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**ORDINANCE NO.**

**AN ORDINANCE REPEALING AND REPLACING ARTICLE 10 OF CITY CODE CHAPTER 25-12 TO ADOPT THE 2015 INTERNATIONAL EXISTING BUILDING CODE AND LOCAL AMENDMENTS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Article 10 (*Reserved*) of City Code Chapter 25-12 (*Technical Codes*) is repealed and replaced with a new Article 10, to read as follows:

**ARTICLE 10. EXISTING BUILDING CODE.**

**§ 25-12-231 EXISTING BUILDING CODE.**

(A) The 2015 International Existing Building Code published by the International Code Council is adopted and incorporated into this section with deletions and amendments in Subsection (B) and Section 25-12-233 (*Local Amendments to the Existing Building Code*).

(B) The following provisions of the 2015 International Existing Building Code are deleted:

Sec. 103	Sec. 105.1.1	Sec. 105.3	Sec. 105.3.2
Sec. 105.5	Sec. 106.2.3	Sec. 106.2.5	Sec. 109.3.1
Sec. 109.3.5	Sec. 111.3	Sec. 112	

The city clerk shall file a copy of the 2015 International Existing Building Code with the official ordinances of the City.

**§ 25-12-232 CITATIONS TO THE EXISTING BUILDING CODE.**

In the City Code, “Existing Building Code” means the 2015 International Existing Building Code adopted by Section 25-12-231 (*Existing Building Code*), as amended by Section 25-12-231 (*Existing Building Code*) Subsection (B) and Section 25-12-233 (*Local Amendments to the Existing Building Code*).

**§ 25-12-233 LOCAL AMENDMENTS TO THE EXISTING BUILDING CODE.**

1 The following provisions are local amendments to the 2015 International Existing  
2 Building Code. Each provision in this section is a substitute for the identically numbered  
3 provision deleted by Section 25-12-231(B) (*Existing Building Code*) or is an addition to  
4 the 2015 International Existing Building Code.

5 **SECTION 103**

6 **BUILDING OFFICIAL**

7 **103.1 Building official.** The City Manager shall appoint a building official to administer  
8 and interpret this Code. The building official may appoint one or more deputy building  
9 officials.

10 **[A] 105.1.1 Annual permit.** Instead of an individual *permit* for each *alteration* to an  
11 already *approved* electrical, gas, mechanical or plumbing installation, and minor building  
12 alterations and repairs, the *building official* is authorized to issue an annual *permit* upon  
13 application therefor to any person, firm or corporation regularly employing one or more  
14 qualified tradepersons in the building, structure or on the premises owned or operated by  
15 the applicant for the *permit*.

16  
17 **105.1.1.1 Authorized scope of work.** Work under the annual permit is limited to the  
18 following:

19  
20 **Building:**

- 21  
22 1. Work that does not alter a bearing wall or other structural  
23 elements; and  
24 2. does not require a change to an exit system; and  
25 3. does not alter fire-resistive construction; and  
26 4. is performed on a building or structure for which a certificate of  
27 occupancy for the existing occupancy had been issued by the  
28 building official; and  
29 5. does not alter natural gas piping or medical gas piping systems;  
30 and  
31 6. does not alter hazardous production material (HPM) supply or  
32 waste piping in areas of the building not currently classified as an  
33 H occupancy; and  
34 7. does not remove, relocate, replace, or install a backflow prevention  
35 device; and  
36 8. does not increase the existing square footage of a building; and

9. otherwise complies with all other applicable provisions of this title; and
10. it is performed by licensed contractors as required by the Plumbing Code, Electrical Code or Mechanical Code.

**Electrical:**

1. The work is limited to the repair, modification, or installation of equipment or branch circuits. Work involving sub-panels, panels, electrical service, or other similar work requires permits issued under Section 80.19 of the Electric Code;
2. The work is performed by an electrical contractor employee with the proper license classification or licensed master electrician employed by the facility, and in accordance with Section 80.40 (Supervision) of the Electric Code;
3. The facility shall maintain records on all work performed under the annual permit in accordance with Section 105.1.2 (*Annual permit records*).

**Mechanical:**

1. replacement, modification, or relocation of existing ductwork, fan coil units, VAV boxes volume dampers, environmental make-up air systems and related equipment; and
2. modification of existing hazardous production material (HPM) supply systems, HPM drain systems and HPM exhaust systems in H occupancy areas, as defined in the Building Code, and in exterior areas to accommodate the installation or relocation of equipment.

**Plumbing:**

1. Installation, repair, and replacement of fixtures, traps, shut-off valves, water distribution piping, drains, building waste piping, vent stacks and water heaters with a capacity of 100 gallons or less and a rating of 75,000 BTU or less, provided the work does not require approval of the Austin Travis County Health Department, the City of

1 Austin Water Utility, or the Texas Department of Licensing and  
2 Regulation.

3 **[A] 105.3 Application for permit.** To obtain a permit, the applicant shall first file an  
4 application therefor in writing on a form furnished by the department of building safety  
5 for that purpose. Such application shall:

- 6 1. Identify and describe the work to be covered by the permit for which the  
7 application is made.
- 8 2. Describe the land on which the proposed work is to be done by legal  
9 description, street address or similar description that will readily identify and  
10 definitely locate the proposed building or work.
- 11 3. Indicate the use and occupancy for which the proposed work is intended.
- 12 4. Be accompanied by construction documents and other information as  
13 required in Section 106.3 (*Examination of documents*).
- 14 5. State the valuation of the proposed work.
- 15 6. Be signed by the applicant, or the applicant's authorized agent.
- 16 7. Give such other data and information as required by the code official.
- 17 8. Trench protection. An application must include certification by a registered  
18 professional engineer that trench safety systems have been designed in  
19 accordance with state law and OSHA standards.

20 **[A] 105.5 Time Limitation on Application; Permit Expiration and Reactivation.**  
21 Time limits on permit applications and requirements for permit expiration and  
22 reactivation, including a review fee for expired permits, are set forth in Chapter 25-12,  
23 Article 13 (*Administration of Technical Codes*).

24  
25 Exception: Permits issued under Section 105.1.1 (*Annual permit*) are only valid for  
26 a period of 360 days from the date of issuance and cannot be extended.

27  
28 **105.8 Transfer of permit.** The building official is authorized to establish a building  
29 permit transfer policy.

30 **[A] 106.2.3 Means of Egress.** The construction documents shall show in sufficient detail  
31 the location, construction, size and character of all portions of the means of egress in  
32 compliance with the provisions of this code. The construction documents shall designate

1 the number of occupants to be accommodated every floor and in every room or space that  
2 is part of an assembly occupancy.

3 **[A] 106.2.5 Site plan.** The construction documents submitted with the application for  
4 permit shall be accompanied by a site plan showing to scale the size and location of new  
5 construction and existing structures on the site, distances from lot lines, the established  
6 street grades and the proposed finished grades and, as applicable, flood hazard areas,  
7 floodways, and design flood elevations: and it shall be drawn in accordance with an  
8 accurate boundary line survey. In the case of demolition, the site plan shall show  
9 construction to be demolished and the location and size of existing structures and  
10 construction that are to remain on the site or plot. For a building or structure involving  
11 below-grade construction, the site plan shall show the location of proposed earth  
12 retention system components allowed under Section 3202.1.4 (*Earth Retention System*  
13 *Components*) of the 2012 International Building Code. The code official is authorized to  
14 waive or modify the requirement of the site plan when the application for permit is for  
15 alteration, repair or ~~change of occupancy~~ when otherwise warranted.

16 **107.5 Temporary earth retention systems.** Temporary earth retention system  
17 components used to facilitate below-grade construction of a building or structure shall  
18 conform to Section 1811 (*Earth Retention Systems*) and Section 3202.1.4 (*Earth*  
19 *retention system components*) of the building code.

20 **108.7 Plan review fees.** An applicant must pay a plan review fee, adopted by separate  
21 ordinance when plans and specifications are submitted for review under Section 106  
22 (*Construction Documents*). The building official shall compute the building plan review  
23 fees using the total value of all construction work for which the permit is issued as well  
24 as the value of all finish work, painting, roofing, electrical, plumbing, heating, air  
25 conditioning, elevators, fire-extinguishing systems, and other permanent equipment. The  
26 building official shall charge an additional plan review fee if plans are incomplete or  
27 changed so as to require additional plan review. The plan review fees referenced in this  
28 section are in addition to the permit fees referenced in Section 108.1 (*Payment of fees*).

29 **109.3.1 Building pre-construction inspection.** This is the first inspection conducted.  
30 The inspector verifies the permits that were issued for work at a site and meets with the  
31 contractor or owner at the site to review plans and identify potential issues. The inspector  
32 notifies the contractor of the inspector's work hours and identifies required inspections.

33 **109.3.1.1 Layout Inspection.** A layout inspection shall be made after all foundation  
34 forms have been erected and are in place, but before any concrete is placed.

35 **[A] 109.3.1.2 Footing and foundation inspection.** Footing and foundation inspections  
36 shall be made after excavations for footings are complete and any required reinforcing

1 steel is in place. For concrete foundations, any required forms shall be in place prior to  
2 inspection. Materials for the foundation shall be on the job, except where concrete is  
3 ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

4 **[A] 109.3.5 Lath, gypsum board and gypsum panel product inspection.** Lath, gypsum  
5 board and gypsum panel product inspections shall be made after lathing, gypsum board  
6 and gypsum panel products, interior and exterior, are in place, but before any plastering is  
7 applied or gypsum board and gypsum panel product joints and fasteners are taped and  
8 finished.

9 Exception: Gypsum board and gypsum panel products that are not part of a fire-  
10 resistance-rated assembly, a shear assembly, or part of a shower or water closet  
11 surround; provided it is limited to a maximum of 32 square feet.

12 **110.5 Maintenance of records.** The building owner or the owner's authorized agent  
13 must maintain a copy of the certificate of occupancy on the premises and provide it to an  
14 authorized official on request.

15 **[A] 111.3 Authority to disconnect service utilities.** The *code building official* shall  
16 have the authority to authorize disconnection of utility service to the building, structure or  
17 service system regulated by this code and the codes referenced under this section.

18  
19 **111.3.1 Circumstances for which utilities may be disconnected.** The building official  
20 may authorize disconnection of utilities if the building official determines that:

- 21 1. disconnection is necessary to eliminate an immediate hazard to life or  
22 property;
- 23 2. an owner or occupant is in violation of a stop work order;
- 24 3. electrical work has been installed without a permit;
- 25 4. plumbing or gas piping has been installed without a permit; or
- 26 5. development does not comply with the land development regulations.

27 **111.3.2 Notice.** This section prescribes notice requirements for disconnection of utilities.

28 **111.3.2.1 Disconnection because of an immediate threat to life or property.** If  
29 disconnection of utilities is necessary to eliminate an immediate hazard to life, the  
30 building official shall notify the serving utility and whenever possible, the owner and  
31 occupant of the building, structure, or service system of the decision prior to taking any  
32 action. If not notified prior to disconnecting, the owner or occupant of the building,

1 structure or service system shall be notified in writing, by certified mail, return receipt  
2 requested, as soon as practical thereafter.

3 **111.3.2.2 Disconnection for a reason other than an immediate threat to life or**  
4 **property.** If the disconnection of utilities is for a reason other than to eliminate an  
5 immediate hazard to life, the building official shall give notice according to this section.  
6 Notice shall first be provided for the violation in accordance with the applicable section  
7 of Title 25 (*Land Development*). The notice of violation shall include a statement that the  
8 building official may authorize the disconnection of utilities if the violation is not cured  
9 within the timeframe established in the notice of violation. If the owner or occupant fails  
10 to comply with the notice of violation, the building official may issue a notice to the  
11 owner and occupant stating that utilities to the property will be disconnected not less than  
12 one week after the date that the notice is mailed. The notice must identify each utility  
13 that will be disconnected.

14 **SECTION 112 BUILDING AND FIRE CODE BOARD OF APPEALS**

15 Regulations regarding the Building and Fire Code Board of Appeals are found in Chapter  
16 2-1 of the City Code.

17 **PART 2.** This ordinance takes effect on \_\_\_\_\_, 2017.

18  
19 **PASSED AND APPROVED**

20  
21 § \_\_\_\_\_  
22 § \_\_\_\_\_  
23 \_\_\_\_\_, 2016 § \_\_\_\_\_

24  
25 Mayor

26  
27  
28 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

29  
30 City Attorney

31 City Clerk