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 Article 10 (Reserved) of City Code Chapter 25-12 (Technical Codes) is repealed and replaced with a new Article 10, to read as follows: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.
The following provisions are local amendments to the 2015 International Existing Building Code. Each provision in this section is a substitute for the identically numbered provision deleted by Section 25-12-231(B) (Existing Building Code) or is an addition to the 2015 International Existing Building Code.

SECTION 103

BUILDING OFFICIAL

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

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

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

Building:

1. Work that does not alter a bearing wall or other structural elements; and
2. does not require a change to an exit system; and
3. does not alter fire-resistive construction; and
4. is performed on a building or structure for which a certificate of occupancy for the existing occupancy had been issued by the building official; and
5. does not alter natural gas piping or medical gas piping systems; and
6. does not alter hazardous production material (HPM) supply or waste piping in areas of the building not currently classified as an H occupancy; and
7. does not remove, relocate, replace, or install a backflow prevention device; and
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
Austin Water Utility, or the Texas Department of Licensing and Regulation.

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

1. Identify and describe the work to be covered by the permit for which the application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.

4. Be accompanied by construction documents and other information as required in Section 106.3 (Examination of documents).

5. State the valuation of the proposed work.

6. Be signed by the applicant, or the applicant’s authorized agent.

7. Give such other data and information as required by the code official.

8. Trench protection. An application must include certification by a registered professional engineer that trench safety systems have been designed in accordance with state law and OSHA standards.

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

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

105.8 Transfer of permit. The building official is authorized to establish a building permit transfer policy.

[A] 106.2.3 Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. The construction documents shall designate
the number of occupants to be accommodated every floor and in every room or space that is part of an assembly occupancy.

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

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

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

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

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

[A] 109.3.1.2 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing
steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

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

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

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

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

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

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

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

111.3.2.1 Disconnection because of an immediate threat to life or property. If disconnection of utilities is necessary to eliminate an immediate hazard to life, the building official shall notify the serving utility and whenever possible, the owner and occupant of the building, structure, or service system of the decision prior to taking any action. If not notified prior to disconnecting, the owner or occupant of the building,
structure or service system shall be notified in writing, by certified mail, return receipt requested, as soon as practical thereafter.

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

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

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

**PART 2.** This ordinance takes effect on __________________________, 2017.

**PASSED AND APPROVED**

_________________________ 2016

Mayor

**APPROVED:** ___________________________  **ATTEST:** ___________________________

City Attorney  City Clerk