

2018 International Existing Building Code

ORDINANCE NO. 1215

AN ORDINANCE ADOPTING THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION REGULATING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION TO AND RELOCATION OF EXISTING BUILDINGS EXCEPT ONE- AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES), IN THE CITY OF SOUTHLAKE; PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO; PROVIDING FOR RECORDING OF SUCH CODE AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Southlake, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Southlake deems it necessary to adopt this ordinance governing requirements for the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the City of Southlake are hereby referred to, adopted, and made a part hereof, as fully set out in this legislation, including requirements for materials, in order to protect the health, safety and welfare of the citizens of the City of Southlake.

WHEREAS, beginning in the spring of 2018, NCTCOG's Regional Codes Coordinating Committee (RCCC) and its four advisory boards conducted open review meetings over a one-year period to review the 2018 editions of the International Codes and to develop regional amendments. Their review and recommendations were completed and endorsed by NCTCOG's Executive Board on September 27, 2015. Now NCTCOG encourages jurisdictions in North Central Texas to adopt the 2018 International Fuel Gas Code along with its respective regional amendments:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
SOUTHLAKE, TEXAS:**

**Section 1
Adoption**

That the International Existing Building Code, 2018 Edition, published by the International Code Council, is hereby adopted as the Existing Building Code of the City of Southlake. A True and correct copy of this document is referenced in Exhibit "A."

**Section 2
Amendments**

That the 2018 International Existing Building Code, as adopted herein, is hereby amended as provided in Exhibit "B" incorporated herein and attached hereto for all purposes of this ordinance. The City of Southlake may from time to time determine that additional local modifications to the 2018 International Existing Building Code are necessary and appropriate to meet the unique construction needs of the City of Southlake. To effectuate these modifications, the City council shall enact individual ordinances amending this ordinance fully setting forth the change to be made in the code. The amendments shall be consolidated as Exhibit "B" to this ordinance.

**Section 3
Recording**

The material contained in Exhibits "A" and "B" to this ordinance shall not be included in the formal municipal codification of ordinances, but shall be maintained as a public record in the office of the City Secretary and/or the office of Building Inspections and will be available for public inspection and copying during regular business hours.

**Section 4
Cumulative Clause**

This ordinance shall be cumulative of all provisions of ordinances of the City of Southlake, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Section 5
Severability**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 6
Penalty**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than five hundred dollars (\$500) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**Section 7
Saving Clause**

All rights and remedies of the City of Southlake are expressly saved as to any and all violations of the provisions of any ordinances affecting the installation and maintenance of existing buildings and systems 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 8
Publication**


The City Secretary of the City of Southlake is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

The City Secretary of the City of Southlake is hereby directed to publish in the official newspaper of the City of Southlake, the caption, penalty clause, publication clause and effective date of this ordinance one time within ten days after passage of this ordinance, as required by Section 3.13 of the Charter of the City of Southlake.

**Section 10
Effective Date**

This ordinance shall be in full force and effect from and after its passage and publication as required by law but not before May 1, 2019.

APPROVED ON FIRST READING THIS 2 DAY OF APRIL, 2019.



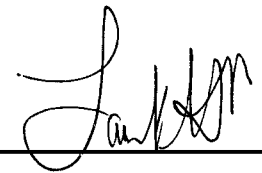
MAYOR



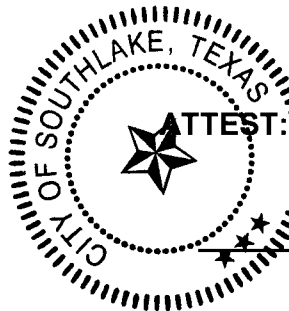


CITY SECRETARY

APPROVED ON SECOND READING THIS 16 DAY OF APRIL, 2019.



MAYOR





CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY

PUBLISHED: 4/19/19

EFFECTIVE: 4/20/19

EXHIBIT A

2018 International Existing Building Code Complete Edition

Located in the Building Inspections Office
1400 Main St., Suite 250
City of Southlake, Texas
76092

EXHIBIT B

Amendments to the 2018 International Existing Building Code

The following sections, paragraphs, and sentences of the *2018 International Existing Building Code* are hereby amended as follows: Standard type is text from the IEBC. Underlined type is text inserted. ~~Lined through type~~ is deleted text from IEBC. A double asterisk (**) at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2018 code.

****Section 102.4; change to read as follows:**

[A] 102.4 Referenced codes and standards. The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

(Reason: To not inadvertently adopt other codes (i.e. Wildland Urban Interface Code etc...) by reference.)

****Section 202; amend definition of Existing Building as follows:**

Existing Building - A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy.

*****Section 202; amend definition of Existing Structure as follows:**

Existing Structure- A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; or a change of occupancy.

(Reason: To prevent potential abuses in new construction and shell buildings.)

****Section 305.1; adds an exception to read as follows:**

Exception: Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.

(Reason: To coordinate with the IEBC and State Law.)

****Section 305.4.2; add Number 7 to the list of requirements as follows:**

7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the International Building Code.

(Reason: Accessible toilet rooms should be available for disabled occupants.)

*****Section 401.3 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 405.2.5 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

****Section 406.1; add a code reference to read as follows:**

406.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

(Reason: To ensure compliance with the NEC relative to any electrical repairs/replacement.

*****Section 502.3 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city)

****Section 504.1.2; change to read as follows:**

504.1.2 Existing fire escapes. Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

(Reason: To add clarity and help reduce confusion associated with the amendment preventing new fire escapes.)

****Section 504.1.3; delete entire section:**

~~**504.1.3 New fire escapes.** New fire escapes for existing buildings shall be permitted only where exterior stairways cannot be utilized due to lot lines limiting stairway size or due to the sidewalks, alleys or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.~~

(Reason: To generally require a higher level of egress protection.)

*****Section 507.3 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 701.3 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

****Section 702.6; add a code reference to read as follows:**

702.6 Materials and methods. New work shall comply with the materials and methods requirements in the *International Building Code, International Energy Conservation Code, International Mechanical Code, National Electrical Code, and International Plumbing Code*, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

(Reason: To provide a more complete list of potentially adopted codes.)

****Section 802.5.1; change to read as follows:**

802.5.1 Minimum requirement. Every portion of a floor, such as a balcony or a loading deck, open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

(Reason: To be consistent with Building Code requirements for guards and unsafe conditions. Corresponds with IBC 1015.2)

****Section 803.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and would not allow the sprinkler to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)

****Section 803.2.4; change exception to read as follows:**

Exception: Supervision is not required where the Fire Code does not require such for new construction for the following:

- ~~1. Underground gate valve with roadway boxes.~~
- ~~2. Halogenated extinguishing systems.~~
- ~~3. Carbon dioxide extinguishing systems.~~
- ~~4. Dry and wet chemical extinguishing systems.~~
- ~~5. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

(Reason: The published exceptions are over-reaching and will result in inconsistencies among supervised protection systems and cause confusion for first responders as well.)

****Section 803.3; change section to read as follows:**

803.3 Standpipes. Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.
~~{Delete rest of Section 804.3.}~~

(Reason: The Fire Code already requires standpipes in these buildings (greater than 50 ft.) retroactively in Section 1103.6. This new section would negate/lessen those retroactive provisions already contained in the Fire Code.)

****Section 805.2; remove Exception #1**

Exception 1. ~~Where the work area and the means of egress serving it complies with NFPA101.~~

(Reason: NFPA 101 is not a commonly adopted code in the region and enforcement could be problematic.)

****Section 805.3.1.2; change to read as follows:**

805.3.1.2 Fire Escapes required. For other than Group I-2, where more than one exit is required an existing ~~or newly constructed~~ fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

(Reason: Higher level of safety by not allowing new fire escapes.)

****Section 805.3.1.2.1; change to read as follows:**

805.3.1.2.1 Fire Escape access and details - ...

1. [Remain unchanged]
2. Access to a ~~new~~ fire escape shall be through a door...
- 3. Item Deleted**
4. [Remain unchanged]
5. In all buildings of Group E occupancy up to and including the 12th grade, buildings of Group I

occupancy, ~~rooming~~ boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

(Reason: Higher level of safety by not allowing new fire escapes. Consistency with language and defined term in IBC.)

*****Section 805.5.2 Transoms; add language to read as follows:**

805.5.2 Transoms. In all buildings of Group B, E, [Remainder unchanged]

(Reason: Transom windows were historically a common practice in school buildings and each jurisdiction should evaluate the impact on their stakeholders and their community with regards to section.)

****Section 904.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and the Fire Code and would not allow the sprinkler system to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)

****Section 904.1.1; change sentence to read as follows:**

904.1.1 High-rise buildings. An automatic sprinkler system shall be provided in work areas of where the high-rise buildings. ~~has a sufficient municipal water supply for the design and installation of an automatic sprinkler system at the site.~~

(Reason: Level 3 alterations are affecting more than 50% of the existing high-rise building, and as such, sprinkler protection is more than justifiable, even when fire pumps, etc., are necessary. It is noted that the work area method is one of three different methods available to the designer/owner in the IEBC.)

*****Section 1103.3 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 1201.4 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 1301.3.2; change to read as follows:**

1301.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the International Fire Code. ~~and International Property Maintenance Code.~~

(Reason: NCTCOG does not currently review the IPMC for recommended amendments at this time.)

*****Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

*****Section 1402.6 Flood Hazard Areas; delete this section:**

(Reason: Flood hazard ordinances may be administered by other departments within the city.)

END