

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” TO ADD A NEW ARTICLE IV “RESIDENTIAL CODE” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS, SAVE AND EXCEPT FOR EXCEPT FOR THE REQUIRMENT TO PROVIDE AN AUTOMATIC FIRE SPRINKLER SYSTEM IN ALL BUILDINGS OF ANY AREA, SIZE OR OCCUPANCY BUILT, ADDED TO OR MOVED INTO THE TOWN OF ADDISON AFTER DECEMBER 8, 1992 AND EXCLUDING THE NOTED EXCEPTIONS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Residential Code, save and except the deletions and amendments set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**SECTION 1.** The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

**SECTION 2.** Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations” is hereby amended to add a new Article IV “Residential Code” which shall read in its entirety as follows:

**Article IV. – RESIDENTIAL CODE**

**Division I – Adopted.**

**Sec. 18-45. – Adopted.**

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the International Residential Code, 2018 Edition (for purposes of this Article, the 2018 International Residential Code”, a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary's office), is hereby adopted as the building code of the

city as fully as if copied at length in this article, but with the changes therein and additions thereto provided in this article. Also, adopted are Appendices E, F, G, H, I, J and K of the 2018 International Residential Code.

Also, adopted are Appendices:

1. Appendix-E Manufactured Housing Used as Dwellings.
2. Appendix-F, Radon Control Methods.
3. Appendix-G, Piping Standards for Various Applications.
4. Appendix-H Patio Covers.
5. Appendix-I, Private Sewage Disposal.
6. Appendix-J, Existing Buildings and Structures.
7. Appendix-K, Sound Transmission.

## **Division II - Deletions, Amendments and Additions.**

### **Sec. 18-46. – Deletions, amendments and additions.**

The 2018 International Residential Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

*Section R101.1 Title; of the International Residential Code has been amended adding the Town's name to read as follows:*

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the Town of Addison and shall be cited as such and will be referred to herein as “this code.”

*Section R102.4 Referenced Codes and Standards; of the International Residential Code has been amended by adding a second paragraph after the exception to read as follows:*

**R102.4 Referenced codes and standards.** The codes 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 R102.4.1 and R102.4.2.

**Exception:** Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

**Section 105.2 Work exempt from permit;** the *International Residential Code* is amended by deleting items 1, 2, 4, 5, 9, and 10 and renumbering permit exemptions to read as follows:

**R105.2 Work exempt from permit.** Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

**Building:**

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids. Retaining walls over 4 feet (1219 mm) in height shall be designed by a licensed design professional.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
4. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.

**Electrical:**

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.

3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

*Section 105.5; Expiration, the International Residential Code has been amended to read as follows:*

**R105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building

official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*Section R108.2 Schedule of permit fees; the International Residential Code has been amended by adding a final sentence to read as follows:*

**R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

*Section R110.1 Use and occupancy; the International Residential Code has been amended by to read as follows:*

**R110.1 Use and occupancy.** A building or structure shall not be used or occupied until the *building official* has granted approval to occupy, based on the completions of all required inspections, therefor as provided herein. Approval to occupy a building or structure shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Approvals presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

**Exception:**

1. Approval of occupancy is not required for work exempt from permits under Section R105.2.

*Section R112 Board of appeals; the International Residential Code has been changed in its entirety to read as follows:*

**R112.1 General Board of Appeals.** The board of appeals shall be as established in the Town’s most current adopted Building Code as prescribed in Article II of this Chapter.

*Section R114.4 Violation penalties; the International Residential Code has been amended by adding a second paragraph to read as follows:*

**R111.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

**Table R301.2(1) Climate and Geographic Design Criteria;** of 2018 International Residential Code is amended by providing values in Table R301.2(1):

**Table R301.2(1) Climate and Geographic Design Criteria**

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMPE <sup>e</sup>	ICE BARRIER UNDER-LAYMENT <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	SPEED <sup>d</sup> (MPH)	Topographic Effects <sup>k</sup>	Special Wind Region <sup>l</sup>	Windborne Debris Zone <sup>m</sup>		Weathering <sup>a</sup>	Frost Line Depth <sup>b</sup>	Termite <sup>c</sup>					
5 lb/ft	115 (3 sec-gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22 <sup>o</sup> F	No	Local Code	150	64.9 <sup>o</sup> F

**\*\*Delete remainder of table Manual J Design Criteria and footnote N**

**Section R313 Automatic Fire Sprinkler Systems;** the International Residential Code has been changed in its entirety to read as follows:

**R313 Automatic Fire Sprinkler Systems.** An approved automatic fire sprinkler system shall be installed as follows:

1. In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. (See also the provisions of The Town of Addison Code of Ordinances, Section 18-47 which shall apply in addition to the provisions of this section). In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition of the structure or space.
2. In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance shall provide a sprinkler system and shall be installed when one of the following apply:

- a. Where the reconstruction as a result of structural damage involves greater than 50% of the square footage of the structure,
  - b. Where residential additions exceed five hundred (500) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
  - c. Where the costs of the residential remodel reconstruction are in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District, the most restrictive requirement shall apply.
  - d. Sprinkler protection is required in attached garages.
3. Any change of an existing occupancy type to a more restrictive fire rated type of occupancy based on proposed use and occupant load, the more restrictive fire protection requirements of this code shall apply.

*Section R1502.4.2 Duct installation; the International Residential Code has been amended by adding an exception and amending it to read as follows:*

**M1502.4.2 Duct installation.** Exhaust ducts shall be supported at intervals not to exceed 12 feet (3658 mm) and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.1 and shall be mechanically fastened. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation.

**Exception:**

1. Ducts may be joined with short pop-rivets not to exceed 1/8-inch-long (3.2 mm) penetration on the interior surface of the duct.

*Section P2603.5.1 Sewer depth, the International Residential Code has been amended by inserting the depth requirements to read as follows:*

**P2603.5.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be not less than 12 inches (304 mm) below finished grade at the point of septic tank connection. Building sewers shall be not less than 12 inches (304 mm) below grade.

*Section E3406.3 Minimum size of conductors, the International Residential Code has been amended to read as follows:*

**E3406.3 Minimum size of conductors.** The minimum size of conductors for feeders and branch circuits shall be 14 AWG copper and 8 AWG aluminum. Aluminum wire shall not be permitted as branch circuit wiring. The minimum size of service conductors shall be as specified in Chapter 36. The minimum size of Class 2 remote control, signaling and power-limited circuits conductors shall be as specified in Chapter 43.

**Sec. 18-47. - Automatic fire-extinguishing systems.**

The International Building Code is amended by changing section 903.2 to read as follows:

*903.2 Sprinklers required.* An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space.

Unless otherwise required in the code, the following exceptions apply:

*Exception 1:* Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

*Exception 2:* Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

*Exception 3:* Existing, unsprinklered, single-family detached dwellings which are added to for the purpose of increasing livable area.

*Exception 4:* Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

*Exception 5:* Group S-1 occupancies used only for the storage or parking of aircraft. (NOTE: Aircraft hangars are subject to the provisions of NFPA 409.)

- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance where the remodel or reconstruction involves greater than 50% of the square footage of the structure or costs in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District.
- (3) In the attic of any building required to have a fire sprinkler system. Exception: Attics of single-family residences on fee simple lots.
- (4) In the occupancies and locations set forth in this section.

For provisions on special hazards and hazardous materials, see the fire code.

**Sections 18-48 through 18-57 reserved.**



**SECTION 3. Penalty Provision.** Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 4. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

**SECTION 5. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**SECTION 6. Effective Date.** This Ordinance shall become effective June 1, 2020.

**DULY PASSED AND ADOPTED** by the City Council of the Town of Addison, Texas, on this **28<sup>th</sup>** day of **APRIL 2020**.

**TOWN OF ADDISON, TEXAS**

\_\_\_\_\_  
Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Irma Parker, City Secretary

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Brenda N. McDonald, City Attorney