

ORDINANCE 16-047-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING ARTICLE 3.03 OF THE CODE OF ORDINANCES TO ADOPT THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTANENCE CODE, INTERNATIONAL ENERGY CODE AND THE 2014 NATIONAL ELECTRICAL CODE; ADOPTING AMENDMENTS TO SAID CODES; PROVIDING A SEVERABILITY, SAVING CLAUSE, CONFLICTING ORDINANCES CLAUSE, SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the public health, safety and welfare, require the adoption and enforcement of codes governing the issuance of permits for, inspection and completion of construction, plumbing, electrical work and buildings within the City of Leander, Texas; and

Whereas, the public health, safety and welfare will be served by updating certain codes heretofore adopted by the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Finding of Fact. The above and forgoing recitals are hereby found to be true and correct and are incorporation herein as finding of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amending Section 3.03.001. Section 3.03.001 of the City of Leander Code of Ordinances (the "Code") is hereby amended in its entirety to read as follows:

Sec. 3.03.001 Schedule of adopted codes; general amendments

(a) Codes adopted. The international codes listed in the following codes schedule are adopted and of which not less than one copy has been and is now filed in the office of the city secretary. In the event a conflict is deemed to exist between said code as adopted and the other provisions of this article, the latter provisions shall be construed as controlling and taking priority over the former. Any codes referenced therein are not adopted hereby unless specifically adopted. The following codes are hereby adopted and incorporated as fully as if set out at length in this article, and the provisions of such code shall be controlling on all premises, including but not limited to, all buildings thereon, within the corporate limits of the city.

- (1) 2015 International Building Code and local amendments
 - (2) 2015 International Plumbing Code and local amendments
 - (3) 2015 International Mechanical Code and local amendments
 - (4) 2015 International Fuel Gas Code and local amendments
 - (5) 2014 National Electrical Code and local amendments
 - (6) 2015 International Residential Code and local amendments
 - (7) 2015 Existing Building Code and local amendments
 - (8) 2015 Property Maintenance Code and local amendments
 - (9) 2015 International Energy Conservation Code and local amendments
- (b) General amendments. General amendments applicable to all of the codes are as follows:

- (1) The fee schedule as adopted by the City of Leander supersedes any fees notated in the codes.
- (2) The Building Official shall authorize refunding of fees as follows:
 - a. Not more than 70 percent of the permit fee paid when NO work has been done under a permit in accordance with these codes.
 - b. Not more than 30 percent of the plan review fee paid when a permit application is withdrawn or canceled before any plan review effort has been expended.
- (3) Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code. Violations of this code shall constitute a misdemeanor offense in accordance with Section 1.109 of the City of Leander Code of Ordinances and shall be punishable by a fine not to exceed two thousand dollars (\$2,000.00).

Section 3. Amending Section 3.03.031 through 3.03.034. Sections 3.03.031 through 3.03.034 of the Code are hereby amended to read as follows:

Sec. 3.03.031 Building Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Building Code, 2015 edition, including all appendix chapters, published by the International Code Council, is hereby adopted as

the building code of the city establishing the minimum regulations governing the additions and maintenance of all property, buildings and structures not otherwise governed by Section 3.03.033 herein; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; and each and all of the regulations, provisions, conditions and terms of such International Building Code, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Sec. 3.03.032 Building Code Amendments

The International Building Code is amended as follows:

- (1) Each reference to “jurisdiction” or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Section 103.6 No Schedule Needed
- (3) Appendix C – Group U (Agricultural Buildings) and Appendix J (Grading) are adopted by ordinance.
- (4) All reference to insulation or thermo-ply, for use as a draft stop or fire stop is deleted. The use of these materials as a draft stop or fire stop is prohibited.
- (5) Permits are required for fences greater than 6 feet in height.
- (6) Guard rails are required for any retaining wall greater than 36” in height, with a walkable surface to the wall. Slopes greater than 3:1 are not considered to be walkable.
- (8) Wood frame construction for Residential or Multi Family cannot exceed 3 stories.

Sec. 3.03.033 Residential Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Residential Code for One- and Two-Family Dwellings, 2015 edition, including all appendix chapters, published by the International Code Council, is hereby adopted as the residential building code of the city regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the city; providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, conditions and terms of such International Residential Code for One- and

Two-Family Dwellings, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Sec. 3.03.034 Residential Code Amendments

The International Residential Code for One- and Two-Family Dwellings is amended as follows:

- (1) Each reference to “jurisdiction” or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Appendix C (Exit Terminals for Direct Vent appliances), Appendix E Manufactured Housing), Appendix G (Swimming Pools, Hot Tubs and Spas) and Appendix O (Gray Water Recycling Systems) are adopted by ordinance.
- (3) Section R105 Permits:
 - A) A permit is required for an accessory structure if the floor area exceeds 120 square feet.
 - B) A permit is required for a fence greater than 6 feet in height.
- (4) Table R301.2 (1) Design Criteria
 - a. Ground Snow load – 0 to 5
 - b. Wind design - 105 miles per hour (no special topographical effect)
 - c. Seismic Design Category - A
 - d. Weathering – Negligible
 - e. Frost Line Depth – less than 6 inches
 - f. Termites – Moderate
 - g. Winter Design Temperature - 32 degrees
 - h. Summer Design Temperature – 90 degrees -Hot and Humid environment
 - i. Flood Hazard – Current FEMA maps
 - j. Mean Annual Temperature - 70 degrees
 - k. Rainfall – 4.25 inches per hour, 100 year.
- (5) Section R311.1 Means of Egress

- a. 311.1(a) Front door shall be a minimum of 36 inches wide and 78 inches tall.
 - b. Window seats may count as the finished floor height only where a window sill cannot feasibly be below 44" for egress, due to first floor encroachment below the window.
- (6) Section P2904 is deleted. Refer to Section 3.03.041 of the Code of Ordinances.
 - (7) Section P3114 - The Building Official may approved the use of Air Admittance Valves as a vent of last resort.
 - (8) Part VIII Electrical is deleted in its entirety. Electrical systems shall be installed under the 2014 National Electrical Code and local amendments.

Section 4. Amending Section 3.03.036 through 3.03.037. Sections 3.03.036 through 3.03.037 of the Code are hereby amended to read as follows:

Sec. 3.03.036 Existing Building Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Existing Building Code, 2015 edition, including all appendix chapters, published by the International Code Council, is hereby adopted as a building code of the city regulating and controlling the requirements for improving and upgrading existing buildings in the city to conserve resources and building history while achieving appropriate levels of safety; providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, conditions and terms of such International Existing Building Code, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Sec. 3.03.037 Existing Building Code Amendments

The International Existing Building Code is amended as follows:

- (1) Each reference to "jurisdiction" or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Any fee schedule or fees referenced shall be as set forth in Appendix A of the Code of Ordinances.
- (3) Appendix B (Supplemental Accessibility Requirements for Existing Buildings and Facilities) and Resource A (Guidelines on Fire Ratings of Archaic Materials and Assemblies) are adopted by ordinance.

Section 5. Amending Section 3.03.131 through 3.03.132. Sections 3.03.131 through 3.03.132 are hereby amended to read as follows:

Sec. 3.03.131 Plumbing Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Plumbing Code, 2015 edition, published by the International Code Council, is hereby adopted as the code of the city for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the city; providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, condition and terms of such International Plumbing Code, 2015 edition published by the International Code Council, on file in the office of the city secretary, are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Sec. 3.03.132 Plumbing Code Amendments

The International Plumbing Code is amended as follows:

- (1) Each reference to “jurisdiction” or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Section 106.6.2. Fee schedule: Refer to Appendix A, Fee Schedule
- (3) Section 106.6.3. The Building Official shall authorize the refunding of fees as follows:
 - (A) Not more than 70 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
 - (B) Not more than 30 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
- (4) Section 108.4. Offenses under this code, including penalties and notice, shall be in compliance with Article 3.01 of the Code of Ordinances.
- (5) Section 108.5. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$200.00 dollars or more than \$2,000.00 dollars.
- (6) Section 305.6.1. The sewer depth shall be a minimum of 6 inches below grade.

- (7) Section 904.1. Plumbing vents shall terminate a minimum of 6 inches above the roof.
- 8) Section 917. The Building Official may approve the use of Air Admittance Valves as a vent of last resort.
- (9) Appendix B (Rates of Rainfall) and Appendix C (Gray Water Recycling) are adopted by ordinance.

Section 6. Amending Section 3.03.351. Sections 3.03.351 is hereby amended to read as follows:

Sec. 3.03.351 International Mechanical Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Mechanical Code, 2015 edition, published by the International Code Council, is hereby adopted as the mechanical code of the city for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances in the city; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Mechanical Code, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this article.

Section 7. Amending Section 3.03.352. Section 3.03.352 is hereby amended by adding subsections (6), (7) and (8) to read as follows:

- (6) Water sensors in A/C pans in lieu of secondary drain line not allowed, unless no other method is feasible.
- (7) Semi rigid piping for the fireplace fresh air intake is required. Piping is to be UL181 Listed material.
- (8) Pull down ladders are required for attic access if the equipment is in the attic, and the ceiling height is greater than 8 feet from finished floor.

Section 8. Amending Section 3.03.401. Section 3.03.401 of the Code is hereby amended to read as follows:

Sec. 3.03.401 International Fuel Gas Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Fuel Gas Code, 2015 edition, published by the International Code Council, is hereby adopted as the fuel gas code of the city for the control of building and structures as provided; and each and all of the regulations, provisions, conditions and terms of such International Fuel Gas Code, 2015 edition,

published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Section 9. Amending Section 3.03.451. Section 3.03.451 of the Code is hereby amended to read as follows:

Sec. 3.03.351 International Energy Conservation Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Energy Conservation Code, 2015 edition, published by the International Code Council, is hereby adopted as the energy code of the city for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical lighting and power systems of the city and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Energy Conservation Code, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Section 10. Amending Sections 3.03.501 through 3.03.502. Sections 3.03.501 through 3.03.502 are hereby amended to read as follows:

Sec. 3.03.501 International Property Maintenance Code Adopted

That certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the International Property Maintenance Code, 2015 edition, published by the International Code Council, is hereby adopted as the property maintenance code of the city for the control of building and structures as provided; and each and all of the regulations, provisions, conditions and terms of such International Property Maintenance Code, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this division.

Sec. 3.03.502 International Property Maintenance Code Amendments

The International Property Maintenance Code is amended as follows:

- (1) Each reference to “jurisdiction” or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Section 103.6. Fee schedule: Refer to Appendix A, Fee Schedule
- (3) Section 107.3. Notice shall be posted on the front door of the structure.

- (4) Section 111. Texas Local Government Code 214 supersedes all notification and processes listed in this section. Texas Local Government Code 214 is adopted by reference.
- (5) Appendix A (Boarding Standards) is adopted by ordinance.

Section 11. Amending Sections 3.03.271 through 3.03.272. Sections 3.03.271 through 3.03.272 are hereby amended to read as follows:

Sec. 3.03.271 National Electrical Code Adopted

There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electrical wiring and apparatus, including permits and penalties, that certain electrical code known as the National Electrical Code of the National Fire Protection Association, being particularly the 2014 edition of the National Electrical Code and the whole thereof, save and except such portions as are hereafter deleted, modified or amended, of which no less than one copy has been and now is filed in the office of the city secretary. Such code is hereby adopted and incorporated as fully as if set out at length in this section, and the provisions of such code shall be controlling in the construction, alteration, maintenance or removal of all electrical wiring and apparatus within the corporate limits of the city.

Sec. 3.03.272 National Electrical Code Amendments

The National Electrical Code is amended as follows:

- (1) Each reference to “jurisdiction” or location for insertion of name of jurisdiction shall mean the City of Leander, Texas.
- (2) Section 404.2. Section 106.5.2. Fee schedule: Refer to Appendix A, Fee Schedule
- (3) Non-Metallic Cable (NMC) shall be a minimum of 12-2 for all branch circuits. 14-2 NMC is prohibited.
- (4) Aluminum wiring is prohibited inside the building. It may be used for service entrance conductors ONLY, unless special exception is given by the Building Official.
- (5) Refrigerators and freezers shall be installed on a dedicated circuit.
- (6) Concrete encased electrodes in Section 250-52 is the preferred grounding method in rocky soils with the city limits.
- (7) Smoke detectors are required in media rooms without windows or egress to the exterior.

Section 12. Amendment Of Ordinances. Article 3.03, of the Leander Code of Ordinances is hereby amended as provided herein and all ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

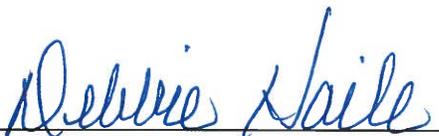
Section 13. Savings Clause. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting building construction, building codes, fire codes, plumbing codes, mechanical codes, electrical codes and all other codes affected hereby including permit issuance, or contractor registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 14. Effective Date. This ordinance after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code shall take effect on August 1, 2016.

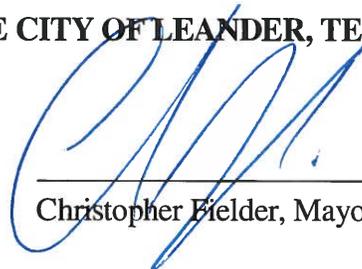
Section 15. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on the ^{21st}7th day of April, 2016.

Attest:


Debbie Haile, City Secretary

THE CITY OF LEANDER, TEXAS


Christopher Fielder, Mayor

