

(Title: An ordinance adopting the 2012 International Code Council versions of the International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code and International Residential Code for One- and Two-Family Dwellings; adopting the 2011 version of the National Electrical Code; and adopting local amendments.)

ORDINANCE NO. 2016-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FRIENDSWOOD, TEXAS, CHAPTER 14 "BUILDINGS AND BUILDING REGULATIONS" BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE, 2012 INTERNATIONAL PLUMBING CODE, 2012 INTERNATIONAL MECHANICAL CODE, 2012 INTERNATIONAL FUEL GAS CODE, 2012 INTERNATIONAL ENERGY CONSERVATION CODE AND INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS; ADOPTING THE 2011 NATIONAL ELECTRICAL CODE; ADOPTING LOCAL AMENDMENTS THERETO; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the City Council of the City of Friendswood, Texas deems it necessary and appropriate for the health, safety and welfare of its citizens to approve certain amendments to the City's Code of Ordinances to update the City's various building codes and adopt local amendments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Article II of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled "Building Code," which adopted the International Building Code,

2009 Edition, together with certain amendments thereto, is hereby amended as set forth below. Words being deleted are indicated by brackets and strike throughs, as follows: “[deleted].”

“ARTICLE II. BUILDING CODE

Sec. 14-23. International Building Code adopted.

The International Building Code, [2009] 2012 Edition, as published by the International Code Council, Inc., is hereby adopted by reference and made a part of this chapter. A copy of such code is on file with the city secretary.

Sec. 14-24. Amendments to International Building Code.

The [2009] 2012 Edition of the International Building Code, as adopted in section 14-23 above, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the Building Code of the City of Friendswood, Texas, hereinafter sometimes referred to as “this code.”

Section [~~109.2.1~~]108.1. Section [~~109.2.1~~]108.1 is hereby amended to read as follows:

Section [~~109.2.1~~]108.1. Plan checking fees. When a plan is required to be submitted by section [~~107~~]106, a plan-checking fee shall be paid to the building official at the time of permit issuance; provided, however, that if a permit is not issued for the project within 90 days of completion of the plan review, the plan review fees will become due and payable at that time. Said plan-checking fee shall be equal to one-half of the building permit fee.

Section [~~111.1~~]110.1. Section [~~111.1~~]110.1 is hereby amended by adding a new last sentence to read as follows:

[~~111.1~~]110.1. For the purpose of this section, the moving of furniture or other personal property items into a property prior to issuance of a certificate of occupancy shall constitute the occupancy or use of the property.

Section [~~113.1~~]112.1. The following section [~~113.1~~]112.1 is hereby adopted to read as follows:

[~~113.1~~]112.1. The Construction Board of Adjustment and Appeals shall consist of seven members. Such board members shall be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors, building industry representatives and licensed electrical contractors. In addition to the regular members, there shall be two alternate members, one member at

large from the building industry and one member at large from the public. A board member shall not act in a case in which he or she has a personal or financial interest.

Section 401.2. The following section 401.2 is hereby amended to read as follows:

401.2. All foundations are to be designed by a registered professional engineer. All plans must be submitted with original wet seal stamps applied. Foundation construction shall be capable of accommodating all loads according to section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed and tested in accordance with accepted engineering practice. Gravel fill used as footings for wood and precast concrete foundations shall comply with R403.

Section 905.8. The following section 905.8 is hereby adopted to read as follows:

905.8. Notwithstanding any other provision of this code to the contrary, no wood shingles or shakes shall be used in the construction of any structure except single-family residential structures, and then only when treated by an approved fire retardant. All plans shall indicate the roofing materials to be used.

~~[Section 1612.3. Section 1612.3 is hereby amended to read as follows:~~

~~1612.3. Flood hazard areas. The Flood Insurance Study for the City of Friendswood, Texas, as amended or revised, with accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBPF), including related supporting data and revisions thereto, is hereby adopted by reference and declared to be a part of this section.]~~

Section 2904. Section 2904 is hereby amended to read as follows:

P2904. Dwelling unit fire sprinkler systems. The requirements of section P2904 are hereby deleted, except that any voluntary installation of a dwelling unit fire sprinkler system shall comply with NFPA 13 D.

~~[Section 3411.2. The first paragraph of section 3411.2 is hereby amended to read as follows:~~

~~Section 3411.2. Applicability. Structures existing prior to the effective date hereof, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of sections 3402 through 3406.]”~~

Section 3. Article III of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Building Code,” which adopted the International Building Code, 2009 Edition, together with certain amendments thereto, is hereby amended as set forth below.

“ARTICLE III. ELECTRICAL CODE

DIVISION 1. GENERALLY

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Sec. 14-63. Adoption of code; compliance required; conflicts; service requirements.

- (a) Any and all electrical work placed in or on any building or structure within the corporate boundaries of the city shall be installed in conformity with the regulations and standards set forth in the [2008] 2011 Edition of the National Electrical Code, which is hereby adopted, and a copy of which is on file in the city secretary’s office; other applicable ordinances of the city; and statutes and administrative rules and regulations of the state and agencies thereof.
- (b) Where local rules and regulations are set forth in this article, they shall take preference over any rules conflicting therewith.
- (c) Local rules.
 - (1) *Service laterals.* Any service lateral, serving residential or commercial structures, shall be run underground and enclosed in not less than a two-inch schedule 40 PVC underground conduit.
 - (2) *Underground Services.* All underground services shall be completely installed in not less than two-inch schedule 40 PVC conduit from the meter can to the transformer or underground tap box, and shall be buried at a minimum depth of two feet.”

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Section 4. Article IV. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Plumbing Code,” which adopted the International Plumbing Code, 2009 Edition, together with certain amendments thereto, is hereby amended as set forth below.

“ARTICLE IV. PLUMBING CODE

Sec. 14-252. International Plumbing Code adopted.

The International Plumbing Code, [2009] 2012 Edition, as published by the International Code Council, Inc., a copy of which is on file with the city secretary, is hereby adopted and made a part of this article.

Sec. 14-253. Amendments.

The [2009] 2012 Edition of the International Plumbing Code, as adopted in section 14-252 above, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Friendswood, Texas, hereinafter sometimes referred to as “this code.”

Section 106.6.2. Section 106.6.2 is hereby amended to read as follows:

106.6.2. Fee schedule. The fees for permits required hereunder shall be in accordance with the schedule of fees as established from time to time by the city council, and as more fully set forth in appendix D of the Friendswood City Code.

Section 106.6.3. Section 106.6.3 is hereby amended to read as follows:

106.6.3. Fee refunds. The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109.2. Section 109.2 is hereby amended to read as follows:

109.2. Membership of the board of appeals. The board shall be appointed by the city council of the city and the qualifications of members of the board, and the terms for which such members shall serve, shall be as determined by the city council. The city council may remove any member of the board at any time, with or without cause, regardless of whether such member has been appointed for a definite or an indefinite term.

Section [~~305.6.1~~]305.4.1. Section [~~305.6.1~~]305.4.1 is hereby amended to read as follows:

[~~305.6.1~~]305.4.1. Sewer depth. Building sewers, which connect to private sewage disposal systems, shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

Section 608.16.5. Section 608.16.5 is hereby amended to read as follows:

- A. Irrigation systems shall be installed in accordance with this section and other applicable rules and regulations of the city.
- B. Irrigation system design drawings shall be prepared by a master plumber whose license number shall appear on the drawings, or by a Texas Professional Engineer, a licensed irrigation installer, or a licensed landscape architect. The latter three professionals shall seal, sign and date their drawings.

- C. It shall be unlawful for any person for hire to install all or any part of an irrigation system within the city unless that person holds a master plumber license issued by the Texas State Board of Plumbing Examiners or a valid installer's license issued by the Texas Commission on Environmental Quality ("TCEQ"), in accordance with V.T.C.A. Occupations Code, § 1903.251, now or as hereafter amended.
- D. The owner of the property on which an irrigation system is to be installed may install all of the irrigation system with the exception of the connection to the potable water source, the water meter and the required backflow prevention device, each of which must be installed and appropriately connected by a qualified person as noted in subsection C above.
- E. It shall be unlawful for any person to install all or any portion of an irrigation system without having first received a permit therefor from the city. An irrigation installation permit for the installation of the connection to the potable water source, the water meter and the required backflow prevention device shall not be issued to any person who is not a qualified person as noted in subsection C above.
- F. The city shall have no obligation to maintain or protect, or to repair or replace, all or any part of an irrigation system, existing or future, that is located within a public right-of-way or easement, that is damaged or destroyed, or required to be removed, incident to or as a result of roadway and/or utility or drainage construction, maintenance or operation.
- G. Exemptions to the above permit requirements are:
 - (1) Systems associated with on-site sewage disposal systems;
 - (2) Irrigation systems used on or by an agriculture operation; or
 - (3) Irrigation systems connected to a groundwater well used for domestic purposes.

Section 904.1. Section 904.1 is hereby amended to read as follows:

904.1. Roof extension. All open vent pipes that extend through a roof shall be terminated at least six inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least seven feet (2,134 mm) above the roof."

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Section 5. Article V. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled "Mechanical Code," which adopted the International Plumbing

Code, 2009 Edition, together with certain amendments thereto, is hereby amended as set forth below.

“ARTICLE V. MECHANICAL CODE

Sec. 14-274. International Mechanical Code adopted.

The [2009] 2012 Edition of the International Mechanical Code, including appendices except appendix B thereof, as published by the International Code Council, Inc., an authentic copy of which has been filed with the city secretary, is hereby adopted by reference and made a part of this article.

Sec. 14-275. Amendments.

The [2009] 2012 Edition of the International Mechanical Code, as adopted in section 14-274 above, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the Mechanical Code of the City of Friendswood, Texas, hereinafter sometimes referred to as “this code.”

Section 106.5.2. Section 106.5.2 is hereby amended to read as follows:

106.5.2. Fee schedule. The fees for permits required hereunder shall be in accordance with the schedule of fees as established from time to time by the city council, and as more fully set forth in appendix D to the Friendswood City Code.

Section 106.5.3. Section 106.5.3 is hereby amended to read as follows:

106.5.3. Fee refunds. The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109.2. Section 109.2 is hereby amended to read as follows:

109.2. Membership of the board of appeals. The board shall be appointed by the city council of the city and the qualifications of members of the board, and the terms for which such members shall serve, shall be as determined by the city council. The city council may remove any member of the board at any time, with or without cause, regardless of whether such member has been appointed for a definite or an indefinite term.”

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Section 6. Article VI. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Fuel Gas Code,” which adopted the International Fuel Gas Code, 2009 Edition, together with certain amendments thereto, is hereby amended as set forth below.

“ARTICLE VI. FUEL GAS CODE

Sec. 14-299. International Fuel Gas Code adopted.

The [~~2009~~] 2012 Edition of the International Fuel Gas Code, as published by the International Code Council, Inc., a copy of which has been filed with the city secretary, is hereby adopted and made a part of this article.

Sec. 14-300. Amendments.

The [~~2009~~] 2012 Edition of the International Fuel Gas Code, as adopted in section 14-299 above, is hereby amended as follows:

Section 101.1. Section 101.1 is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the Fuel Gas Code of the City of Friendswood, Texas, hereinafter sometimes referred to as “this code.”

Section 106.6.2. Section 106.6.2 is hereby amended to read as follows:

106.6.2. Fee schedule. The fees for permits required hereunder shall be in accordance with the schedule of fees as established from time to time by the city council, and as more fully set forth in appendix D to the Friendswood City Code.

Section 106.6.3. Section 106.6.3 is hereby amended to read as follows:

106.6.3. Fee refunds. The code official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 109.2. Section 109.2 is hereby amended to read as follows:

109.2. Membership of the board of appeals. The board shall be appointed by the city council of the city and the qualifications of members of the board, and the terms for which such members shall serve, shall be as determined by the city council. The city council may remove any member of the board at any time, with or without cause, regardless of whether such member has been appointed for a definite or an indefinite term.”

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Section 7. Article VIII. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Swimming Pools,” is hereby amended as set forth below.

“ARTICLE VIII. SWIMMING POOLS

Sec. 14-356. Barrier requirements.

Every person in possession of land within the city, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool shall at all times maintain upon the lot or premises on which the swimming pool is located, and completely surrounding the swimming pool, lot or premises, a fence, wall or other solid structure designed to comply with the requirements of appendix G of the [2009] 2012 International Residential Code for One- and Two-Family Dwellings.”

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Section 8. Article IX. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Standard Unsafe Building Code,” is hereby amended as set forth below.

~~“[ARTICLE IX. STANDARD UNSAFE BUILDING CODE~~

~~Sec. 14.388. Standard Unsafe Building Code adopted.~~

~~—The 1991 Edition of the Standard Unsafe Building Code, including all appendices, as published by the Southern Building Code Congress International, Inc., a copy of which is on file with the city secretary, is hereby adopted and made a part of this article.]”~~

Section 9. Article X. of Chapter 14 of the Code of Ordinances of the City of Friendswood, Texas, entitled “Miscellaneous Codes,” which adopted, among other things, the International Energy Conservation Code, 2009 Edition, and International Residential Code for One- and Two-Family Dwellings, 2009 Edition, together with certain amendments thereto, is hereby amended as set forth below.

“ARTICLE X. – MISCELLANEOUS CODES

Sec. 14-420. International Energy Conservation Code adopted.

The [2009] 2012 Edition of the International Energy Conservation Code, as published by the International Code Council, Inc., a copy of which has been filed with the city secretary, is hereby adopted and made part of this article.

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Sec. 14-422. International Residential Code for One- and Two-Family Dwellings adopted.

(a) The International Residential Code for One- and Two-Family Dwellings, [~~2009~~] 2012 Edition, including all appendices, as published by the International Code Council, Inc., an authentic copy of which has been filed with the city secretary, is hereby adopted and made a part of this article.

(b) The [~~2009~~] 2012 Edition of the International Residential Code for One- and Two-Family Dwellings, is hereby amended as follows:

Section E3406.3, Minimum size of conductors, of the International Residential Code is hereby deleted and replaced with the following:

E3406.3. Minimum size of conductors. The minimum size of conductors for feeders and branch circuits shall be No. 12 copper. The minimum size of service conductors shall be as specified in Chapter 37. The minimum size of class 2 remote control, signaling and power-limited circuits conductors shall be as specified in Chapter 43.

Section E3601.6.2, Service disconnect location, of the International Residential Code is hereby deleted and replaced with the following:

E3601.6.2. Service disconnect location. The service disconnecting means shall be installed at a readily accessible location outside of a building nearest the point of entrance of the service conductors. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.”

Section 10. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

Section 11. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED on first reading this 4th day of April, 2016.

PASSED, APPROVED, and ADOPTED on second and final reading this 2nd day of May, 2016.

Kevin M. Holland
Mayor

ATTEST:

Melinda Welsh, TRMC
City Secretary