the international symbol for an electrical hazard. The wording shall be written in both English and Spanish. In addition each entrance shall have a sign noting: “Electric Barrier registered with the San Antonio Development Services Department - City Code 10-53(e).” These signs will be reflective with a minimum two inch letter height, minimum stroke of 0.5 inch and with a contrasting background. Arabic numbers and alphabetical letters shall be used.
- (7) Electrified fences or barriers may be energized only during the hours when the general public does not have legal access to the protected property.
- (8) Electrified fences or barriers shall not be installed within five feet of a sidewalk or public right-of-way nor shall they be installed within 300 feet of a property line for a residence, or from a public, private, or parochial school, day care facility, church or parkland.
- (9) Electrified fences or barriers must be designed and certified by an authorized representative of the fence or barrier equipment manufacturer. Upon completion of fence or barrier installation, the fence or barrier equipment manufacturer shall certify that the installation meets all of its design and safety requirements.
- (10) Electrified fences or barriers must be permitted with the Development Services Department and on an annual basis with a notarized statement attached to the renewal permit from an authorized representative of the fence or barrier equipment manufacturer that the installation is currently operating in conformity with its safety requirements.
- (11) The owner of the stated security equipment and the commercial property owner(s) are required to carry General Liability Insurance in a minimum amount of one million dollars in the aggregate each. Further, proof of insurance shall be required as a condition precedent to secure a permit as

required in this subsection and upon each subsequent annual renewal. A failure to maintain proof of insurance for the permitted year shall result in a revocation of the issued permit. Proof of minimum coverage amounts maintained for the preceding year must be provided with each application for renewal. Failure to maintain coverage for the entire previous year shall result in a denial of any permit renewal for five years from the date of expiration or revocation. Proof of insurance shall be underwritten by an organization licensed/authorized to do business in the State of Texas.

- (12) A permit holder's decision to appeal acts to modify the provisions of Section 10-14(b), Limitations of authority contained in this chapter and does not require acquiescence of the *Building Official* to appeal his decision. Procedures outlined in Section 10-14 of this chapter shall be followed unless specifically modified herein. The *Building Official* shall be authorized to revoke a permit upon the recommendation of the Chief of Police or designee, itself based on and supported by evidence of violation of this Ordinance. The *Building Official* or designee must send a notice of revocation to the last known address of the permit holder with such notice detailing a time of no more than 10 working days to appeal the *Building Official's* decision. Notice of appeal must be sent as soon as practical, but no later than 10 working days past the revocation. The *Building Official's* decision shall be final upon the expiration of the 10 working day period. A filed appeal shall suspend the *Building Official's* action to revoke the permit. A permit holder shall be entitled to a hearing before the next reasonably available meeting of the Building-related and Fire Codes Appeals and Advisory Board and it shall either affirm or deny the *Building Official's* decision. The board's decision shall be based on the same evidence reviewed by the *Building Official* and any subsequent information produced. In order to overturn the *Building Official's* decision, a motion shall be brought in the form of denying the *Building Official's* decision and require a concurring vote of eight appointed board members.
- (13) Electrified fences or barriers shall have a Knox box installed in a location acceptable to the Police and Fire Departments to de-energize the electrified fence or barrier. The Knox box shall be illuminated to a minimum one foot candle.
- (14) The power source and Knox box for the electrified fence or barrier shall be installed by an electrical contractor. The power source shall consist of, but not be limited to, the energizer, battery, a means of maintaining a charge on the battery and the load side conductors from the energizer to the perimeter fence conductors.

- (e) **Electrical Inspections Supervisor.** The Electrical Inspections Supervisor of the development services department shall also serve as the master of record for electrical work performed by city electricians.

Sec. 10-54 Fee Schedule.

<i>Electrical License and Registration Fees</i>	
Master	
Renewal—City license (two-year renewal)	\$300.00
Annual state license registration and renewal	\$85.00
DBA change on master electrical license	\$20.00
Journeyman—Renewal of city license (two-year renewal)	\$200.00
Restricted residential wireman—Renewal of city license (two-year renewal)	\$60.00
Maintenance electrician fee	\$60.00
Maintenance technician—Annual (may only perform work not requiring a permit)	\$35.00
<i>Electrical Inspection Fee</i>	
Electrical inspection permit fee (basic fee)	\$50.00
Service rating:	
0–200 amps	\$3.25
201–600 amps	\$6.50
601–1000 amps	\$8.65
1001–2500 amps	\$10.80
Over 2500 amps	\$12.50
Temporary meter loop (TML)	\$2.15
Temporary on permanent set (TOPS)	\$2.15
Work with CPS	\$2.15
Gear items	
Switchboards up to four handles	\$10.25
Switchboards each additional handle	\$1.60
Panelboards/loadcenters	\$4.85
Xmfr 1–50 kva	\$4.30
Xmfr over 50 kva	\$9.70
Safety switch or circuit breaker 30 amps and over	\$1.10
Miscellaneous items	
Underground work per 100 linear ft	\$1.60
Outside overhead work per 100 linear ft	\$1.60
Foundation/concrete encased electrode	\$1.60
Controls/low voltage systems over 50 volts	\$1.60

Commercial/industrial repair	\$9.75
Light fixtures	
HID fixtures	\$1.60
Ceiling fans	\$1.60
Fluorescent fixtures/ballast retrofits	\$.16
Sign circuit	\$1.10
General purpose outlets/devices/equipment less than one hp	\$.16
Dedicated equipment/appliance outlets 20 amps and over	\$1.50
Motors	
1–7.5 hp	\$2.15
7.5–25 hp	\$3.25
25–50 hp	\$8.10
Over 50 hp	\$10.80
UPS/generator/distributed generation/storage batteries	
1–5 kw	\$1.60
5–50 kw	\$3.25
51–300 kw	\$4.85
Over 301 kw	\$6.50
Temporary wiring	
Power/lights (per every ten outlets)	\$3.25
Festival booths	\$5.00
Carnival rides	\$5.00
Special occupancies	
Class 1, 2, or 3, of article 500 (per each circuit)	\$1.00
Medical equipment (MRI, X-ray, scanners, etc.) each circuit	\$1.00
Miscellaneous electrical permits	
Reconnect	
Reconnect inspection	\$50.00
30-day (cleaning)	\$2.15
180-day (leasing)	\$12.90
Maintenance permit fee (electric only)	
Basic permit fee	\$50.00
Plus per residential apartment unit	\$0.21
Plus per 10,000 sq. ft. of commercial space	\$7.00
Building-related and Fire Codes Appeals and Advisory Board Fees	
Building-related and Fire Codes Appeal Fee	\$155.00
Appeal to City Council	\$155.00
<i>Special Services for Electrical</i>	

After-hour inspection fee (per hour with one-hour minimum)	\$100.00
Electrical plan review only (without building plan number)–(per hour with one-hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with one-hour minimum)	\$100.00
Inspection schedule fee (free on-line)	\$3.00
Permit processing fee	\$10.00
Permit extension fee	50% of permit (plus cost of permit)
Re-inspection fee	\$50.00
Permit refund fee	\$50.00
Open permit review fee	\$3.00/permit
Permit amendment fee	\$10.00
Rental of facility fees: \$125.00/hr (daily min. fee of \$250.00; max fee of \$1,000.00); security personnel–\$15.00/hour/staff (with one-hour minimum); DSD staff–\$30.00/hour/staff (with one-hour min.); custodian service–\$15.00/hour (with two-hour min.)	

Sec. 10-55 through 10-60. Reserved.

ARTICLE VII. MECHANICAL CODE

Sec. 10-61. Adoption of *International Mechanical Code* (2012).

The 2012 edition of the *International Mechanical Code*, promulgated by the International Code Council, Chapters 2 through 15 is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of section 10-61. Provisions of this article are in addition to the provisions of the *International Mechanical Code*. The following provisions coinciding with the provisions of the *International Mechanical Code* supersede, or delete, when indicated, the corresponding provisions of the *International Mechanical Code*.

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

Sec. 10-61. Amendments to the adopted chapters of the *International Mechanical Code* (2012).

Additions to the International Mechanical Code (IMC) are shown as underlined text. Deletions of the IMC are shown as bracketed [~~strikethroughs~~].

Section 301.10, Electrical, is amended to read as follows:

301.10 Electrical. Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with Article VI of this chapter [NFPA-70]. All wiring, including control wiring exposed to weather shall be installed in conduit approved for exterior use.

Section 304 INSTALLATION is amended by adding Section 304.13 as follows:

304.13 Installation at gas valve. Black iron pipe shall be installed at the gas valve and extended a minimum of two inches outside the gas furnace and gas rooftop unit's casing and shall be connected to an approved listed flexible gas connector.

Section 306.3, Appliances in attics, is amended by adding Subsection 306.3.2, Access for cooling or heating appliance, to read as follows:

306.3.2 Access for cooling or heating appliance. For residential applications, the attic space in which any cooling or heating appliance is installed shall be provided with a permanent ladder or fold-away ladder.

Section 307.2.2, Drain pipe materials and sizes, is amended by adding a sentence at the end of the section to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC, or PVC pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the *International Plumbing Code* relative to the material type. Condensate waste and drain line size shall be not less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2. Primary drain lines located in any unconditioned space, except for crawl spaces, shall be insulated with foam plastic rubber based insulation or other approved material with a minimum thickness of 3/8 inch.

Section 307.2.3, Auxiliary and secondary drain systems, is amended by eliminating auxiliary protection methods #2 and #4 as follows:

1. A auxiliary drain pan with a separate drain shall be provided under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1 ½ inches (38 mm), shall not be less than 3 inches (76 mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0236 inch (0.6010 mm) (No. 24 gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).

- ~~{2.} A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.}~~
- 2. ~~{3.}~~ An auxiliary drain pan without a separate drain line shall be provided under the coils on which condensate will occur. Such pan shall be equipped with a water-level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.
- ~~{4.} A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.}~~

Section 401.2, Ventilation required, is amended to read as follows:

401.2 Ventilation required. Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. ~~[Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2 inch water column (50 Pa) in accordance with Section 402.4.1.2 of the *International Energy Conservation Code*, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403.]~~

Sec. 10-63 Fee Schedule.

<i>Heating and Air Conditioning (Mechanical)</i>	
<i>Heating and Air Conditioning (Mechanical) License Fees</i>	
Master	
Renewal—City License per year	\$150.00
Annual state license registration	\$85.00
Technician (journeyman) (may only perform work not requiring a permit)—Renewal	\$35.00
<i>Heating and Air Conditioning (Mechanical) Inspection Fees</i>	
Basic Heating and Air Conditioning (Mechanical) Permit (Basic Fee)	\$50.00
Residential (new systems) (includes inspection fee)	\$77.00
Each Additional System (includes inspection fee)	\$55.00
Roof-Top Unit (gas or electric)	\$15.85
Gas furnace; gas wall furnace; gas unit heater; gas radiant heater; gas boiler (steam); gas floor furnace; commercial gas dryer; gas boiler (hot water); gas duct heater (per each item)	\$9.60

Condensing unit; condensing unit/heat pump; indoor condensing unit; cooling coil; commercial exhaust fan; condenser (no compressor); commercial electric dryer; fan coil unit; fan powered box; type II range hood (steam); chiller; absorption unit; reach-in cooler; wall mounted unit; make-up air; heat pump; refrigeration unit; air handler; electric furnace; electric unit heater; electric radiant heater; ventilation fan; variable air volume unit; type I range hood (grease); fume hood; cooling tower; walk-in cooler; icemaker (split system); evaporative cooler (refrigeration equipment); hot water coil; remote condensing unit; condenser (refrigeration equipment); ventilating fan (not on other permitted installation); hood served by mechanical exhaust (including ducts and makeup air systems); condensing unit (mobile homes and manufactured housing); any regulated device for which no specific fee is listed; replacement of any device which originally required a permit (per each item)	\$6.25
Curtain Fire Damper; Smoke Damper; Duct Outlet; Ceiling Fire Damper; Smoke/Fire Damper (per each item)	\$2.00
<i>Building-related and Fire Codes Appeals and Advisory Board Fees</i>	
<i>Building-related and Fire Codes Appeal Fee</i>	\$155.00
Appeal to City Council	\$155.00
<i>Special Heating and Air Conditioning (Mechanical) Fees</i>	
After-hour Inspection Fee (per hour with 1 hour minimum)	\$100.00
Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Permit Processing Fee	\$10.00
Inspection Schedule Fee (Free on-line)	\$3.00
Mechanical Plan Review—This fee is charged to review plans without a building permit (per hour with a 1 hour minimum)	\$100.00
Permit Extension Fee: 50% of permit (plus cost of permit)	
Re-inspection Fee	\$50.00
Open Permit Review Fee	\$3.00/Permit
Annual Continuing Education for City Licenses Holder	\$150.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
<i>Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)</i>	

Sec. 10-64 through 10-70. Reserved.

ARTICLE VIII. GAS CODE

Sec. 10-71. Adoption of *International Fuel Gas Code* (2012).

The 2012 edition of the *International Fuel Gas Code*, Chapters 2 through 8 and Appendices A through C, promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of Section 10-72. Provisions of this article are in addition to the provisions of the *International Fuel Gas Code*. The following provisions coinciding with the provisions of the *International*

Fuel Gas Code supersede, or delete, when indicated, the corresponding provisions of the *International Fuel Gas Code*.

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

Sec. 10-72. Amendments to the adopted chapters and appendices of the *International Fuel Gas Code* (2012).

Additions to the International Fuel Gas Code (IFGC) are shown as underlined text. Deletions of the IFGC are shown as bracketed [~~strikethroughs~~].

Section 401.5, Identification, is amended to require tag identification of certain corrugated stainless steel tubing for gas as follows:

401.5 Identification. For other than steel pipe, exposed *pipng* shall be identified by a yellow label marked “Gas” in black letters. The marking shall be spaced at intervals not exceeding 5 feet (1524 mm). The marking shall not be required on pipe located in the same room as the *appliance* served.

All medium pressure gas systems shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag at the meter. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped on the tag:

WARNING
1-5 psi gas pressure
Do Not Remove

SECTION 404 (IFGC) PIPING SYSTEM INSTALLATION, is amended by adding a new exception to Section 404.6, Underground penetration prohibited, by adding Section 404.20, Welded pipe, and Section 404.21, Corrugated stainless steel tubing (CSST), to read as follows:

404.6 Underground penetration prohibited. *Gas piping* shall not penetrate building foundation walls at any point below grade. *Gas piping* shall enter and exit the building at a point above grade and the annular space between the *pipe* and the wall shall be sealed.

Exception: *Gas piping* may penetrate a slab-on-grade foundation, above or below grade, where the installation complies with Section 404.14.

404.20 Welded pipe. All welded joints in piping system shall be welded by a certified *pipe welder* as defined in Article II of this chapter.

404.21 Corrugated stainless steel tubing (CSST).

404.21.1 Meter loop. Steel piping shall be required to provide a rigid connection at the meter loop.

404.21.2 Exterior walls. CSST piping is prohibited in exterior walls.

404.21.3 Grounding. CSST piping shall be grounded per the manufacturer's recommendations.

Section 406.4 Test pressure measurement, is amended by repealing the text of Section 406.4.1, Test pressure, and replacing it with new code language, amending Section 406.4.2, Test duration, and adding a new Section 406.4.3, Test gauges, all to read as follows:

406.4.1 Test pressures. The rough-in piping inspection shall include testing by closing all openings and subjecting the pipes to an air pressure that will support a column of mercury 15 inches (381 mm) in height or a 10 psi air test. For gas systems with pressures in excess of 14 inches of water column, the test pressure shall not be less than 1.5 times the operating pressure for the system and shall hold this pressure for a minimum of 30 minutes.

The final inspection shall include a column of mercury six inches (152 mm) in height or of a five psi air test with appliance shut-off valves attached thereto. For gas systems with pressures in excess of 14 inches of water column, the test pressure shall not be less than 1.5 times the operating pressure for the system and shall hold this pressure for a minimum of 30 minutes.

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the code official, but in no case for less than 15 minutes. For welded piping, and for piping carrying gas at a pressure in excess of 14 inches of water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the code official, but in no case for less than 30 minutes. ~~[not less than ½ hour for each 500 cubic feet (14 m³) of pipe volume or fraction thereof. When testing a system having a volume less than 10 cubic feet (0.28 m³) or a system in a single family dwelling, the test duration shall be not less than 10 minutes.]~~ The duration of the test shall not be required to exceed 24 hours.

406.4.3 Test gauges. Tests gauges shall be a grade 1A or better as per ANSI/ASME B40.100-2005.

Section 409.5 Appliance shutoff valve is amended by adding the following exception:

409.5 Appliance shutoff valve. Each appliance shall be provided with a shutoff valve in accordance with Section 409.5.1, 409.5.2 or 409.5.3.

Exception: An outdoor appliance shall have a shutoff valve at the piping connection to the gas piping system.

Section 409.5.3, Located at manifold, is repealed.

Sec. 10-73 through 10-80. Reserved.

ARTICLE IX. PLUMBING CODE

Sec. 10-81. Adoption of *International Plumbing Code (2012)*.

The 2012 edition of the *International Plumbing Code*, Chapters 2 through 14 and Appendices B through F, promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of Section 10-82. Provisions of this article are in addition to the provisions of the *International Plumbing Code*. The following provisions coinciding with the provisions of the *International Plumbing Code* supersede, or delete, when indicated, the corresponding provisions of the *International Plumbing Code*.

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

Sec. 10-82. Amendments to the adopted chapters and appendices of the *International Plumbing Code (2012)*.

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

Definition of Gravity-type GREASE INTERCEPTOR is amended as follows:

GREASE INTERCEPTOR

Gravity. A plumbing appurtenance of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from waste water discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes. The appurtenance shall be a double compartment, first compartment 60% and the second compartment 40% with a minimum 20" manhole access to each compartment unless otherwise approved by the code official.

Section 301.8, Accessible openings, and Section 301.9, Separation from electrical lines in ditch, are added to read as follows:

301.8 Accessible openings. When accessible openings are required by this code, they shall be a minimum of 12 inches x 12 inches (305 mm x 305 mm) in dimension unless otherwise approved by the code official.

301.9 Separation from electrical lines in ditch. When outside the footprint of the building, no plumbing, gas, sewer or water piping shall be installed in the same ditch with electric lines unless a separation of 36 inches (914 mm) horizontally is maintained.

Section 305.4.1, Sewer depth, is amended to establish the minimum sewer depths as follows:

305.4.1 Sewer depth. ~~[Building sewers that connect to private sewage disposal systems shall be a minimum of [NUMBER] inches (mm) below finished grade at the point of septic tank connection.]~~ Building sewers shall be a minimum of 12 ~~[NUMBER]~~ inches (304 mm) below grade.

Section 312.1.1 Test gauges, is amended to read as follows:

312.1.1 Test Gauges. Gauges used for testing shall be a grade 1A or better as per ANSI/ASME B40.100-2005 and shall be as follows:

1. Tests requiring a pressure of 10 pounds per square inch (psi) (69 kPa) or less shall utilize a testing gauge having increments of 0.10 psi (0.69 kPa) or less.
2. Tests requiring a pressure of greater than 10 psi (69 kPa) but less than or equal to 100 psi (689 kPa) shall utilize a testing gauge having increments of 1 psi (6.9 kPa) or less.
3. Tests requiring a pressure of greater than 100 psi (689 kPa) shall utilize a testing gauge having increments of 2 psi (14 kPa) or less.

Section 312.2, Drainage and vent water test, is amended as follows:

312.2 Drainage and vent water test. Prior to any concealment, a [A] water test and subsequent inspection shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 3.5 - foot (1067 mm) ~~[10-foot (3048 mm)]~~ head of water. In testing successive sections, at least the upper 10 feet (3048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3048 mm) of the system, shall have been submitted to a test of less than a 3.5 - foot (1067 mm) ~~[10-foot (3048 mm)]~~ head of water. This pressure shall be held for at least 15 minutes. The system shall then be tight at all points. The first floor underground drain, waste and vent piping systems shall be retested to at least slab height and inspected after all backfill is in place and foundation steel installed but prior to placement of concrete.

Section 312.6, Gravity sewer test, is repealed in its entirety.

Section [M] 314.2.1, Condensate disposal, is repealed and replaced as follows:

[M] 314.2.1 Condensate disposal. Condensate disposal shall be in accordance with Chapter 34, Section 34-274 of the City Code of San Antonio.

Section 401.3, Water conservation, is repealed in its entirety and replaced as follows:

401.3 Water conservation. The maximum discharge flow rates for plumbing fixture fittings shall be in accordance with applicable standards referenced in Chapter 13 and listed in Table 604.4, but in no case shall they exceed the maximum requirements of the Texas Commission of Environmental Quality (TCEQ), Chapter 372, titled "Environmental Performance Standards for Plumbing Fixtures" and/or the requirements set forth by these amendments.

Note f to Table 403.1, Minimum Number of Required Plumbing Fixtures, is modified as follows:

- f. Drinking fountains and services sinks are not required for an occupant load of 15 or fewer or as otherwise approved by the code official.

Section 410.3 Substitution, is amended to read as follows:

410.3 Substitution. Where buildings with a use classification of A-2, B (clinics only), E (day care only), I-1, I-2 (Nursing Homes only), R-3 and R-4 as defined in the International Building Code ~~restaurants~~ provide drinking water in a container free of charge, drinking fountains shall not be required ~~in those restaurants~~. In other occupancies, where drinking fountains are required, water coolers, ~~or~~ bottled water dispensers, or water in other containers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.

Section 502.3, Water heaters installed in attics, is amended by adding a new sentence at that reads as follows:

502.3 Water heaters installed in attics. Storage type water heaters shall not be installed in an attic unless accessible from a door opening from the house on the same floor level. Attics containing a water heater shall be provided with an opening an unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater.

Section 502, INSTALLATION, is amended by adding a new Section 502.6, Water heaters installed under stairways and landing, to read as follows:

502.6 Water heaters installed under stairways and landings. An electric water heater is the only type of water heater that may be installed under a stairway or landing.

Section 504.1, Antisiphon devices, is amended to read as follows:

504.1 Antisiphon devices. An *approved means*, such as a ~~cold water “did” tube with a hole at the top or a~~ vacuum relief valve installed in the cold water supply line above the top of the heater or tank, shall be provided to prevent siphoning of any storage water heater or tank.

Section 504.6, Requirements for discharge piping, is amended by amending numbers 5 and 7 to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an *air gap* located in the same room as the water heater.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the *air gap*.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
5. Discharge to ~~the floor, to the pan serving the water heater or storage tank, to~~ a waste receptor or to the outdoors. Discharge to the floor of a garage or basement will only be allowed if approved by the *code official*. Terminate to the exterior a minimum of six inches (152 mm) and a maximum of 12 inches (304 mm) above the finish grade.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is accessible ~~readily observable by the building occupants~~.
8. Not be trapped.
9. To be installed so as to flow by gravity.
10. Not terminate more than 6 inches (152 mm) above the floor or waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials listed, rated and *approved* for such use in accordance with ASME A112.4.1.

Subsection 504.7.3, Water heaters installed in garages, is added as follows:

504.7.3 Water heaters installed in garages. Water heaters having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the garage floor.

Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.

Section 604.4, *Maximum flow and water consumption, Exceptions*, is amended by deleting Exception 1 to read as follows:

604.4 Maximum flow and water consumption. The maximum water consumption flow rates and quantities for all plumbing fixtures and fixture fittings shall be in accordance with Table 604.4.

Exceptions:

- ~~1. Blowout design water closets having a maximum water consumption of 3 ½ gallons (13 L) per flushing cycle.~~
- 1. ~~2.~~ Vegetable sprays.
- 2. ~~3.~~ Clinical sinks having a maximum water consumption of 4 ½ gallons (17 L) per flushing cycle.
- 3. ~~4.~~ Service sinks.
- 4. ~~5.~~ Emergency showers.

Table 604.4, *MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS*, is amended as follows:

**TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES^d AND FIXTURE FITTINGS**

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Lavatory, private	1.5 2.2 gpm at 60 psi
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Shower head ^a	2.0 2.5 gpm at 80 psi
Sink faucet	2.2 gpm at 60 psi
Urinal	0.5 1.0 gallon per flushing cycle
Water closet ^c	1.6 gallons per flushing cycle

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m.
1 pound per square inch = 6.895 kPa.

- a. A hand-held shower spray is a shower head. All associated heads shall be appropriate for the flow rate.
- b. Consumption tolerances shall be determined from referenced standards.
- c. Gravity flush water closets shall have a maximum average water consumption of 1.28 gallons per flushing cycle.

- d. Where the Environmental Protection Agency has accepted that specific plumbing fixtures, by make and model, meet or exceed WaterSense standards, such fixtures installed will be from the most current listing available at the time of installation.

Section 604.9, Water hammer, is amended as follows:

604.9 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer’s specifications. Water-hammer arrestors shall conform to ASSE 1010. Water-hammer arrestors shall be installed to protect all washing machines, kitchen sinks, dishwashers, tubs and shower locations from water hammer. A separate tub and shower set back to back may be served by a single set of water-hammer arrestors, provided that the continuation of the water line from one fixture (where the arrestors are located) to the other fixture does not exceed 8 linear feet as measured along the pipe.

Section 605.24.2, Plastic pipe or tubing to other piping material, is amended by adding language to the end of the subsection as follows:

605.24.2 Plastic pipe or tubing to other piping material. Joints between different grades of plastic pipe and other piping material shall be made with an approved adapter fitting. Schedule 40 plastic socket molded (female adapter) fittings are prohibited when connecting to pipe threads.

Tables 605.3, WATER SERVICE PIPE, and 605.4, WATER DISTRIBUTION PIPE, are amended by removing type M and WM copper from both tables under copper or copper-alloy tubing as follows:

**TABLE 605.3
WATER SERVICE PIPE**

MATERIAL	STANDARD
Copper or copper alloy tubing (Type K, WK, L, <u>or WL</u> [, M or WM])	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447

**TABLE 605.4
WATER DISTRIBUTION PIPE**

MATERIAL	STANDARD
Copper or copper alloy tubing (Type K, WK, L, <u>or WL</u> [, M or WM])	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447

Section 606.2, Location of shutoff valves, of the IPC is amended as follows:

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply ~~at~~ each fixture other than bathtubs and showers in one-and two-family residential *occupancies*, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, Boarding houses and similar *occupancies*.
- ~~2. On the water supply pipe to each sillcock.~~
2. ~~3.~~ On the water supply pipe to each appliance or mechanical equipment.

Section 607.2, Hot or tempered water supply to fixtures, is amended to read as follows with subsections 607.2.1 and 607.2.1 remaining as published by the IPC:

607.2 Hot or tempered water supply to fixtures. The developed length of hot or tempered water piping, from the source of hot water to the fixtures that require hot or tempered water, shall not exceed 100 ~~50~~ feet (30,480 ~~15,240~~ mm). Recirculating system piping and heat-traced piping shall be considered sources of hot or tempered water.

Section 607.3, Thermal expansion control, is amended by adding a sentence to the end of that section as follows:

607.3 Thermal expansion control. A means of controlling increased pressure caused by thermal expansion shall be provided where required in accordance with Sections 607.3.1 and 607.3.2. Thermal expansion control is limited to the use of expansion tanks (per water conservation requirements of 1998, Ordinance 89128). Also, see Section 604.8 as amended by the city.

Section [E] 607.5, Pipe Insulation, is repealed in its entirety and replaced to read as follows:

[E] 607.5 Pipe Insulation. Hot water system piping shall be insulated as follows:

[E] 607.5.1 Residential buildings. Buildings with a use classification of R-2, R-3, or R-4 as defined in the *International Building Code* and that are 3 stories or less shall have circulating hot water system piping insulated to at least R-2. Circulating hot water systems shall include an automatic or readily *assessable* manual switch that can turn off the hot water circulating pump when the system is not in use. All noncirculating hot water piping shall be insulated between the heating element and the end use fixture with R-4 sleeve insulation or with material *approved by the code official*.

Exceptions:

1. Runs 20 feet (6.1 meters) or less for noncirculating hot water systems.

2. Insulation is not required to be continuous through framing members.

[E] 607.5.2 Commercial buildings. Automatic circulating hot water systems, and automatic temperature maintenance systems for commercial buildings (all buildings not covered in the use classifications found in Section 607.5.1, above) shall be insulated with 1 inch (25 mm) of insulation having a conductivity not exceeding 0.27 Btu per inch/h x ft² x °F (1.53 W per 25 mm/m² x K). The first 8 feet (2438 mm) of hot water piping from a hot water source in noncirculating systems served by equipment without integral heat traps shall be insulated with 0.5 inch (12.7 mm) of material having a conductivity not exceeding 0.27 Btu per inch/h x ft² x °F (1.53 W per 25 mm/m² x K).

Section 608.13, Backflow protection, is amended by adding subsections 608.13.10, 608.13.11 and 608.13.12 as follows:

608.13.10 All backflow prevention assemblies, where not otherwise covered in this code, shall conform to listed standards and be acceptable to the code official, with jurisdiction over the selection and installation of backflow prevention assemblies.

608.13.11 Where more than one (1) backflow preventer is installed on a single premise, and the backflow preventers are installed in one location, each separate backflow preventer shall be permanently marked in an approved manner to identify the location of the system that the backflow preventer serves.

608.13.12 The premise owner or responsible person shall have the backflow prevention assembly tested by a state licensed backflow assembly tester at the time of installation, repair, or relocation and tested and inspected at least on an annual schedule thereafter, or more often when required by the public water system that provides water to the property where the backflow prevention assembly is installed. All annual inspection and testing shall be performed in accordance with Chapter 34, Article VI, Division 8, of the City Code of San Antonio, Texas.

Section 608.14, Location of backflow preventers, is amended by adding language to the end of the subsection as follows:

608.14.3 Access. All backflow preventers shall be readily accessible.

Subsections 608.16.1, 608.16.2, and 608.16.5 are amended to read as follows:

608.16.1 Beverage dispensers. The water supply connection to beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1015 [~~1022~~] or by an air gap. The portion of the backflow preventer device downstream from the second check valve and the piping downstream there from shall not be affected by carbon dioxide gas.

608.16.2 Connections to non-potable boilers. The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent complying with ASSE 1013. [~~1012 or CAN/CSA B64.3.~~] Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or a reduced

pressure principle backflow preventer, complying with ASSE 1013, CAN/CSA B64.4 or AWWA C511.

608.16.5 Connections to lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by ~~{an atmospheric-type vacuum breaker,}~~ a pressure vacuum breaker assembly, a double-check valve assembly or a reduced pressure principle backflow prevention assembly. ~~{Valves shall not be installed downstream from an atmospheric vacuum breaker.}~~ Where chemicals are introduced into the system or there is an on site sewage facility (OSSF) system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly. The irrigation system shall be designed and installed in accordance with City Ordinance #100322 and #2008-08-07-0653.

Section 702.3 Building sewer pipe, is amended to read as follows:

702.3 Building sewer pipe. Building sewer pipes three inch and four inch shall be a minimum of Schedule 40 PVC. Sewer lines six inch and larger shall be a minimum of SDR 35 PVC. Cast-iron and Stainless steel 316L may also be used for all sizes. ~~{Building sewer pipe shall conform to one of the standards listed in Table 702.3.}~~

Table 702.3, BUILDING SEWER PIPE, is repealed.

Subsection 705.1.1 is added and reads as follows:

705.1.1 All underground or under slab mechanical joint coupling installations shall be shielded and Wide-Bodied.

Section 706.3, Installation of fittings, is amended to read as follows:

706.3 Installation of fittings. Fittings shall be installed to guide sewage and waste in the direction of flow. Change in directions shall be made by fittings installed in accordance with Table 706.3. Change in direction by combination fittings, side inlets or increasers shall be installed in accordance with Table 706.3 based on pattern of flow created by the fitting. Double sanitary tee patterns shall not receive the discharge of back-to-back water closets, ~~{and}~~ fixtures or appliances with or without pumping action discharge.

Exception: Back-to-back water closet connections to double sanitary tees shall not be permitted where the horizontal *developed length* between the outlet of the water closet and the connection to the double sanitary tee pattern is 18 inches (457 mm) or greater.

Section 706.4, Heel- or side-inlet quarter bends, is amended to read as follows:

706.4 Low-heel ~~{Heel-or-side}~~ inlet quarter bends. Low-heel ~~{Heel-}~~ inlet quarter bends, in the upright position, shall be an acceptable means of connection for single fixtures, however, they cannot be used for wet venting. ~~{, except where the quarter bend serves a~~

~~water closet. A low heel inlet shall not be used as a wet-vented connection. Side inlet quarter bends shall be an acceptable means of connection for drainage, wet venting and stack venting arrangements.~~

SECTION 708, CLEANOUTS, is amended by adding a sentence to Subsection 708.3.2, Building sewers; repealing subsection 708.3.3, Changes of direction, in its entirety and replacing that subsection with new code language; and adding Subsection 708.3.7, Individual fixture. These subsections are to read as follows:

708.3.2 Building sewers. Building sewers shall be provided with cleanouts located not more than 100 feet (30,480 mm) apart measured from the upstream entrance of the cleanout. The required cleanout fitting shall be a directional TEE-Wye drainage type fitting, unless otherwise approved by the code official. For building sewers 8 inches (203 mm) and larger, manholes shall be provided and located not more than 200 feet (60,960 mm) from the junction of the *building drain* and *building sewer*, at each change in direction and at intervals of not more than 400 feet (122 m) apart. Manholes and manhole covers shall be of an *approved* type. Manhole covers shall be identified as “SEWER” and shall not indicate a utility company thereon.

708.3.3 Changes of direction. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees (2.36 rad).

708.3.7 Individual fixture. All washing machines and kitchen sinks shall have an accessible clean out.

Section 712, SUMPS AND EJECTORS, is amended by adding a new Subsection 712.5, Dual pump system, as follows:

712.5 Dual pump system. All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than four fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure.

Section 903.1, Roof extension, is amended by establishing the minimum number of inches above the roof that a vent will terminate as follows:

903.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six [NUMBER] inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Section 904.3, Vent termination, is amended to read as follows:

904.3 Vent termination. Vent stacks or stack vents shall terminate outdoors to the open air ~~for to a stack type air admittance valve in accordance with Section 918}.~~

Section 905.1, Connection, and Section 905.4, Vertical rise of vent, are amended to read as follows:

905.1 Connection. All individual, *branch* and circuit vents shall connect to a *stack, stack vent*~~[, air admittance valve]~~ or extend to the open air.

905.4 Vertical rise of vent. Every dry vent shall rise vertically to a minimum of 6 inches (152 mm) above the flood level rim of the highest trap or trapped fixture being vented. When structural conditions require horizontal vents to be installed below the flood level rim of the fixture they serve, they shall have a cleanout installed on the riser in an accessible location.

Section 915.2.2, Connection, is amended to read as follows:

915.2.2 Connection. The combination waste and vent system shall have a minimum of two vents, one at the start of the system and one at the end of the system before the last fixture ~~[be provided with a dry vent connected at any point within the system or the system shall connect to horizontal drain that is vented in accordance with one of the venting methods described in this chapter]~~. Combinations waste and vent systems connecting to building drains receiving only the discharge from a stack or stacks shall be provided with a dry vent. The vent connection to the combination waste and vent pipe shall extend vertically to a point not less than 6 inches (152 mm) above the flood level rim of the highest fixture being vented before offsetting horizontally. The horizontal length of a combination waste and vent system shall be unlimited.

Section 916.2, Vent connection, and Section 916.3, Vent installation, are amended to read as follows:

916.2 Vent connection. The island fixture vent shall connect to the *fixture drain* as required for an individual or common vent. The vent shall rise vertically to above the drainage outlet of the fixture being vented before offsetting horizontally or vertically downward. The return bend used under the drain board shall be a one piece fitting or an assembly of a 45 degree, 90 degree and a 45 degree elbow in the order named. The vent or *branch* vent for multiple island fixture vents shall extend to a minimum of 6 inches (152 mm) above the highest island fixture being vented before connecting to the outside vent terminal or as approved by the code official.

916.3 Vent installation below the fixture flood level rim. The vent located below the *flood level rim* of the fixture being vented shall be installed as required for drainage piping in accordance with Chapter 7, except for sizing. The vent shall be sized in accordance with Section 916.2. The lowest point of the island fixture vent shall connect full size to the drainage system. The connection shall be to a vertical drain pipe or to the top half of a horizontal drain pipe and shall include a foot vent off of the vertical vent prior to connection to the vertical drain pipe or to the top half of a horizontal drain pipe. The foot vent shall be routed to the nearest wall and either run independently to the atmosphere or connect to another vent. Cleanouts shall be provided in the island fixture vent to permit rodding of all

vent piping located below the *flood level rim* of the fixtures. Rodding in both directions shall be permitted through a cleanout.

SECTION 917, SINGLE STACK VENT SYSTEM, is repealed.

SECTION 918, AIR ADMITTANCE VALVES, is repealed.

Section 1003.2, Approval, is amended by adding a paragraph at the end to read as follows:

1003.2 Approval. The size, type and location of each interceptor shall be designed and installed in accordance with the manufacturer’s instructions and the requirements of this section based on the anticipated conditions of use. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator. All interceptors shall be stamped or labeled by the manufacturer with an indication of its size in gallons or its full discharge rate in gallons per minute (gpm). The full discharge rate to such an interceptor shall be determined at full flow. Each interceptor shall be rated equal to or greater than the incoming flow.

Section 1003.3.2, Food waste grinders, is amended as follows:

1003.3.2 Food waste grinders and Automatic hood wash/dishwasher units. ~~[Where food waste grinders connect to grease interceptors, a]~~ All commercial food waste grinder/disposal units shall be connected to and discharge directly into a gravity grease interceptor. All commercial Automatic hood wash/dishwasher units shall discharge into a gravity grease interceptor. A solids interceptor shall separate the discharge before connecting to the grease interceptor. Solids interceptors and grease interceptors shall be sized and rated for the discharge of the food waste grinder. Emulsifiers, chemicals, enzymes and bacteria shall not discharge into the food waste grinder.

Section 1003.3.4.1, Grease interceptor capacity, is amended by adding subsection 1003.3.4.1.1, Gravity grease interceptor sizing, to read as follows:

1003.3.4.1.1 Gravity grease interceptor sizing. Gravity grease interceptors shall comply with Table 1003.3.4.1.2.

TABLE 1003.3.4.1.2
GRAVITY GREASE INTERCEPTOR SIZING CHART

<u>DFU's</u>	<u>INTERCEPTOR</u> <u>(gallons)</u>
<u>8</u>	<u>500</u>
<u>21</u>	<u>750</u>
<u>35</u>	<u>1,000</u>
<u>90</u>	<u>1,250</u>
<u>172</u>	<u>1,500</u>

<u>216</u>	<u>2,000</u>
<u>307</u>	<u>2,500</u>
<u>342</u>	<u>3,000</u>
<u>428</u>	<u>4,000</u>
<u>576</u>	<u>5,000</u>
<u>720</u>	<u>7,500</u>
<u>2112</u>	<u>10,000</u>
<u>2640</u>	<u>15,000</u>

Section 1003.5, Sand interceptors in commercial establishments, is amended by adding Subsection 1003.5.1, Where required, to read as follows:

1003.5.1 Where required. Sand interceptors shall be installed in the drainage systems of the following establishments: garages, car washes, service stations, or any place of business where heavy solids or solids greater than 0.5 inch may be introduced into the sanitary sewer system. The sizing criteria for a sand interceptor shall be based on the required GPM x 12-minute retention times to obtain the tank size in gallon capacity.

Section 1003.6 Laundries, is amended by adding the following text to the end of the paragraph:

1003.6 Laundries. Laundry facilities not installed within an individual dwelling unit or intended for individual family use shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids ½ inch (12.7 mm) or larger in size, string, rags, buttons or other materials detrimental to the public sewage system. A professional engineer may design for specific operational requirements; however, the plans must be submitted with a professional engineer's seal for approval. The design shall be based on a 12-minute retention time.

Section 1003.9, Venting of interceptors and separators, is amended by adding the following sentence to the end of the paragraph:

1003.9 Venting of interceptors and separators. Interceptors and separators shall be designed so as not to become air bound where tight covers are utilized. Each interceptor or separator shall be vented where subject to a loss of trap seal. Gravity type interceptors and separators shall have a minimum two-inch relief vent on the tank itself.

SECTION 1003 INTERCEPTORS AND SEPARTATORS, is amended by adding Sections 1003.11, Automatic car washes, and 1003.12, Silver recovery units, 1003.13, Neutralizing devices, and 1003.14, Solid interceptors, to read as follows:

1003.11 Automatic car washes. Automatic car washes (with high pressure sprays and/or brushes) shall install an interceptor no small than 50 gallons per minute for a four-bay vehicle wash. The size of the interceptor shall increase 10 gallons per minute for each additional wash bay over four. Single bay or portable washer type vehicle washes shall install an interceptor no smaller than 20 gallons per minute. The sizing criteria for automatic

car washes shall be based on the flow rate in gallons per minute times a 12-minute retention time.

1003.12 Silver recovery units. Silver recovery units shall be installed in waste line(s) leading from x-ray processing, photographic processing, and/or any procedures in establishments such as medical labs, photo finishers, printers, graphic arts production facilities, hospital, veterinary hospitals, or other establishments where silver may be introduced into the sanitary sewer system.

1003.13 Neutralizing devices. In no case shall corrosive liquids, spent acids, or other harmful chemicals which might destroy or injure a drain, sewer, soil or waste pipe, or which might create noxious fumes, discharge into the sanitary sewer system without being thoroughly neutralized by passing through a properly constructed and *approved* neutralizing medium, consisting of limestone or marble chips, so as to make its contents non-injurious before discharge into the *sanitary sewer* system.

1003.14 Solid interceptors. Solid interceptors shall be installed when pretreatment of waste streams is necessary to prevent solids greater than 0.5 inch (12.7 mm) in diameter, which may cause line stoppage, from entering the *sanitary sewer* system.

SECTION 1004, MATERIALS, JOINTS AND CONNECTIONS, is amended by adding Section 1004.2, Sample well, to read as follows:

1004.2 Sample well. An effluent sampling well for all interceptors shall be required. The sample well shall have a riser a minimum of six inches (153 mm) in diameter and shall be installed after the confluence of all wasted streams from the facility and prior to discharging into the *sanitary sewer* collection system. The well shall be perpendicular to the effluent lateral to allow observation of the flow stream and provide for sampling of waste water.

Section 1302.3, Makeup water, is amended to read as follows:

1302.3 Makeup water. When *gray water* systems are supplied with makeup water from either a potable source or from a *recycled water* source, the *potable water* makeup shall be protected by both an *air gap* and an *RP device* in accordance with Section 608. [~~Potable water shall be supplied as a source of makeup water for the gray water system. The potable water supply shall be protected against backflow in accordance with Section 608.~~] There shall be a full-open valve located on the makeup water supply line to the collection reservoir.

CHAPTER 13, GRAY WATER RECYCLING SYSTEMS, is amended by adding SECTION 1304, Reclaimed/recycled water systems, to read as follows:

1304 Reclaimed/recycled water systems.

1304.1 Scope. The provisions of this section shall govern the materials, design construction and installation of reclaimed/recycled water systems for flushing of water closets and urinals, for trap primers for floor drains and floor sinks and for subsurface landscape irrigation. Use

is limited to those fixtures that are located in nonresidential buildings. Fixtures within residential buildings are excluded from the list of approved uses. The reclaimed/recycled water system shall have no connection to any potable water system, with or without mechanical backflow prevention devices. If reclaimed/recycled water is utilized on the premises, all potable water supplies shall be provided with appropriate backflow protection, as required by the *code official*. Reclaimed/recycled water is allowed in all nonresidential buildings to supply fixtures as specified in this appendix, except where prohibited by statute, regulation, or ordinance.

Exception: Reclaimed water such as rainwater harvesting and A/C condensate shall also be *approved* for residential lawn irrigation applications.

1304.2 Permits. Permits shall be required in accordance with Section 10-6.

1304.3 Installation. Except as provided for in Section 1302, all systems shall comply with the provisions of the *International Plumbing Code*.

1304.3.1 Hose bibbs. Hose bibbs shall not be allowed on reclaimed/recycled water piping systems.

Exception. On reclaimed water systems, a hose bibb may be used when identified with signage in accordance with Section 608.8.

1304.3.2 The reclaimed/recycled water system and the potable water system within the building shall be provided with the required appurtenances (valves, air/vacuum relief valves, etc.) to allow for deactivation or drainage as may be required by Section 1302.

1304.3.3 Reclaimed/recycled water pipes shall not be placed in the same trench as potable water pipes. A two-foot (610 mm) horizontal separation shall be maintained between pressurized, buried reclaimed/recycled water and potable water piping. Buried potable water pipes crossing pressurized reclaimed/recycled water pipes shall be placed in a minimum of 12 inches (305 mm) above the reclaimed/recycled water pipes and shall have a PVC sleeve that extends a minimum of two feet either side of the pipe crossing. Reclaimed/recycled water pipes placed in the same trench or crossing building sewer or drainage piping shall be installed in compliance with Section 603.2. Reclaimed/recycled water pipes shall be protected in the same manner as potable water pipes.

1304.3.4 Makeup water. When potable makeup water is needed for a reclaimed/recycle system, the potable water shall be protected by both an air gap and an RP backflow device in accordance with Section 608.

1304.3.5 Sizing. Reclaimed/recycled water piping shall be sized as in accordance with this *code* for the sizing of potable water piping.

1304.4 Pipe materials and identification. Reclaimed/recycled water piping and fittings shall be as required in this code for potable water piping and fittings. All reclaimed/recycled

water pipe and fittings shall be continuously wrapped with purple-colored Mylar tape. The wrapping tape shall have a minimum nominal thickness of 0.0005 inch (0.127 mm) and a minimum width of two inches (51 mm). Tape shall be fabricated of polyvinyl chloride with a synthetic rubber adhesive and a clear polypropylene protective coating or approved equal. The tape shall be purple (Pantone color #512) and shall be imprinted in nominal 0.5 inch (12.7 mm) high, black uppercase letters with the words “CAUTION: RECLAIMED WATER, DO NOT DRINK.” The lettering shall be imprinted in two parallel lines, such that after wrapping the pipe a full line of text shall be visible. Wrapping tape is not required for buried PVC pipe manufactured with purple color integral to the plastic and marked on opposite sides to read “CAUTION: RECLAIMED WATER, DO NOT DRINK” in intervals not to exceed three feet (914 mm). All valves, except fixture supply control valves, shall be equipped with a locking feature. All mechanical equipment that is appurtenant to the reclaimed/recycled water system shall be painted purple to match the Mylar wrapping tape.

1304.5 Tests and inspections. Reclaimed/recycled water piping shall be tested as outlined in this code for testing of *potable water* piping.

1304.5.1 An initial and subsequent annual *cross connection* inspection and test shall be performed on the potable and reclaimed/recycled water systems and any other water systems as follows:

1304.5.1.1 Visual Dual System Inspection. Prior to commencing the *cross connection* testing, a dual system inspection shall be conducted as follows by the *code official* and other authorities having jurisdiction:

1. Meter locations of the recycled water and *potable water* lines shall be checked to verify that no modifications were made, and that no *cross connections* are visible.
2. All pumps and equipment, equipment room signs, and exposed piping in the equipment room shall be checked.
3. All valves shall be checked to ensure that valve lock seals are still in place and intact. All valve control door signs shall be checked to verify that no signs have been removed.

1304.5.1.2 Cross connection test. The following procedure shall be followed by the applicant in the presence of the *code official* and other authorities having jurisdiction to determine whether a *cross connection* occurred:

1. The *potable water* system shall be activated and pressurized. The reclaimed/recycled water system shall be shut down and completely drained.
2. The *potable water* system shall remain pressurized for a minimum period of time specified by the *code official* while the reclaimed/recycled water system is empty. The minimum period the reclaimed/recycled water system is to remain depressurized shall be determined on a case-by-case basis, taking into account the

size and complexity of the potable and reclaimed/recycled water distribution systems, but in no case shall that period be less than one hour.

3. All fixtures, potable and reclaimed/recycled, shall be tested and inspected for flow. Flow from any reclaimed/recycled water system outlet shall indicate a *cross connection*. No flow from a potable water outlet would indicate that it may be connected to the reclaimed/recycled water system.
4. The drain on the reclaimed/recycled water system shall be checked for flow during the test and at the end of the period.
5. The *potable water* system shall then be completely drained.
6. The reclaimed/recycled water system shall then be activated and pressurized.
7. The reclaimed/recycled water system shall remain pressurized for a minimum period of time specified by the *code official* while the *potable water* system is empty. The minimum period the *potable water* system is to remain depressurized shall be determined on a case-by-case basis, but in no case shall that period be less than one hour.
8. All fixtures, potable and reclaimed/recycled, shall be tested and inspected for flow. Flow from any *potable water* system outlet shall indicate a *cross connection*. No flow from a reclaimed/recycled water outlet would indicate that it may be connected to the *potable water* system.
9. The drain on the *potable water* system shall be checked for flow during the test and at the end of the period.
10. If there is no flow detected in any of the fixtures that would have indicated a *cross connection*, the *potable water* system shall be repressurized.

1304.5.1.3 In the event that a *cross connection* is discovered, the following procedure, in the presence of the *code official*, shall be activated immediately:

1. Reclaimed/recycled water piping to the building shall be shut down at the meter, and the reclaimed/recycled water riser shall be drained.
2. *Potable water* piping to the building shall be shut down at the meter.
3. The *cross connection* shall be uncovered and disconnected.
4. The building shall be retested following procedures listed in subsections 1304.5.1.1 and 1304.5.1.2 above.
5. The potable water system shall be chlorinated with 50 ppm chlorine for 24 hours.

6. The *potable water* system shall be flushed after 24 hours, and a standard bacteriological test shall be performed. If test results are acceptable, the *potable water* system may be recharged.

1304.5.2 An annual inspection of the reclaimed/recycled water system, following the procedures listed in subsection 1304.5.1.1, shall be required. Annual cross connection testing, following the procedures listed in subsection 1304.5.1.2, shall be required by the water purveyor providing the reclaimed/recycled water to the site, unless site conditions do not require it. In no event shall the test occur less often than once in four years. Alternate testing requirements may be allowed for institutional buildings.

1304.6 Approved Uses of Reclaimed/Recycled Water. Reclaimed/recycled water is allowed in all nonresidential buildings to supply fixtures as specified in this appendix, except where prohibited by statute, regulation, or ordinance.

Exception: Reclaimed water such as rainwater harvesting and A/C condensate shall also be approved for residential lawn irrigation applications.

1304.7 Signage.

1304.7.1 Room Entrance Signs. All installations using reclaimed/recycled water for water closets and/or urinals shall be identified with the proper signage. Each sign shall contain 0.5 inch (12.7 mm) letters of a highly visible color on a contrasting background. The location of each sign shall be such that the sign shall be visible to all users. The number and location of signs shall be approved by the code official and shall contain the following text:

**TO CONSERVE WATER, THIS
BUILDING USES RECLAIMED WATER
TO FLUSH TOILETS AND URINALS.**

1304.7.2 Equipment Room Signs. Each equipment room containing reclaimed/recycled water equipment shall have a sign posted with the following wording in one inch (25.4 mm) letters on a purple background and shall contain the following text:

**CAUTION - RECLAIMED WATER.
DO NOT DRINK. DO NOT CONNECT
TO DRINKING WATER SYSTEM.**

The following sign shall be posted in a location that is visible to anyone working on or near reclaimed/recycled water equipment:

**NOTICE: CONTACT BUILDING
MANAGEMENT BEFORE PERFORMING
ANY WORK ON THIS WATER SYSTEM.**

1304.7.3 Valve Access Door Signs. Each reclaimed/recycled water valve within a wall shall have its access door into the wall equipped with a warning sign approximately six inches by six inches (152 mm x 152 mm) with wording in 0.5 inch (12.7 mm) letters on a purple background. The size, shape, and format of the sign shall be substantially the same as that specified in subsection (B) above. The signs shall be attached inside the access door frame and shall hang in the center of the access door frame. This sign requirement shall be applicable to any and all access doors, hatches, etc., leading to reclaimed/recycled water piping and appurtenances.

1304.7.4 Valve Seals. Each valve or appurtenance shall be sealed in a manner approved by the Code Official after the reclaimed/recycled water system has been approved and placed into operation. These seals shall either be a crimped lead wire seal or a plastic breakaway seal which, if broken after system approval, shall be deemed conclusive evidence that the reclaimed/recycled water system has been accessed. The seals shall be purple with the words “**RECLAIMED WATER**” and shall be supplied by the reclaimed/recycled water purveyor or by other arrangements acceptable to the code official.

Sec. 10-83 Fee Schedule.

<i>Plumbing, Gas, Sewer</i>	
<i>Plumbing License and Registration Fees</i>	
Water Treatment Contractor Annual State License Registration Fee	\$85.00
Annual Irrigation Contractor Registration Fee	\$85.00
<i>Plumbing, Gas, Sewer Permit Fees</i>	
<i>Plumbing Inspection (Basic Fee)</i>	\$50.00
Fixture; Roof Drain; Reverse Osmosis (per unit)	\$7.00
Grease Trap; Oil Separator; Sand Trap; Lint Trap; Neutralization Tank (or tank receiving discharge of liquid waste from fixtures); Drain, Appurtenance; Appliance	
0–500 gallons	\$12.00
>500 gallons	\$17.00
Water Heater, Vent (Gas/electric)	\$8.00
Back-flow Prevention Device	
1/4" - 3/4"	\$15.00
1"	\$20.00
1 1/4"	\$45.00
1 1/2"	\$55.00
2"+	\$75.00
Water Softener	\$17.00
Underground Waterline	
0–100ft	\$10.00

101–250ft	\$15.00
251–500ft	\$25.00
501–1000ft	\$45.00
1001–2000ft	\$75.00
2001–3000ft	\$100.00
Over 3001ft (plus additional \$25 for each 200ft or part thereof over 3001ft)	\$125.00
Irrigation System Inspection Fee	\$50.00
Residential Landscape Irrigation System Permit Fee	\$50.00
Commercial Landscape Irrigation System Permit Fee	\$100.00
<i>Gas Inspection (Basic Fee)</i>	
1–5 openings (fee for each of the first five opening)	\$10.00
>5 openings (fee for each opening over five)	\$3.00
Gas Test; Extension (with 1 opening); Replace Gas Line; Split Meter; Move Meter; Butane Conversion (each)	\$8.00
<i>Sewer Inspection (Basic Fee)</i>	
0–60 ft.	\$10.00
61–150 ft	\$20.00
151–300 ft	\$35.00
301–500 ft.	\$50.00
501–750 ft.	\$70.00
751–1,000 ft.	\$110.00
>1,000 ft. (plus \$20.00 for each 150ft or part thereof over 1000ft)	\$125.00
Reclaim Water Line Openings Inspection	\$50.00
1–4 openings (flat fee)	\$40.00
>4 openings (fee for each opening over four)	\$5.00
<i>Medical Gas Inspection (Basic Fee) (oxygen - O₂; nitrous oxide - N₂O; medical compress air - MedAir Nitrogen - N₂; vacuum - Vac; carbon dioxide - CO₂; helium - He)</i>	
1–5 openings (flat fee)	\$13.00
>5 openings (fee for each opening over five)	\$3.00
<i>Building-related and Fire Codes Appeals and Advisory Board Fees</i>	
<i>Building-related and Fire Codes Appeal Fee</i>	\$155.00
Appeal to City Council	\$155.00
<i>Special Services for Plumbing</i>	
After-hour Inspection Fee (per hour with 1 hour minimum)	\$100.00

Inspection for which no fee is specifically indicated (per hour with 1 hour minimum)	\$100.00
Permit Refund Fee	\$50.00
Permit Amendment Fee	\$10.00
Inspection Schedule Fee (Free on-line)	\$3.00
Re-inspection Fee	\$50.00
Permit Processing Fee	\$10.00
Permit extension fee: 50% of permit (plus cost of permit)	
Plumbing Plan Review only (without building plan number)–Per hour/1 hour minimum	\$100.00
Open Permit Review Fee	\$3.00/Permit
<i>Rental of Facility Fees: \$125/hr (daily min. fee of \$250; Max fee of \$1000); Security Personnel: \$15/hour/staff (with 1 hour minimum); DSD Staff: \$30/hour/staff (with 1 hour min.); Custodian Service: \$15/hour (with 2 hour min.)</i>	
<i>Commercial Existing Backflow Test and Maintenance Report:</i>	
1–6 reports per address	\$5.00
6–10 reports per address	\$30.00
11–20 reports per address	\$35.00
21–30 reports per address	\$40.00
31–40 reports per address	\$45.00
41+ reports per address, plus five dollars (\$5.00) per each group of ten (10) test and maintenance reports or part thereof	\$45.00
<i>Residential Existing Backflow Test and Maintenance Report (per address)</i>	5.00

Sec. 10-84 through 10-90. Reserved.

ARTICLE X. ENERGY CONSERVATION CODE

The San Antonio City Council approves and adopts the recommendations of the Mayor’s Sustainable Task Force:

The city supports the adoption and implementation of energy provisions that result in energy savings of 15% or greater than the currently adopted code in 2008 (IECC 2000 with 2001 supplement and ASHRAE 90.1 1999), the goal of 30% energy savings in 2012 over the currently adopted code in 2008 (IECC 2000 with 2001 supplement and ASHRAE 90.1 1999), the goal of net-zero carbon by 2030 with the intent to provide flexibility to permit the use of innovative approaches and techniques to achieve the effective use of energy and to reduce greenhouse gas and ozone precursor emissions in the city and which is not intended to abridge safety, health, or environmental requirements contained in other applicable codes or ordinances.

The city approves the goals of the following recommendations of the sustainable building task force:

- (1) *That the planning and development services department, office of public utilities within finance, and the office of environmental policy coordinate with CPS Energy and San Antonio Water System (SAWS) to evaluate a new construction residential and commercial financial incentive program to include the provision of specific rebates or other incentives, with an ultimate goal of achieving net zero carbon by 2030 and be designed to reward improved performance in a scaled fashion, within the current limitations of all applicable laws and regulations.*
- (2) *That the city create a marketing and education awareness campaign which is a unified comprehensive community-wide outreach effort supporting an advanced sustainable buildings initiative.*
- (3) *That CPS Energy and SAWS provide existing rebate and incentive information to the city to coordinate and promote incentives to provide one-stop information.*
- (4) *That the planning and development services department, with assistance from the office of environmental policy, provide information on sustainable building practices and incentives to encourage residential and commercial developers to exceed minimum code requirements and serve as a clearinghouse for green building information from a wide and ever-increasing variety of sources.*
- (5) *That the city office of environmental policy coordinate education awareness with other agencies or organizations that include workshops, trainings, and seminars which will provide sustainable building practices for residential and commercial buildings that exceed minimum code requirements.*
- (6) *That the city evaluate the feasibility of offering a property tax exemption for new homes and tax abatement or phase-in for new commercial buildings that achieve high energy performance levels, including participation in a third party verified green rating system addressing residential and commercial building. Such considerations may include a minimum HERS score for residential buildings.*
- (7) *That the city evaluate the feasibility of offering an additional amount of property tax abatement or phase-in for new homes and commercial buildings that utilize on-site renewable energy.*
- (8) *That the city office of environmental policy promote an annual San Antonio Green Leadership awards program to recognize all new residential and commercial builders, architects, and others that significantly exceed the minimum code and to post those names on the city's website and through additional public media outlets.*
- (9) *That CPS Energy and SAWS evaluate incentives and rebates to support energy and water conservation for programs that exceeds code and include such programs in a unified city-wide promotion.*

- (10) *That the city evaluate the feasibility of funding for incentives through the planning and development services department, which could include fast-track permitting and reimbursement of fees, within the limitations of the current enterprise organization structure.*
- (11) *That energy incentives be provided to achieve 30% or greater savings above the currently adopted energy code; and*
- (12) *That a stakeholder sustainable building committee (SSBC) be formed which consists of representatives of architectural, engineering, construction, development, green building and building code professionals. Among other duties, the SSBC would monitor the implementation of the recommendations of the mayor's task force on sustainable buildings and meet as needed but not less often than every three years to review COSA sustainability energy policies and goals. The SSBC would measure periodic progress and recommend the establishment or modification of interim goals to attain agreed long-term goals. Interim and long-term goals would be evaluated and recommended for amendment as required on the basis of sustainable environmental and community benefits, return on investment and practical impact on the regulated community. In 2012 the interim goal would target 30% above the current code in effect in 2008 (IECC 2000 with 2001 supplement and ASHRAE 90.1 1999); incentives will increase proportionately to achieve greater savings. Finally, should the energy needs/uses of existing buildings be examined in the future, the SSBC would be charged with the responsibility to present recommendations to city council.*

Sec. 10-91. Adoption of *International Energy Conservation Code (2009)*.

The 2009 edition of the *International Energy Conservation Code*, promulgated by the International Code Council, Chapters 2 through 5, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of Section 10-92. Provisions of this article are in addition to the provisions of the *International Energy Conservation Code*. The following provisions coinciding with the provisions of the *International Energy Conservation Code* supersede, or delete, when indicated, the corresponding provisions of the *International Energy Conservation Code*.

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

Sec. 10-92. Amendments to the adopted chapters of the *International Energy Conservation Code (2009)*.

Additions to the International Energy Conservation Code (IECC) are shown as underlined text. Deletions of the IECC are shown as bracketed [~~strikethroughs~~].

Section 402.4.2.2, Visual inspection option, is amended to read as follows:

402.4.2.2 Visual inspection option. Building envelope tightness and insulation shall be considered acceptable when items in Table 402.4.2, applicable to methods of construction, are verified. ~~[When required by the code official, an]~~ An approved party independent from the installer of the insulation shall inspect the air barrier and insulation. Insulation letters shall not be submitted to the *Building Official* prior to the inspection being performed and shall be submitted on a form approved by the *Building Official*.

Sec. 10-93 through 10-100. Reserved.

ARTICLE XI. FIRE PREVENTION.

Sec. 10-101. See Chapter 11, San Antonio Code.

Sec. 10-102 through 10-110. Reserved.

ARTICLE XII. LICENSING AND REGISTRATION.

Sec. 10-111. Billboard operator license.

- (a) **License required.** All persons engaging in the business of erecting, painting, servicing or maintaining billboards or any other off-premises advertising sign shall, for the purposes of this chapter, be considered billboard operators and must be licensed to do business by the city. A license holder supplying his license for a firm or corporation doing business under this chapter shall not supply his license to a second firm or corporation. Any permit issued to the license holder shall be for work being done by the license holder and his firm or corporation. The licensing requirement shall not be applicable to employees or subcontractors performing work under the supervision of the licensed billboard operator.
- (b) **Examination required; application.** Before a billboard operator license may be issued, each person seeking such a license shall take an examination and file an application for the examination with the *Building Official*.
- (c) **Qualifications.** Prior to taking the examination required by this chapter, each applicant shall demonstrate to the *Building Official* an ability to read and write English, and show proof of at least four years practical experience at the trade working under a billboard operator. The applicant shall also submit to the *Building Official* an affidavit, duly sworn, setting forth his experience. Proof of the applicant's experience shall be included with the affidavit.
- (d) **Examination fee; test score; issuance of license.** Examinations are administered by an approved third party, and the associated examination fees are paid directly to the approved third party by the applicant. After the *Building Official* has approved the application, the applicant has passed the required examination, and

the applicant has paid the license fee in accordance with the city approved fee schedule, the *Building Official* shall issue the applicant a billboard operator license.

- (e) **Vehicle identification.** Any contractor engaged in erecting, installing, servicing, or maintaining a billboard shall ensure that all vehicles required to be on the job are identified with the contractor/company name and license number. Lettering on the vehicle shall be at least two inches high, and shall be in full view and legible at all times.

Sec. 10-112 Commercial sign operator license.

- (a) **License required.** Any person engaged in the business of erecting, painting, maintaining or servicing commercial signs must be licensed as a commercial sign operator by the city.
- (b) **Examination required; application.** Before a billboard operator's license may be issued, each person seeking such a license shall take an examination and file an application for the examination with the *Building Official*.
- (c) **Qualifications.** Prior to taking the examination required by this chapter, each applicant shall demonstrate to the *Building Official* an ability to read and write English, and show proof of at least two years experience in commercial sign installation working under a licensed commercial sign operator, or a licensed commercial sign operator from another city provided that the licensing qualifications and examinations are similar in design and quality to that of the city as determined by the *Building Official*, or can show proof of at least four years experience in commercial sign installation, provided the verification of experience shall be provided to the *Building Official* in a manner established by written policy. The applicant shall also submit to the *Building Official* an affidavit, duly sworn, setting forth his experience. Proof of the applicant's experience shall be included with the affidavit.
- (d) **Examination fee; test score; issuance of license.** Examinations are administered by an approved third party, and the associated examination fees are paid directly to the approved third party by the applicant. After the *Building Official* has approved the application, the applicant has passed the required examination, and the applicant has paid the license fee in accordance with the city approved fee schedule, the *Building Official* shall issue the applicant a commercial sign operator license.

Sec. 10-113. Electrical contractors and electrical sign contractors, installers, maintenance electricians; licenses and registrations.

- (a) **Effect of State Licensing.** Upon the State's enforcement of House Bill 1487, passed by the 78th session of the Texas Legislature that established the State

licensing of electricians, the City no longer licenses electricians through testing administered by the City.

Exception: The *Building Official* will continue to renew those electrical licenses issued prior to the state’s electrical license program.

All provisions and regulations of this chapter referencing a license issued by the City shall also cover a license issued by the State.

(b) State licensed electrical contractors and electrical sign contractors, registration. State licensed electrical contractors and electrical sign contractors shall register with the city before performing any electrical work or electrical sign work regulated by this chapter or Chapter 28, Signs and Billboards. The annual fee for such registration shall be established by city ordinance.

(c) Licensing and Insurance Required

(1) Qualifications of electricians. It shall be a violation of this chapter for a person who does not hold a license to engage in the electrical construction and/or electrical sign construction, for which a permit is required, or to undertake to execute such construction or to cause the undertaking of such construction.

(2) Misrepresentation. It shall be a violation of this chapter for any person to represent themselves with any class of license or registration set forth in this code or to use the words “electrical contractor”, “master electrician”, “master sign electrician”, “electrician”, or words of similar import or meaning on signs, business cards, stationery, or by any other manner whatsoever, unless such person is properly registered/licensed within the meaning of the word used as provided in this chapter.

(3) General liability and completed operation insurance.

a. An electrical contractor, electrical sign contractor, residential appliance installation contractor or the holder of an annual electrical maintenance permit must continuously maintain on file with the *Building Official* in a form of a certificate addressed to the city showing the above referenced persons carrying the following types and amounts of insurance: bodily injury liability insurance of at least three hundred thousand dollars and property damage liability insurance of at least three hundred thousand dollars for both general liability and completed operations insurance. This amount shall equal the same amount as the state, should requirements be changed by the state.

- b. The holder of any contractor’s license is responsible for providing evidence of a new or renewal policy of any required insurance coverage upon termination or renewal of any policy.
- c. Any insurance certificate required by this code must be written through a company licensed to issue the insurance in the state of Texas and the insurance must be approved by office of the city attorney.
- d. Terms concurrent with license. Insurance policy terms may be concurrent with the two-year license terms and the insurance policy term may be prorated when it is approved by the code official as other than the two-year term.

(d) Communication, Ready Access, and Vehicle Identification

- (1) **Means of communication.** Every electrical or electrical sign contractor shall maintain an established place of business, as defined in section 10-113(d)(2) and shall establish a means to receive messages from the *Building Official* during the regular business hours. Acceptable means for receiving communications include, but are not limited to, a person available at the place of business, an answering machine, voice mail, a pager or a cellular telephone.
- (2) **Master present for business.** Master electricians or master sign electricians, on behalf of an electrical or electrical sign contractor, licensed by the city or the state, shall be present during construction related to that type of license. “Present” shall mean: on site, in the office, or available to be reached during the times of 7:45 AM and 4:30 PM Central Standard time. Upon request of the *Building Official*, master electricians shall make themselves available to meet on the job site.
- (3) **Identification of vehicles.** Each person engaged in electrical construction work shall identify all vehicles used for the transportation of materials, supplies, equipment or hand tools in the performance of such work with signs showing the name and type of business, the contractor’s master electrician’s license number and the state contractor’s license number, if applicable, under which such electrical construction or electrical sign work is being conducted. For contractors operating with local license numbers, the number should be prefixed with EM or SM and those operating with state licenses shall have the TECL or TSCL. The signs shall be kept current at all times and shall be painted or comprised of permanently affixed decals displayed on each side of the vehicle. All letters and numbers shall be a minimum of two inches in height and shall be in full view and legible at all times. It shall be a violation of this chapter to use vehicles that do not comply with this section.

(e) **Classifications of licenses and registrations.** The following are the classifications of licenses and registrations regulated by this code:

(1) **Licenses:**

- a. Electrical contractor
- b. Electrical sign contractor
- c. Residential appliance installation contractor
- d. Master electrician
- e. Master sign electrician
- f. Journeyman electrician
- g. Journeyman sign electrician
- h. Electrical apprentice
- i. Electrical sign apprentice
- j. Maintenance electrician
- k. Residential wireman
- l. Residential appliance installer

(2) **Registrations:**

- a. Electrical maintenance technician
- b. Electrical sign technician. New electrical sign technician registrations are no longer offered.

(f) **Documentation.** The *Building Official* shall adopt rules regarding the form of documentation that will be accepted as proof of compliance with any experience, verification of registration or license status, or other pertinent information the *Building Official* feels is relevant for inclusion.

(g) **Record of issuance.** The *Building Official* shall maintain a record that is available to the general public of all licenses and registrations issued pursuant to this chapter.

- (h) **Licenses, registration cards and certificates.**
- (1) A registration card, bearing the *Building Official's* signature, shall be issued to each person receiving a City registration or license.
 - (2) Each such registration card shall expire at midnight of the renewal date. A new card shall be issued provided that the registration or license holder has complied with the regulations of this code pertaining to renewals.
 - (3) Each registration certificate or card, when issued to an electrical contractor, electrical sign contractor, or residential appliance installation contractor shall be issued to a person and registered in the name of the firm by which the person is employed. The firm shall be known as the holder of such registration certificate or card and shall notify the code official if the licensee is no longer in its employment. No further permits will be issued to the firm based upon the previous license holder's name who is no longer employed by the firm.
 - (4) It shall be a violation of this code for any person to alter or amend in any manner, lend, rent, or transfer a registration certificate or card, and for any person to make use of any such rights for which the person is not registered or licensed.
 - (5) Each electrical contractor, electrical sign contractor, or residential appliance installation contractor shall display the registration certificate in a conspicuous place in the firm's place of business. Each holder of a registration card shall carry the registration card on his person at all times while performing electrical work, electrical sign work or residential appliance installation covered by this code and shall present it to the *Building Official* upon demand.
- (i) **License expiration, renewal, and continuing education.** A license may be renewed at any time within thirty days before the expiration date, unless such license has been revoked or canceled by the *Building Official*. Applicants shall show proof of having satisfactorily completed an accredited four-hour code study course, approved by the *Building Official*, for each year of renewal within the 24 month immediately preceding such renewal. All electrical and sign licenses shall expire at midnight on the anniversary date of their issuance and shall be subject to renewal for a two year period of time.
- (j) **Licenses not transferable.** No license shall be transferred and no holder of any license shall allow his name or license to be used by any other person, either for the purpose of doing electrical construction or obtaining a permit under the penalty of forfeiture of license and payment of fines.

- (k) **Revocation of licenses.** Any license or registration granted under this chapter may be canceled, revoked or suspended by the *Building Official* if the holder of such license or registration violates provisions of this chapter or any ordinance of the city relating to electrical work. When a license or registration is suspended, a new license or registration shall not be granted to the same person in violation of the terms of the suspension. Prior to taking any action identified in this section, the *Building Official* shall give at least 15 days of written notice to the license or registration holder to afford the individual or business an opportunity to present evidence that such action is not warranted. Notice may be personally delivered or deposited postage-paid, certified or registered mail with the United State Postal Service addressed to the last address shown on the records of the department.
- (l) **License prerequisite to issuance of permit.** A permit for electrical work or electrical sign work shall not be issued to any person unless such person is the holder of a license to perform the class of work described in such permit as provided in this chapter. An annual electrical maintenance permit required by this chapter shall not be issued unless the owner of the property provides evidence that the maintenance work will be performed by individuals qualified in accordance with § 10-6(c) of this chapter.
- (m) **Change of name.** Upon payment of the fee set by ordinance, posting of any necessary bonds and compliance with any other requirements of this chapter, the holder of a valid license may apply to the *Building Official* for a change on the name of a license.
- (n) **Continuation of the business upon death, disability or termination of the business's master.** Upon the death, disability or termination of electrical contractor or electrical sign contractor business, such business will be allowed to complete existing work for which permits had been obtained prior to the severance of such master provided insurance is posted, if applicable, and sufficient evidence is submitted to and approved by the *Building Official* as to the ability of the business to complete the work in accordance with the requirements of this chapter. Monthly approval may be granted by the *Building Official* for a period not to exceed six months. On or before the expiration of such period the business shall associate a new master of the appropriate classification or cease operations.
- (o) **Electrical Contractor, Electrical Sign Contractor and Residential Appliance Installation Contractor; responsibilities.**
 - (1) Every electrical or electrical sign contractor, before engaging in electrical or electrical sign work, must procure a master electrician or master electrician sign license for the conduct of such work. Electrical work is regulated by this code. Electrical sign work is regulated by Chapter 28, Signs and Billboards.

- a. Electrical contractor work shall not include the manufacture of any sign regulated by this code or Chapter 28.
 - b. Electrical sign contractor work shall not include the extensions of, or additions to, an existing branch circuit.
- (2) A licensed contractor shall display its name and license number on both sides of each vehicle owned or operated by the business and used in the conduct of his work. Lettering shall be of a contrasting color and at least two inches in height.
- a. An electrical contractor’s license number shall be preceded by the letters “EM” or “TECL” depending on whether the business is operating under a local license or state license.
 - b. An electrical sign contractor’s license number shall be preceded by the letters “SM” “TSCL” for City licenses or State of Texas licenses respectively.
 - c. A residential appliance installation contractor’s license number shall be preceded by the letters “TICL”.
- (3) All of a contractor’s non-exempt work shall be performed by licensed or registered individuals. A contractor is responsible for compliance with applicable codes for all such work performed on its behalf.
- (4) The licensed contractor’s name, address, phone number, and license number shall appear on all proposals, invoices, and written contracts proposed by the contractor. The following information: “Regulated by The Texas Department of Licensing and Regulation, P. O. Box 12157, Austin, Texas 78711, 1-800-803-9202, 512-463-6599; website: **www.license.state.tx.us/complaints** shall be listed on invoices and written contracts.
- (5) A licensed contractor shall maintain employee records and records of all work performed on its behalf for a period of four years after completion of the work, and shall make those records available to the code official at the contractor’s place of business during normal business hours for inspection and copying.
- (6) A licensed contractor and its designated master electrician or residential appliance installer are responsible for supervision of all licensees or registered persons performing work on behalf of the contractor to assure compliance with applicable statutes and rules and, in particular, standards of conduct set out in these rules.

- (p) **Master Electrician and Master Sign Electrician.**
- (1) **Responsibility.** The master electrician of record shall be liable and responsible for the layout and technical supervision of any work that requires the securing of a permit under the master's license. Failure of the master to properly provide for the supervision and control of work being performed on behalf of the business may cause the work being performed under permit to be discontinued by the *Building Official*.
- (2) **Limitation on multiple business affiliations.** Any master sign electrician affiliated with a business as herein provided shall not engage in the operation of a second electrical sign business, under the provisions of this code, unless it is under the same name and insurance of the first business. Any permit issued to a business must be for work being done by that business. Any master electrician obtaining permits for any person, business or entity will be notified to appear before the *Building Official* for consideration of a complaint.
- (q) **Journeyman Electrician and Journeyman Sign Electrician; performance of work; supervision and ratio.** A journeyman electrician may perform electrical or electrical sign work under the general supervision of a master electrician or master sign electrician on behalf of an electrical or electrical sign contractor. A journeyman electrician or journeyman sign electrician may direct and supervise the work of an electrical apprentice provided that a ratio of twelve electrical apprentices to one journeyman electricians is not exceeded.
- (r) **Electrical Apprentice and Electrical Sign Apprentice; performance of work.** An apprentice may perform electrical under the direct supervision of a master electrician, master sign electrician, journeyman electrician, journeyman sign electrician, residential wireman, or electrical sign technician.
- (s) **Maintenance Electrician and Electrical Maintenance Technician; performance of work.** A maintenance electrician may perform all of the work under the annual electrical maintenance permit permitted by section 10-6(c). A registered electrical maintenance technician may perform all of the work permitted by section 10-6(c) but may not perform work involving voltages or amperages that exceed the limits described in sections 10-6(c)(2) a. through f.
- (t) **Residential Wireman; supervision and ratio.** A residential wireman may direct and supervise the work of an electrical apprentice provided that a ratio of two electrical apprentices to one residential wireman is not exceeded.
- (u) **Registered Sign Technician; performance of work.** A sign technician may perform electrical sign work under the general supervision of a master sign electrician on behalf of an electrical sign contractor.

Sec. 10-114. San Antonio Mechanical License. Any person performing any type of mechanical work in the city shall have in his possession a valid and authenticated mechanical license issued by the *Building Official* or a valid mechanical license issued by the state, except as otherwise provided under Section 10-114(g) or as exempted under federal or state law.

- (a) **Contact information.** A licensed contractor must maintain a bona fide company address and telephone to enable the *Building Official* to contact the contractor in case of a job discrepancy. Any person holding a mechanical license and doing work in the city must be registered and shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate license renewal records. All mechanical contractors holding a master's license from the city shall display, on both sides of any vehicles being used for or in connection with mechanical installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the mechanical master's license number issued by the city. The sign shall have the numbers not less than two inches (50.8 mm) in height.
- (b) **Certificate of insurance.** Any person applying for a master mechanical license or mechanical permit shall present a certificate of insurance issued by an insurance company authorized to do business in the state of Texas, certifying that the applicant is insured to the limits of at \$300,000 public liability insurance per occurrence and \$300,000 property damage liability insurance per occurrence.
- (c) **Duplicate Licenses.** Any person whose license was destroyed or lost may obtain a duplicate license upon payment of the fee set forth in the fee schedule adopted by the City of San Antonio.
- (d) **Expiration date of license.** All city licenses shall expire on December 31 of each year. Licenses shall be renewed prior to the expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the Development Services Department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date must appear before the Building-related and Fire Codes Board of Appeals and show cause why his license should be renewed.
- (e) **Certain acts prohibited.** In addition to other provisions of this code, it shall be unlawful for any person to do any of the following acts:
 - (1) To display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any mechanical work, knowing such instrument to be fictitious or to have canceled, revoked suspended or altered;

- (2) To lend or knowingly permit the use of any license for the doing of any mechanical work to any person not entitled thereto, under the provisions of this chapter;
 - (3) To display or represent as one's own a license for the doing of any mechanical work when such license has not been lawfully issued to the person so displaying the same;
 - (4) To fail or refuse to surrender to the *Building Official* on demand any license for the doing of any mechanical work, which has been suspended, canceled or revoked as provided for in this chapter;
 - (5) To apply for or have in one's possession more than one current license of the same type provided for in this chapter;
 - (6) To use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
 - (7) To employ as a master or technician in mechanical work any person not licensed as provided in this chapter;
 - (8) To perform any character of mechanical work for which a license is required by this chapter while such license is suspended, canceled or revoked.
- (f) **Continuing education requirements for state licensed mechanical contractors and San Antonio licensed mechanical contractors.**
- (1) Mechanical contractors licensed by the state must maintain the required amount of continuing education mandated by state law in order to perform work in the city.
 - (2) Mechanical contractors licensed by the city will be required to attend eight hours of continuing education annually.
 - a. This training is mandatory for maintenance of city license.
 - b. Training curriculum will be established by the *Building Official*, will be in accordance with state law and will be reviewed by the board annually.
 - c. Annual Training will be conducted by the Development Services Department.

- d. A licensee may not receive continuing education credit for attending the same course more than once.
- e. A fee, established by ordinance in the Development Services Department fee schedule, shall be paid by the licensee for each course.

(g) **HVAC Inspections Supervisor.** The HVAC Inspections Supervisor of the development services department shall also serve as the master of record for mechanical work performed by city HVAC workers.

Sec. 10-115. Residential Building Contractor Registration.

(a) **Title and scope of section; definition.**

- (1) This section shall be known as the residential building contractor registration section and may be cited as such.
- (2) For the purposes of this section and other sections of this chapter pertinent to registration, the term “employee” shall not apply to consultants, contract labor, or subcontractors employed by the registered residential building contractor. Such individuals or entities shall be considered contractors and, as such, shall be required to obtain their own registrations or licenses as required by the state or the city.
- (3) For the purposes of this section and other sections of this chapter pertinent to licensing, the term “direct employee” shall mean an employee of a registered residential building contractor working on a residential building.

(b) **Registration required; exceptions.** Any person who is required to secure a building permit to construct, structurally alter or enlarge any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by the IRC in the city shall have in his possession a valid and authenticated residential building contractor certificate of registration issued by the *Building Official* of the city. All such work shall be performed by a registered residential building contractor or by licensed building trade subcontractor(s), not otherwise required to be registered under this section, of the residential building contractor holding a valid building permit and under the direction of that registered residential building contractor.

Exceptions:

- (1) Any person who will own, occupy or rent a detached single family dwelling for a period of 12 months after completion of the building permit

and final inspection for the single family dwelling or accessory building thereto.

- (2) Building trade subcontractors who are performing work for the residential building contractor are not required to be registered under this section (e.g. framing subcontractor, flooring subcontractor, drywall subcontractor, painting subcontractor, etc.).
- (c) **Authority; responsibilities.** A residential building contractor registration is authority granted to the person, company, association, or other entity to whom it is issued to engage in the business of contracting in accordance with Section 10-115(b). The registered residential building contractor shall be responsible for exercising such supervision and control of his construction operations as is necessary to secure full compliance with the provisions of the IRC and other applicable laws of the City, State and United States.
- (d) **Penalties.** A violation of this section shall constitute a Class C misdemeanor offense with a fine not to exceed \$500 per violation. Each day or portion thereof out of compliance with the registration requirements set above shall constitute a separate offense.
- (e) **Application procedures; requirements.**
 - (1) An applicant for an original certificate of registration or renewal must submit an application to the *Building Official* on a form established by the department. Each applicant must fully disclose in the application whether the applicant has:
 - a. Entered a plea of guilty or nolo contendere (no contest) to any felony charge or a misdemeanor involving moral turpitude;
 - b. Been convicted of a felony or a misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;
 - c. Entered a plea of guilty or nolo contendere (no contest) or been convicted of a felony or misdemeanor arising out of a violation of the building code or local amendments thereto in the State of Texas whether or not said violation involves moral turpitude;
 - d. Lost or is suspended from residential building contractor privileges in any jurisdiction in the State.

A failure to disclose under Sec. 10-115(e)(1) shall be sufficient grounds to deny the application.

- (2) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the *Building Official* may conduct a criminal background check on the applicant or any person responsible for the application. The *Building Official* may obtain criminal history record information maintained by the Department of Public Safety, the Federal Bureau of Investigation, or any other local, state, or national government entity.
- (3) A person may not be issued a certificate of registration unless the person:
 - a. Is at least 18 years of age; and
 - b. Is a United States citizen or a lawfully admitted alien; and
 - c. The *Building Official* is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.

Commentary: Full disclosure includes an interest in or ownership of any entity engaged in the residential building contractor business that has lost or been suspended from residential building constructor privileges.

- (4) **Certificate of insurance.** Any person applying for a residential building contractor certificate of registration shall present a certificate of insurance issued by an insurance company authorized to do business in the state of Texas, certifying that the applicant is insured with at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility as follows:
 - a. The insurance must be at least \$400,000 per occurrence (combined for property damage and bodily injury);
 - b. be at least one million dollars aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
 - c. be at least \$400,000 aggregate for products and completed operations.
- (5) **Expiration date of certificate of registration.** All city certificates of registration for residential building contractors shall expire two years after issuance. Certificates of registration shall be renewed prior to expiration date. Each person holding a valid residential building contractor certificate of registration shall renew same in sufficient time to have the certificate renewal form and insurance information returned to the department with the appropriate renewal fee prior to registration expiration date.

(f) Duties and powers of *Building Official*.

- (1) There is hereby vested in the *Building Official* the duty of examining the applications for residential building contractor certificates of registration, including the issuance, reissuance, renewal, suspension, or revocation of such certificates of registration.
- (2) The *Building Official* shall establish procedures consistent with this code for the issuance of certificates of registration for residential building contractors.
- (3) The *Building Official* shall have the duty to keep all registration application records. Such records shall be open to the public for inspection during regular business hours. The *Building Official* shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.

A decision to grant or deny an application for registration shall be made within 10 working days after receiving the completed application. Incomplete applications shall not be considered.

(g) Appealing a Denial of Registration.

- (1) **Appeal to Board.** If either an original or renewal certificate of registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within five working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The registered residential building contractor or their representative shall then have 15 working days from receipt of notice to appeal the *Building Official's* decision in accordance with Section 10-14 of this chapter.
- (2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.

(h) Fees; registration period. The application fee for contractor registration shall be one hundred seventy dollars and said registration shall be valid for a period of two years. The certificate holder shall be required to re-register every two-year period of time and pay a fee of one hundred seventy dollars for each two-year period of time to maintain registration.

(i) Certificates not assignable or transferable. A certificate of registration issued pursuant to this section shall not be assignable or transferable.

- (j) **Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered residential building contractor to:
- (1) Display or cause a permit to be displayed or to have in one's possession any certificate of registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;
 - (2) Lend or permit the use of any certificate of registration for doing any construction work to any person not entitled to it;
 - (3) Allow any person to display or to represent as one's own city certificate of registration for any construction work when the certificate of registration has not been lawfully issued to the person displaying it;
 - (4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;
 - (5) Perform any residential building contractor work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;
 - (6) Perform any construction work for which a permit is required without having the permit or after the permit has been canceled;
 - (7) Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;
 - (8) Permit any construction work covered by this section to be performed by any person not properly licensed or registered, while in control of premises covered by this section;
 - (9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*;
 - (10) Place or leave the property in such condition that it injures or endangers persons or property authorized to be on the construction site.

(k) Cancellation and suspension of registration; appeals.

- (1) A contractor's certificate of registration may be cancelled or suspended by the *Building Official* after a hearing before the *Building Official* if the registered residential building contractor is convicted of any penal offense arising out of or related to the performance of a residential building contract or the registered residential building contractor suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a residential building contract.
- (2) The *Building Official* may also administratively cancel or suspend a certificate of registration after a hearing before the *Building Official* for any one or more of the following reasons:
 - a. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of a felony or misdemeanor involving moral turpitude;
 - b. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state of Texas;
 - c. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;
 - d. Failure to disclose required information under Section 10-115(e);
 - e. Three separate violations as detailed in Section 10-115(j) of this chapter, provided the violations occur within the previous 12-month period;
 - f. Upon judicial determination of an abandonment or willful failure to perform any residential building contract or project in or undertaken by a registered residential building contractor, or willful deviation from or disregard of plans or specifications in any material respect;
 - g. Upon judicial determination that the residential building contractor knowingly made substantial misrepresentation on the part of the residential building contractor in the procurement of a residential building contract;
 - h. Upon judicial determination of fraud on the part of the residential building contractor in the execution of or in the material alteration

of any residential building contract or mortgage, promissory note or other document relating to the contract;

- i. Upon judicial determination that the residential building contractor knowingly prepared or accepted any mortgage, promissory note or other evidence of indebtedness pertaining to a residential building transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the residential building construction work;
- j. With knowledge, the residential building contractor directly or indirectly published any advertisement relating to residential building construction which contains assertions, representations or statements which are false, deceptive or misleading;
- k. Failure of the residential building contractor to notify the *Building Official* of any change in the ownership, management, or business name;
- l. Conducting a residential building contractor business in any name other than the one registered;
- m. Obtaining a building permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.

(3) The *Building Official* may take any of the following actions against the holder of the certificate of registration:

- a. No suspension
- b. Suspension for 30 days
- c. Suspension for 60 days
- d. Suspension for 90 days
- e. Suspension for 180 days
- f. Cancellation

(4) The *Building Official* shall send the registered residential building contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten working days' notice of the hearing. The *Building Official* is authorized to

conduct hearings for the purpose of making findings of fact to assist him in making his decision.

- (5) A written decision to cancel or suspend a certificate of registration shall be required and list the reasons for the *Building Official's* decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the *Building Official*. The registered contractor shall then have fifteen days from receipt of this notice to appeal the *Building Official's* decision to the Building-related and Fire Codes Board of Appeals. The decision of the *Building Official* shall be final after expiration of this time.
- (6) **Board appellate process.**
- a. A registered contractor shall have the right to appeal the *Building Official's* decision in accordance with Section 10-14 of this chapter.
 - b. A perfected appeal tolls the *Building Official's* decision to suspend or cancel the registration until the board renders its decision.
 - c. Neither the board nor the *Building Official* shall have any authority to suspend a registration for longer than 180 days.
 - g. A cancellation shall prevent the residential building contractor from pulling new permits for a period of at least one year. For purposes of this section, a cancellation of a registration does not alleviate the registered contractor from performing current obligations or absolve them from liability under a residential building contract. In performing currently permitted obligations while cancelled, the residential building contractor shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one year period, a residential building contractor may apply for a new certificate of registration. No provision of this section shall be interpreted to mean that a new certificate of registration will be issued after a prior certificate of registration has been cancelled. A denied applicant for a new certificate of registration is required to wait one year before applying again. There shall be no limit on the number of times a denied applicant may reapply.
 - h. A suspension shall prevent the registered contractor from pulling new permits in the City for the suspension time period. A suspension of registration does not alleviate the registered contractor from performing currently permitted obligations under

the residential building contract. The residential building contractor shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The board's decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

Sec. 10-116. Home Improvement Contractor Registration.

(a) Registration required; penalties.

- (1) A home improvement contractor, prior to entering into a contract with the owner for any home improvement work requiring the issuance of building permits whether or not said person is required to register with the state must file an application for a certificate of registration with the city unless otherwise exempt under section 10-116(3).
- (2) A violation of this article shall constitute a class "C" misdemeanor offense with a fine of not less than one dollar and no more than \$500 per violation. Each day out of compliance with the registration requirements set above shall constitute a separate offense.

Exemptions.

- a. An individual who performs labor or services as an employee of a registered contractor or an individual who performs labor or services as an employee or subcontractor of a registered contractor who does not deal directly with the general public as a home improvement contractor;
- b. A homeowner, tenant or an employee of a homeowner or tenant performing work on their own residence;
- c. A plumber, electrician, or other skilled tradesman licensed under the laws of the state, this chapter or other ordinances of the city who is acting exclusively within the scope of the craft for which he or she is currently licensed;
- d. A contractor performing home improvement work where the total amount to be paid does not exceed \$200;
- e. A contractor performing home improvement work not requiring an application for building permit.

(b) Application procedures.

- (1) An applicant for an original certificate of registration or renewal must submit an application to the *Building Official* on a form established by the department.
 - (2) Each applicant must fully disclose in the application whether the applicant has:
 - a. Entered a plea of guilty or nolo contendere (no contest) to any felony charge or a misdemeanor involving moral turpitude;
 - b. Been convicted of a felony or a misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;
 - c. Entered a plea of guilty or nolo contendere (no contest) or been convicted of a felony or misdemeanor arising out of a violation of the building code or local amendments thereto in the state whether or not said violation involves moral turpitude;
 - d. Has lost or is suspended from home improvement privileges in any jurisdiction in the state. Full disclosure includes an interest in or ownership of any entity engaged in the business of making home improvements that has lost or been suspended from home improvement privileges.
 - (3) A failure to disclose under subsection (b) shall be sufficient grounds to deny the application.
 - (4) The *Building Official* shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the *Building Official* may conduct a criminal background check on the applicant or any person responsible for the application. The *Building Official* may obtain criminal history record information maintained by the department of public safety, the Federal Bureau of Investigation, or any other local, state, or national government entity.
 - (5) A person may not be issued a certificate of registration unless the person:
 - a. Is at least 18 years of age; and
 - b. Is a United States citizen or a lawfully admitted alien; and
 - c. The *Building Official* is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.
- (c) ***Building Official duties and powers.*** The *Building Official*, in addition to the powers listed in Section 10-5 of this chapter, shall have the duty to keep all

registration application records. Such records shall be open to the public for inspection during regular business hours. A decision to grant or deny an application for registration shall be made within 10 working days after receiving the completed application. Incomplete applications shall not be considered.

(d) Appealing a denial of registration.

- (1) **Appeal to board.** If either an original or renewal certificate of registration is denied, the *Building Official* shall furnish the applicant a written statement setting forth the grounds for the refusal within five working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The registered contractor or their representative shall have the right to appeal in accordance with Section 10-14 of this chapter.
- (2) Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one year from denial of initial registration.

(e) Fees, registration period.

- (1) The application fee for contractor registration shall be seventy-five dollars and said registration shall be valid for a period of one year. The certificate holder shall be required to re-register every successive year and pay a fee of seventy-five dollars to maintain the certification.
- (2) Appeals fees shall be \$75.
- (3) The application and registration fees and appeals fees shall be reflected in the fee schedule of the city.

(f) Certificate not assignable or transferable. A certificate of registration issued pursuant to this article shall not be assignable or transferable.

(g) Violations under this article. The following list shall constitute a non-exclusive list of violations under this article. It is unlawful for any registered contractor to:

- (1) Display or cause a permit to be displayed or to have in one's possession any certificate of registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;
- (2) Lend or permit the use of any certificate of registration for doing any construction work to any person not entitled to it;
- (3) Display or to represent as one's own city certificate of registration for any construction work when the certificate of registration has not been lawfully issued to the person displaying it;
- (4) Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make

a false statement or conceal a material fact or otherwise commit fraud in making any application;

- (5) Perform any home improvement contracting work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;
- (6) Perform any construction work for which a permit is required without having the permit or after the permit has been canceled;
- (7) Fail or refuse to make the necessary repair or changes as provided in a written notice issued by the *Building Official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;
- (8) Permit any construction work covered by this article to be performed by any person not properly licensed or registered, while in control of premises covered by this chapter;
- (9) Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *Building Official*; or
- (10) Place or leave the property in such condition that it injures or endangers persons or property.

(h) **Cancellation and suspension of registration; appeals.** To the extent not in conflict, processes shall follow Sec. 10-115(k).

Sec. 10-117. Irrigation systems and irrigators

- (a) **License required.** An irrigation contractor is required to hold a license issued under Chapter 37 of the Texas Water Code and the Texas Occupations Code § 1903.251.
- (b) **Registration.**
 - (1) All irrigation contractors, prior to doing any irrigation system installation in the territorial limits or extraterritorial jurisdiction (ETJ) of the city shall be required to be registered with the development services department of the city.
 - (2) An irrigation contractor's registration must be submitted on forms available from the development services department and shall include the following information:
 - a. The irrigation contractor's full name;

- b. The irrigation contractor's license number;
 - c. The irrigation contractor's business name;
 - d. The irrigation contractor's business address;
 - e. The irrigation contractor's business telephone number; and
 - f. The irrigation contractor's telefax number.
- (3) The irrigation contractor shall provide a certificate of insurance by an insurance company authorized in the state certifying that the irrigation contractor is insured to the limit of at least:
- a. Three hundred thousand dollars public liability per occurrence; and
 - b. Three hundred thousand dollars property liability per occurrence and product/completed operations.
- In lieu of insurance, the irrigation contractor may provide a bond in the amount of \$10,000 conditioned that the irrigation contractor shall faithfully observe all applicable laws.
- (4) The irrigation contractor shall renew registration annually upon submission of the registration form and payment of the fee.
- (5) A licensed plumber may be issued an irrigation permit.
- (c) **Permits and inspections.** All irrigation contractors, prior to doing any irrigation system installation in the territorial limits or extraterritorial jurisdiction (ETJ) of the city shall apply and be issued permits from the development services department on forms provided by said department.

The irrigation system shall be installed in accordance with the following:

- (1) City Code of San Antonio, Texas;
- (2) Local Government Code;
- (3) Texas Water Code;
- (4) Texas Occupations Code; and.
- (5) Texas Commission on Environmental Quality (TCEQ)

The irrigation system shall be inspected prior to covering the sprinkler heads as requested by the installer.

Any defects in the installation determined during the inspection shall be corrected before the inspection is considered approved. The city plumbing inspector shall document on the inspection records the static pressure and water source of the irrigation system. If the irrigation system is being constructed as part of the building permit, a certificate of

occupancy shall not be issued until all inspections have been approved.

- (d) **Minimum standards and specifications.** Texas Occupations Code, § 1903.053 entitled "Standards" and the rules adopted by the Texas Commission on Environmental Quality (TCEQ) Page 1 Chapter 344 - Landscape Irrigation Rule Project No. 2007-027-344-CE are hereby incorporated by reference as minimum standards and specifications for the design, installation, and the operation of irrigation systems.
- (e) **Violations and enforcement.**
 - (1) It shall be a violation to install an irrigation system in the city without first obtaining an irrigation system permit from the development services department. Any violation of this article shall be a class C misdemeanor punishable by a fine not to exceed \$500 per violation. Each day or portion thereof during which a violation of any of the provisions of this article is committed shall constitute a separate offense. A fine or criminal penalty prescribed by this section does not apply to a violation in the ETJ.
 - (2) **Civil enforcement.**
 - a. The city may seek civil enforcement against such violators in the corporate limits of the city and in the ETJ. Enforcement in the ETJ is authorized pursuant to and under the authority granted by V.T.C.A. Local Government Code §§ 212.001 et seq.
 - b. Any person who commits a violation under this article shall be subject to a civil penalty of up to \$1,000 per violation per day.
- (f) **Staffing.** The development services department shall employ at least one person who shall hold an irrigation contractor's license issued by the state. Such person shall have a minimum of five years of experience in the installation of irrigation systems. All city plumbing inspectors shall receive a minimum of six hours of irrigation/water conservation instruction per year.
- (g) **Fee schedule.** Irrigation related fees shall be as set forth in the city fee schedule.

10-118. Responsible Master Plumber license registration.

- (a) **License.** Before any person shall engage in the business of plumbing within the City, said person shall have a current master plumber's license obtained from the state board of plumbing examiners and the required insurance. The license shall be registered with the city by submitting the appropriate registration as required by the City. Where any plumbing is being done, properly licensed individuals shall, at all times, be present on the job and in actual control and in charge of the plumbing being done.

- (b) **Contact information.** A responsible master plumber doing plumbing work in the city must maintain a bona fide company address and telephone to enable the *Building Official* to contact the master plumber in case of a job discrepancy. Any person holding a master plumber license and doing plumbing work in the city must be registered and shall report to the *Building Official* any change of address and telephone number in order to allow the *Building Official* to maintain accurate license renewal records.

- (c) **Display of license and company name.** All responsible master plumbers holding a master plumber’s license registered with the city shall:
 - (1) Display, on both sides of any vehicles being used for or in connection with plumbing installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the master plumber license number issued by the state. The sign shall be permanent, have the numbers not less than two inches (50.8 mm) in height and be of contrasting colors with the truck, and shall be plainly legible at a distance of not less than 100 feet. A magnetic sign on a vehicle is not a permanent sign.

 - (2) Display the framable certificate of license in their place of business and all licensees shall carry the pocket card license with them while engaged in plumbing work.

- (d) **Certificate of insurance.** Any person applying for a master plumber license registration or plumbing permit shall present a certificate of insurance. The certificate of insurance must:
 - (1) Be written by a company licensed to do business in the state;

 - (2) Provide for commercial general liability insurance for the master plumber for a claim for property damage or bodily injury, regardless of whether the claim arises from negligence or on a contract; and

 - (3) Provide for coverage of not less than \$300,000 for all claims arising in a one-year period.

- (e) **Expiration date of license.** All city license registrations shall expire on December 31 of each year. License registrations shall be renewed prior to the expiration date.

- (f) **Certain acts prohibited.** In addition to other provisions of this code, it shall be unlawful for any person to do any of the following acts:
 - (1) To display, cause or permit to be displayed or to have in one’s possession any instrument purporting to be licensed for the doing of any plumbing

- work, knowing such instrument to be fictitious or to have canceled, revoked suspended or altered;
- (2) To lend or knowingly permit the use of any license for the doing of any plumbing work to any person not entitled thereto, under the provisions of this chapter;
 - (3) To display or represent as one's own a license for the doing of any plumbing work when such license has not been lawfully issued to the person so displaying the same;
 - (4) To apply for or have in one's possession more than one current license of the same type provided for in this chapter;
 - (5) To use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
 - (6) To employ as a master in plumbing work any person not licensed as provided in this chapter;
 - (7) To perform any character of plumbing work for which a license is required by this chapter while such license is suspended, canceled or revoked.

10-119. Demolition contractor licenses and bonding; demolition permit requirements.

- (a) **License required.** It shall be unlawful for any person to maintain, own or operate a demolition contracting business, unless a license is first obtained as provided herein. Such licenses, when issued, shall be valid for a period of two years from the date of issuance, shall not be assignable or transferable except as specifically authorized, and shall be posted in a conspicuous place in the office of the licensee.
- (b) **Rules of construction – computation of time used in this section:**
 - (1) In computing a period of days, the first day is excluded and the last day is included.
 - (2) Days shall mean working days exclusive of federal holidays and weekends unless otherwise stated.
- (c) **License display; renewals; duplicates.**
 - (1) All licenses shall be for a period of two years.
 - (2) No license shall be assignable or transferable. The owner of a business and all partners of a partnership and all officers of a corporation who are

actively engaged in the demolition business must qualify for a license. Licenses will be issued to the owner of a business, partnership or corporation, or his/her registered agent.

- (3) Each license issued pursuant to this chapter shall be posted and kept in some easily accessible, conspicuous place located in the principal business office as printed in the license.
 - (4) Any license, which has not been suspended or revoked, may, upon the payment of the renewal fee prescribed in this chapter, be renewed for an additional period of two years from its expiration, upon filing of an application for such renewal, on a form to be prescribed by the *Building Official*. This provision in no way limits the number of times a license may be renewed.
 - (5) A duplicate license may be issued for one lost, destroyed or mutilated upon application on a form prescribed by the *Building Official* and the payment of the fee prescribed by this chapter. Each such duplicate license shall have the word "duplicate" stamped across the face of the instrument and shall bear the same number as the one it replaces.
 - (6) All owned vehicles used in business shall have posted on each side in letters of three inches minimum height in contrasting colors stating name of contractor and his demolition contractor's license number.
- (d) **Demolition license requirements and applicable procedures.** Applicants for the licenses required by this chapter shall establish the following requirements in writing to the satisfaction of the *Building Official*:
- (1) The existence and maintenance of a bona fide office, equipped with telephone, for the conducting of his business;
 - (2) That neither the applicant, nor any partner or corporate officer in the demolition contracting business on whose behalf the application is submitted, has ever been convicted of any penal offense arising out of or related to the performance of demolition contracts nor convicted of a felony or a misdemeanor involving moral turpitude during an eight-year period immediately preceding the date of the applications;
 - (3) That applicant, or the entity upon whose behalf the application is submitted, is qualified by either training or experience to conduct a demolition contracting business;
 - (4) That neither applicant, nor any partner or corporate officer in the demolition business upon whose behalf the application is made, has been convicted of a violation of this chapter.

In addition to the foregoing requirements, the *Building Official* may require that the application include information reasonably pertinent to the determination of the applicant's

fitness to be issued such license, or any renewal thereof. Applications for licensure shall be submitted in a form prescribed by the *Building Official*. The *Building Official* shall investigate and examine the qualifications and fitness of the applicant, and within a period of 30 days from receipt of an application in proper form and the fee, the *Building Official* will issue or refuse a license to the applicant.

Refusal procedures: The *Building Official* shall furnish the applicant a refusal in writing by registered or certified mail to the applicant's last known mailing address, setting forth the grounds for the refusal. Refusal will be justified by any of the minimum license requirements listed above, any outside information calling into question an applicant's fitness to be issued such a license, or a renewal, or any of the reasons contained in section 10-119(f), revocation of licenses.

- (e) **Appellate procedure when license denied.** The applicant or his representative may file a written notice of appeal with the city clerk upon a denial of an application for licensure appealing such determination to the board of adjustment. No specific format is mandated for the written notice of appeal. The notice of appeal shall be filed within 10 days with appropriate copy to the *Building Official*. The postal date stamped on the refusal letter envelope shall govern and control the start of the 10-day period. Judicial review of a board of adjustment decision shall follow § 211.011, Local Government Code.
- (f) **Revocation of licenses.**
 - (1) A demolition contractor's license shall be revoked by the *Building Official* after a hearing in the event said licensee, or any proprietor, partner, or corporate officer is convicted of any penal offense arising out of or related to the performance of a contract or suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a demolition contract.
 - (2) The *Building Official* shall, after a hearing, revoke a license for any one or more of the following reasons:
 - a. Conviction of the licensee or any proprietor, partner or corporate officer therein of a felony or misdemeanor involving moral turpitude;
 - b. The making of any false statement as to a material matter in an application for license, renewal thereof or hearing in connection with same;
 - c. Conviction of a violation of the currently adopted building code or local amendments of the city;
 - d. Violation of any provision of this chapter;
 - e. Upon judicial determination of an abandonment or willful failure to perform any demolition contract or project in or undertaken by a

- contractor, or willful deviation from or disregard of plans or specifications in any material respect;
- f. Upon judicial determination of substantial misrepresentation on part of contractor in the procurement of a demolition contract;
 - g. Upon judicial determination of fraud on the part of a contractor in the execution of or in the material alteration of any contract or mortgage, promissory note or other document relating to said contract;
 - h. Failure of contractor to notify the *Building Official* or designee of any change in the ownership, management, business name, or location of their registered business office; or
 - i. Licensed contractor obtaining permit(s) for an unlicensed contractor or one whose license has been revoked or denied.
- (3) The hearing shall be in a standard form prescribed by the *Building Official*. Notification to the licensee of said hearing before the *Building Official* shall be mailed to the licensee by certified or registered mail, at licensee's last known mailing address. The notification shall give not less than ten days notice of the hearing.
 - (4) A person requesting to appeal the decision of the *Building Official* must submit their appeal request in writing and the fee within ten days of the revocation. Upon receipt of the appeal request and fee, the appeal shall be placed on the first open date of the board of adjustment's docket. If the person makes a written request for a copy of the revocation order from the *Building Official*, such copy shall be issued.
 - (5) Judicial review of a board of adjustment decision shall follow § 211.011, Local Government Code.
- (g) **Demolition permit; In general.**
- (1) No person, firm, association or corporation shall demolish any building or structure in the city, or cause the same to be done, without first obtaining a demolition permit for each such building or structure authorized by the city.
 - (2) Every demolition permit shall be valid during the time outlined in the permit. If demolition is not complete, the director of development services may extend the permit upon request of the applicant.
- (h) **Application requirements.** Applications for demolition permits shall require the following information:
- (1) Name and address of demolition contractor.

- (2) Name and address of building and property owners including a notarized letter authorizing demolition of building or structure.
 - (3) Except for single family residence and other single story buildings where it is not possible for debris to fall on public walkways or thoroughfares, the *Building Official* shall require an engineering report, prepared by a qualified registered professional engineer, of the building or structure to be demolished so as to determine the condition of the framing, floors and walls, copy of which is to be filed with the *Building Official*.
 - (4) The demolition contractor shall be required to prepare a complete plan and schedule for demolition to be filed with the *Building Official*. Should the plan and schedule be changed at any time, the changes must be approved by the *Building Official* and a copy of such changes must be filed with the *Building Official*.
 - (5) The location site of the disposal of debris and the proposed route to be used to disposal site.
 - (6) Approval from risk management that insurance and bond are current.
 - (7) Applicant shall submit the current demolition license number and bond materials of the demolition contractor who has been hired to perform the work. All demolition contractors, as defined in this chapter, shall be licensed and bonded. Any substitution of contractor listed in the application shall be reported to the *Building Official* with appropriate licensing and bonding materials. A failure to notify the *Building Official* shall result in administrative and/or criminal and/or civil penalties. It shall be an affirmative defense to prosecution that substitute contractor was licensed and bonded at the time.
 - (8) Supplemental materials as prescribed by the *Building Official*.
- (i) **Revocation; appeals.** The *Building Official* may revoke a demolition permit required by this chapter when the conditions under which the permit is granted have been violated. Revocation is discretionary on the *Building Official* and contractor shall be afforded an appellate hearing in front of the board of adjustment. A person requesting to appeal the decision of the *Building Official* must submit a written request and the fee within 10 days of the revocation. If the person makes a written request to the director for the decision detailing revocation in writing, such decision shall issue.
- (j) **Demolition fee schedule.**

<i>Demolition</i>	
<i>Demolition License Fees</i>	
<i>Demolition Contractor</i>	
Initial—City License	\$85.00

Renewal—City License	\$35.00
Duplicate—City License (plus tax)	\$5.00
<i>Demolition Permit Fees</i>	
Residential	\$75.00
Commercial	
Single-story	\$100.00
2—3 stories	\$200.00
>3 stories	\$650.00
<i>Recovery of Expenditures for Demolition:</i>	
Non-asbestos— Residential, per hour	\$600.00
Asbestos—Residential, per hour	\$800.00
Non-asbestos—Non- residential, per hour	\$925.00
Asbestos—Non- residential, per hour	\$1,100.00

(k) **Insurance.** Applicant for demolition permits shall maintain and cause to be maintained the following types of insurance:

- (1) Workmen's compensation insurance—Statutory requirements.
- (2) Automobile liability insurance with limits of personal injury \$100,000 each person, \$300,000 each accident, property damage \$50,000 each accident.
- (3) Public liability insurance and insurance coverage for their employees, agents and contractors, from a company authorized to do business in the state, in the following amounts:

Comprehensive general liability insurance:

- a. Public liability (bodily injury) insurance with limits not less than \$300,000 for each occurrence.
- b. Public liability (property damage) insurance with limits of not less than \$100,000 for each accident and \$200,000 in the aggregate.
- c. The policy shall:
 1. Include the hazards of explosion and collapse coverage.
 2. Provide that the same shall not be cancelled until a 10-day or non-renewal has been served upon the city clerk or the city.

d. Applicant shall file with the city clerk certificates of insurance executed by the insurance carrier issuing said policies certifying that said insurance is in full force and effect and that the demolition operations are covered by such policies.

(l) **Indemnity bond.** Before such permit shall be issued, the person, firm, association or corporation applying therefor shall execute and deliver to the city, to be kept on file in the city clerk's office, a good and sufficient bond of indemnity, issued by a surety company licensed to do business in the state, in the sum of \$5,000 to be approved by the city attorney and conditioned that the person, firm, association or corporation making such application shall promptly pay in and unto the city any and all costs, damages and expenses which said city may incur or suffer, including, but not limited to, damages to streets, sidewalks, utilities, or other public places by reason of carelessness or negligence in the performance of such demolition, or by reason of any defects caused from or arising from careless, negligent or imperfect demolition procedures, or any and all acts and omissions of said applicant, his agents, servants, or subcontractors.

(m) **Miscellaneous provisions.**

- (1) No structural or load-supporting members, which would affect the stability of the structure, shall be cut or removed from any story until all construction materials above such a story have been completely demolished and removed.
- (2) No material shall be dropped to any point outside the exterior walls of the structure except in enclosed chutes.
- (3) In masonry construction, the demolition of exterior walls and floor construction shall be removed and dropped into the storage space before commencing the removal of exterior walls and floor in the story below.
- (4) In buildings with a structural steel frame member type construction, the steel framing may be left in place during the demolition of masonry. Where this is done, all steel beams girders and similar structural supports shall be cleared of all loose material as the masonry demolition progresses downward.
- (5) No wall, chimney or other structural part shall be left at the end of each shift in such condition that it may collapse due to wind, vibration or any other cause.
- (6) Upon the completion of demolition operations, the site shall be completely cleared of rubbish, brush, weeds and other debris. The site must be left free of ponds and underground tanks shall be removed. Basement slabs shall be broken up to allow drainage and septic tanks, wells, cesspools, and cisterns shall be broken open and filled in.
- (7) Security service during non-working hours shall be provided by the

contractor.

- (8) Where shown to be necessary in the plan for demolition, the city shall coordinate and approve the blocking of walkways, thoroughfares and alleys to protect the public.
 - (9) The city council may issue a permit for selective use of explosives for demolition purposes if the contractor has complied with all of the conditions of this chapter and if the plan for selective demolition by the use of explosives is conducted in accordance with §§ 1926.900—1926.914 inclusive of Subpart "U" of the Rules and Regulations of the Occupational Safety and Health Administration of the Department of Labor, 29 CFR, part 1926, subpart U.
- (n) **Criminal penalties for violation.** It shall be unlawful for any person to demolish any building or structure in the city or cause the same to be done, contrary to or in violation of any of the provisions of this Code or any currently adopted building code. Any person, firm or corporation violating any of these provisions shall be deemed guilty of a separate offense for each day or portion thereof during which any violation is committed, continued, or permitted, and each separate violation shall be punishable by a fine not to exceed five hundred dollars.

Sec. 10-120. Licensed house mover.

(a) **General**

- (1) **Compliance with section.** No person except a licensed house mover, shall move any building or structure over, across or along any street, public way or public place within the city except as specifically provided in this article.
- (2) **Warning devices.** If it becomes temporarily necessary to leave the building on public property, there shall be placed around the building or structure, and all equipment, red lanterns, flares or other warning devices. No building or structure under any condition shall be allowed to remain in or on the streets, public ways or public places for more than twenty-four hours except weekends. Any building or structure which occupies or moves along or across any portion of public property after sundown shall have sufficient lights and flares continually burning for the protection of the public.
- (3) **Escort.** No person shall move a building or structure across or along any street, public way or public place within the city unless accompanied or escorted by at least one police officer that has been retained by the person for such service.
- (4) **Violations.** Any person duly licensed by the city as a house moving contractor, violating any of the provisions of this section, shall be deemed

guilty of a misdemeanor, and each violation shall be punishable as provided in section 1-5 of the City Code of San Antonio and by the suspension of such person's license for thirty days or both.

(b) **License.**

- (1) **Required; amount.** Every person before engaging in moving a building or structure, shall have made application to the *Building Official* for a license and such license shall have been approved and issued for the current year. The fee for such license shall be \$50 per year, payable on the first day of January of each year, or at the time of issuance. The fee for issuing a duplicate license for one lost, destroyed or mutilated shall be \$5.
- (2) **Surety bond.** Before a house mover's license is issued, the applicant shall file with the city clerk a surety bond in the amount of \$2,000, saving and protecting the city harmless from any and all damages and to pay for any and all damages to public property, that may arise from the use of any of the streets, alleys, boulevards or other public places in the moving of any building or structure. Such bond shall contain a provision for a 10-day written notice to the city of cancellation by the surety.
- (3) **Liability insurance.** Before a house mover's license is issued, the applicant shall file with the city clerk a public liability property damage insurance policy certificate naming the applicant as the assured and providing for the payment of any liability imposed by law upon such applicant to the extent of \$10,000 for each person for bodily injury, \$20,000 for bodily injury liability for each accident, and \$5,000 for property damage liability for each accident.
- (4) **Investigation; issuance.** Upon execution of the bond and certificate of insurance required in sections (2) and (3), and their approval by the city clerk, the *Building Official* shall inspect, or cause to be inspected, the equipment and facilities to be used by the house-moving contractor and shall determine that the size, design and safety factors of any vehicle and other equipment used in the moving of any building or structure, are such that their operation on public property shall not cause damage to the pavement or other public improvements. Upon the approval of such vehicle and other equipment, and the payment of the license fee, the license shall be issued to the person applying therefor, and he shall thereafter be known as a licensed house-moving contractor.
- (5) **Transfer or assignment.** It shall be unlawful for any person to lend, rent or transfer his license or any rights therein contained to any person for any person to make use of any such rights which are not actually his own, without the approval of the *Building Official*.
- (6) **When not required.** Nothing contained in this article shall require a

license or bond for the movement of oversized equipment, or buildings or structures of a temporary nature, when such equipment, building, or structures are within the legal road limit as required by the state statutes; nor shall bond and license be required of one passing through the city enroute between two other incorporated cities, except those cities in the county.

(c) **Permits.**

- (1) **Required.** No person shall move any building or structure over, across, or along any street, public way or public place within the city until a permit for such work has been issued as provided in this section.
- (2) **Application, information.** A licensed house mover shall in each case before moving or preparing to move any building or structure, apply to the director of development services by written application for a permit to do so, in which application the building or structure to be moved shall be described with the extreme dimensions of its width, length and height, present location, the place to which it is proposed to be moved, and the location, on the lot at the destination.
- (3) **Notice to owners of facilities.** Before application for permit is made, the house mover shall notify the public utilities, railroads and other persons whose facilities are involved in such movement.
- (4) **Notice to departments.** Before application for permit is made, the house mover shall notify the police department, fire department and public works department, and shall obtain proper clearance from each of these departments in writing. This clearance shall specify the day of the week, hour of the day, the moving is to take place. The route to be taken shall be at the discretion of the police department and public works department.

(d) **Relocation of buildings.**

- (1) **Amounts of security as liquidated damages.** The amount of the security required by sections (d)(7) and (d)(10) is the liquidated damages payable to the city for failure to comply with sections (d)(6), (d)(7) and (d)(10), it being recognized that the damages to the city and the public occasioned by such failure will be difficult to determine and that the sum named has been agreed to as the amount of such damages.
- (2) **Inspections and notice.** The *Building Official* shall have periodic inspections made of the relocated building to determine whether the building has been brought into compliance with applicable codes and ordinances. If this is done within the time prescribed in section (d)(7), said director shall release the security required hereby. If such work is not completed within ninety days after the permit mentioned in section (d)(6) was issued, the *Building Official* shall so notify the permittee and the

surety, if any, by United States mails, certified or registered mail.

- (3) **Exceptions.** The security provided for herein shall not be required whenever a building is being moved to a location outside of the city or it is being relocated upon the same platted lot or tract of land, nor shall it be required for temporary location of buildings such as construction sheds and subdivision sales offices under temporary or special permits.
- (4) **Prohibited relocations.** Nothing herein shall be construed to permit nonresidential use of residential or any relocation of buildings in violation of the zoning ordinance, the fire protection code, or other codes or ordinances of the city.
- (5) **Remedy cumulative.** The provisions herein for security and its forfeiture shall be cumulative and not in lieu of any other remedy, penal or otherwise, that the city may have to enforce compliance with pertinent codes and ordinances.
- (6) **Security required.**
 - a. Any person applying for a permit under Article I of this chapter to relocate a building on a lot or tract of land located within the city shall furnish security, as provided in section (d)(7), to ensure completion of necessary work, to the *Building Official* before any such permit is issued, such security to be filed with the city clerk. It shall be unlawful to relocate such building without compliance herewith.
 - b. The security shall not be required whenever the building has been constructed within twelve months immediately preceding such permit application in accordance with city ordinances and codes, the building having received the required inspections during such construction. This exception does not apply to remodeling, renovations or repairs but only to new construction.
- (7) **Amount, kind of security, exception.**
 - a. The amount of security required by section (d)(6) shall be determined and set by the *Building Official* in any even amounts of \$1,000 from \$2,000 to \$5,000 based on the director's estimate of the cost of repairs necessary to comply with city codes and ordinances and any added requirements imposed by the board of adjustment. If the owner of the building being moved provides an executed repair contract with an independent building contractor, the amount stated in the contract shall be the amount of the required security.
 - b. However, in no event shall any such security be in an amount less than \$2,000. The security may be in the form of a deposit of cash

or of United States Treasury "bearer" bonds or a surety bond payable to the city. If a surety bond is submitted, it shall be in form approved by the city attorney, issued by a company authorized to do such business in the state, and shall name an agent in the county to receive notices and upon whom service may be had. Such security shall be furnished conditioned upon completion of all work upon such relocated building, necessary to bring it into compliance with the applicable codes and ordinances of the city, within ninety days of issuance of the permit described in section (d)(7), however, an additional period of 30 days may be granted by the *Building Official* if proper justification for such extension is shown.

- (8) **Utility service.** No utilities shall be provided to a moved building except those necessary for repairs or construction and in no event shall such utilities be provided for a period in excess of 90 days.
- (9) **Certificate of occupancy.** No moved building may be occupied or used in any manner until a certificate of occupancy has been issued by the *Building Official*.
- (10) **Temporary removal; security, notices.**
 - a. **Zones for temporary storage.** A building may be moved to a location in J, K, L, M, I-1 or I-2 Zones for temporary storage or rehabilitation purposes for a period not to exceed six months with no utility connections to be made.
 - b. **Security.** Security shall be furnished by the applicant for such moving permit in the amount of \$500 to ensure removal of the building from its temporary location within the six-month period. The security may be in the form of a deposit of cash or of United States Treasury "bearer" bonds or a surety bond payable to the city. If a surety bond is submitted, it shall be in form approved by the city attorney, issued by a company authorized to do such business in the state, and shall name an agent in the county to receive notices and upon whom service may be had. Such security shall be furnished conditioned upon the removal of such building from its temporary location within six months after having been moved thereto.
 - c. **Forfeiture of security.** The *Building Official* shall notify the city attorney whenever any person shall have failed to perform the necessary work or removal of a temporary located building, performance of which is the condition of the security required. Thereupon the city attorney shall prepare an appropriate ordinance or resolution for submission to the city council declaring forfeited the security furnished pursuant hereto.

- d. **Notices.** If the building moved to a temporary location has been removed from the premises within the six-month period, the *Building Official* shall release the required surety. If such removal has not been completed within such period, the *Building Official* shall notify the permittee and the surety by certified or registered mail.

Sec. 10-121 through 10-129. Reserved.

ARTICLE XIII. SIGNS AND BILLBOARDS.

Sec. 10-130. Signs and billboards. See Chapter 28, San Antonio Code and Articles I, II, III and XII of this chapter.

Sec. 10-131 through 10-150. Reserved.