

ORDINANCE NO. 7100

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE I, SECTION 4-3-1 TO ADOPT THE 2006 EDITION OF THE *INTERNATIONAL BUILDING CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; 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; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds it is in the best interest of the public health, safety, and welfare to adopt the 2006 edition of the *International Building Code* (published by the International Code Council) with certain amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That Chapter 4-3, Article I, Section 4-3-1 be and hereby is repealed in its entirety.

SECTION 2. That Chapter 4-3, Article I, Section 4-3-1 be and hereby is amended to now read as follows:

Sec. 4-3-1. Adoption of building code, and certain appendix chapters thereof; amendments.

(a) Code adopted. For all buildings and structures under the jurisdiction of the City of Amarillo, and not regulated by *the International Residential Code* as adopted in Chapter 4-3, of the *Municipal Code*, there is hereby adopted the 2006 edition of the *International Building Code* (published by the International Code Council), including its Appendices C, J, K1, and K12 with the following amendments, copies of which shall be maintained by the Building Official:

(1) Section 101.1. Insert: **City of Amarillo**

(2) Section 101.4 Referenced Codes, amend by adding end of paragraph "and as adopted and amended by the City of Amarillo."

(3) Section 101.4.1 Delete: reference to *International Electrical Code* and insert: *National Electrical Code*, as amended and adopted by the City of Amarillo.

(4) Section 101.4.4 Amend: Section 101.4.4 Plumbing. (Delete last sentence) The provisions of the *International Sewage Disposal Code* shall apply to private sewage disposal systems.

(5) Section 104.12 Registration of Contractors, is hereby added as follows:

The Building Official shall receive applications from and register contractors according to the rules adopted by the City in Chapter 4-1 of the Amarillo Municipal Code.

(6) Section 105.1 Required, is hereby amended by adding the following text:

Flammable Liquids and Gases. A permit shall be required for the installation of any container or pump for storing and handling flammable liquids and gases. All containers and equipment for the storage and handling of flammable liquids or gases, or both, shall be installed in accordance with the Fire Code. No permit shall be issued for a curb or sidewalk pump or service connection. All vehicles must be serviced on privately owned property. All tanks must be filled from vehicles parked on privately owned property. No pump shall be located within a building.

(7) Section 105.2 Amend: (Work exempt from permit): 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 200 square feet (11.15-18.58m²). 2. Fences not over 8 feet (2440 mm) high.

(8) [Reserved].

(9) Section 108.2 Schedule of permit fees. Amend last sentence to state: in accordance with Chapter 4-1 of the Municipal Code.

(10) Section 109.3 Required Inspections is hereby amended by adding a second sentence as follows:

No inspections shall be made on new construction until the site has been surveyed and all property corners have been physically identified.

(11) Section 109.3.11 Authority to withhold utility services, is hereby added as follows:

The Building Official may cause all utility service connections to be withheld until a building for which a permit has been issued has received an approved final inspection, or a Certificate of Occupancy. Further, no utilities shall be provided except for construction purposes until the building has been finally approved by all appropriate inspectors and by all other departments of the City having jurisdiction, and a Certificate of Occupancy has been issued.

(12) Section 112 Board of Appeals, is hereby amended to read as follows:

Construction Advisory and Appeals Board. See Chapter 2-6, of the Amarillo Municipal Code.

(13) Section 115.6 Unsafe Structures, is hereby added to read as follows:

Abandoned and substandard structures shall be subject to the requirements of applicable provisions of this Municipal Code and state law.

(14) Section 202 Definitions, Amend/Insert:

NIGHTCLUB-a place of entertainment open at night, usually serving or allowing the consumption of alcoholic beverages, having a floor show, or providing music and space for dancing.

(15) Section 907.2.1 Amend, add second sentence to first paragraph Insert:

In A-2 Nightclubs having an occupant load of 100 or more. Insert new section: **Section 907.2.1.3 System Response in A-2 Nightclubs.** An activation of the fire alarm system shall automatically:

1. Cause illumination of the means of egress with light of not less than 1 foot candle (11 lux) at the walking surface level;
2. Stop all conflicting or confusing sounds and visual distractions; and

3. Activation of a pre-recorded message, clearly audible throughout the building.

(16) Section 910.3.2.2 Amend, add to end of paragraph: - and coordinated with the operation of the sprinkler system.

(17) Section 1503.4.2 Drainage across adjacent properties, is hereby added as follows:

No roof drainage or surface drainage shall drain onto adjacent properties except where an engineered drainage plan calls for drainage across properties, and the appropriate drainage easements have been recorded in the deed records, and the necessary physical measures for protection of the adjacent properties have been installed.

(18) Section 1507.8 Wood Shingles, is hereby amended by adding the following sentence:

Only Grade 1 wood shingles are allowed for roof coverings. All references to 2 and 3 grade shingles in this section are hereby deleted.

(19) Section 1507.9 Wood Shakes, is hereby amended by adding the following sentence:

Only Grade 1 wood shakes are allowed for roof coverings. All references to 2 and 3 grade shakes in this section are hereby deleted.

(20) Table Insert: Table 301.2(1) from the 2006 edition of the *International Residential Code*, as follows

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

GROUND SNOW LOAD	WIND SPEED	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYER-MENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			Weathering	Frost line depth	Termite					
20 _{psf}	90 _{mph}	B	Moderate	18"	Moderate to heavy	20°	NO	See Municipal Code, Ch. 4-8	311	57.2°

(21) Section 1612 Flood Loads, is hereby deleted with the exception of Section 1612.1, which is hereby amended to read as follows:

General. All structures constructed within a Special Flood Hazard area as designated by Chapter 4-8, Flood Damage Mitigation, of the Municipal Code shall comply with Chapter 4-8 and other applicable sections of this code.

(22) Section 1612.3 Insert: City of Amarillo

(23) Section 1612.3 Insert: [DATE OF ISSUANCE] (flood hazard Chap. 4-8 Amarillo Municipal Code)

(24) Section 1802.2.8 Flood Hazard Areas, is hereby added to read as follows:

Flood hazard areas. All structures constructed within a Special Flood Hazard area as designated by Chapter 4-8, Flood Damage Mitigation, of the Amarillo Municipal Code shall be provided with a foundation system designed by a registered professional engineer or registered architect.

(25) Section 1805.3.4 Foundation elevation is hereby amended by adding the following sentence to the end of the paragraph:

Foundations supporting untreated wood shall extend at least eight (8) inches above the adjacent rough grade.

(26) Section 3202.2.4 Landscaping Terraces, is hereby added as follows:

Landscaping Terraces. Landscaping Terraces may be constructed on public property when approved by the Building Official and the Director of Planning provided that:

1. The terrace does not encroach upon or impede passage along a public sidewalk;
2. The terrace is not installed so as to violate any traffic ordinance;
3. The terrace does not exceed the maximum allowed fence height; and
4. When the need arises for the repair or improvement of streets or utilities, the expense for moving of the terrace shall be borne by the property owner.

(27) Section 3302.3 Site maintenance, is hereby added as follows.

Site maintenance. Each person engaged in the construction, alteration or repair of any building shall be responsible for placing all trash and debris in a covered container or enclosure until the trash and debris are removed from the construction lot or site, and for installing erosion control measures both as required in accordance with the City's NPDES plan. The Building Official may cause all inspections to be withheld or work stopped until:

1. The construction lot or site and adjacent properties are free of trash, debris, or unused material generated from the construction site; and
2. Until effective erosion control measures are installed.

(28) Section 3307.2 Damage to Public Utilities, is hereby added to read as follows:

Any damage to public utilities caused by or during construction shall be immediately replaced or repaired by the owner of the property under construction, or the contractor responsible for the damage, at his own expense.

(29) Section 3401.4 Abandoned Buildings - Certificate of Occupancy required prior to re-occupancy, is hereby added to read as follows:

1. Intent. The intent of this Section is to insure that minimum levels of structural integrity, fire protection, life safety features, ventilation, light, sanitation, accessibility, and public improvements shall be provided in and around abandoned buildings or structures prior to reoccupancy. It is not the intent of this Section to require compliance with the latest Codes adopted by the City as if abandoned buildings or structures subject to this section were being newly constructed. Nor is it the intent of the Section to require a new Certificate of Occupancy for a vacant building or structure, which is secured against unauthorized entry by the public and of which the essential components, as defined in 2.2 below, have been maintained in serviceable condition.

2. Certificate of Occupancy required prior to reoccupancy. When a building or structure has become abandoned, a Certificate of Occupancy shall be obtained prior to reoccupancy of the building or structure. For the purpose of this Section a building or structure shall be considered to have been abandoned when either of the following conditions exists:

2.1. The previous use of the building has been discontinued and the building has been left unsecured or open to unauthorized entry by the general public.

2.2. The previous use of the building has been discontinued and maintenance of the building has been neglected to the extent that one or more essential components of the building or structure have failed or no longer serve their intended purpose. Essential components include: Roof coverings; structural components; exterior envelopes including walls, doors and windows; electrical systems; plumbing systems; HVAC systems; fire

extinguishing systems; fire resistive construction; fire resistive separations; exit ways; or other life/safety systems.

3. Conditions for issuance of a Certificate of Occupancy. Prior to issuing a Certificate of Occupancy for an abandoned building or structure subject to this Section, the Building Official may: Require plans to be submitted which will clearly indicate the intended use of the building or structure, its location on the property, and any proposed improvements; inspect the building or structure to ascertain adequacy and serviceability of the essential components listed in 2.2 above with respect to the intended use; require repairs or improvements to the building or structure based upon those inspections; and require that the applicable permits and inspections be obtained for work which is proposed or required under this Section.

4. Guidelines and Regulations. To determine the requirements for repairs or improvements to abandoned buildings or structures subject to this Section, the Building Official may utilize this Chapter of the International Building Code as a guideline, and may utilize other publications of the International Code Council related to existing buildings.

(30) Section 3410.2. Insert: [April 3, 1924]

(31) Appendix C: Group U - Agricultural Buildings, is hereby adopted with the following amendments:

a. Section C101.1 Scope, is hereby amended by adding the following as an included use:

9. Kennels.

b. Section C105 Special Requirements for Kennels, is hereby added as follows:

Section C105.1 Kennels. Kennels shall comply with the following:

1. Floors shall have a smooth, hard, nonabsorbent, corrosion-resistant surface such as concrete, ceramic tile or other approved materials. Cages with grated floors may be installed above kennel floors. Such grated floors shall be of nonabsorbent, corrosion-resistant materials, sufficient in strength and composition to safely support the animals, protect their feet and legs from injury, and not allow the accumulation of liquids.

2. Floors shall be provided with positive drainage to an approved drainage system. Drainage from a stall or cage shall not flow across or through another stall or cage. Kennel floors shall slope uniformly at a rate of not less than one-fourth (1/4) inch per foot or more than one-half (1/2) inch per foot to a gutter or floor drain. If provided, gutters shall similarly slope to a drain and have rounded corners to facilitate cleaning. Drains complete with traps and vents shall be installed in accordance with the Plumbing Code and shall be connected to the City's sanitary sewer system or to a septic system approved by the Environmental Health Department.

3. The interior surface of kennel walls to a height of six (6) feet above the floor shall be of materials which are smooth, hard, nonabsorbent and non-corrosive. All joints and seams in interior wall surfaces and between the walls and floors shall be sealed to prevent moisture penetration and to prevent the accumulation of solids and liquids.

4. Kennels shall be provided with ventilation during such time as the building is occupied by animals by means of operable exterior openings with an area of not less than

one-twentieth (1/20) of the floor area, or shall be provided with a mechanically operated exhaust system capable of providing at least four (4) air changes per hour. Such systems shall be connected directly to the exterior.

5. Outdoor kennels shall provide adequate shelter from sun, rain, and cold weather.

(32) Appendix J: Grading, is hereby adopted with the following amendments:

a. Section J103 Permits Required, and Section J104 Permit Application and Submittals are hereby deleted and Reserved.

b. Section J107.5 Compaction, is hereby amended to read as follows:

All fill material shall be compacted to 90 percent of maximum density, and shall be within 5% of optimum moisture content in lifts not exceeding 12 inches in depth. Soil density shall be determined by ASTM D698.

(33) Chapter K12. Amend: K1201.1.1 by deleting reference to the International Residential Code.

(34) K1202.2 Nonmetallic-sheathed cable. Use permitted in accordance 2008 NEC, Section 334.10 as amended.

SECTION 3. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

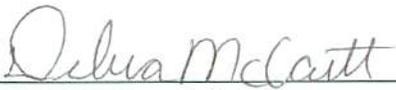
SECTION 4. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 5. Continuation. That nothing in this ordinance or any code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

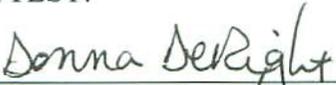
SECTION 7. Publishing and Effective Date. This ordinance shall be published according to law and be effective on June 15, 2008.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 13th day of May, 2008; and PASSED on Second and Final Reading the 20th day of May, 2008.



Debra McCartt, Mayor

ATTEST:



Donna DeRight, City Secretary