

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 15, "OTHER CODES ADOPTED, BY ADOPTING A NEW ARTICLE 15-17, "EXISTING BUILDING CODE", TO ADOPT THE INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, AS THE CITY OF COPPELL EXISTING BUILDING CODE; PROVIDING AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE 2015 EDITION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE WHICH IS A VIOLATION OF ANY PROVISION OF LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That the Code of Ordinances of the City of Coppell, Texas be, and the same is, hereby amended by amending Chapter 15, by adopting Article 15-17, "Existing Building Code", to adopt the International Existing Building Code, 2015 Edition, with amendments to read as follows:

**"ARTICLE 15-17. INTERNATIONAL EXISTING BUILDING CODE"**

**Sec. 15-17. International Existing Building Code – Adopted.**

There is hereby adopted the International Existing Building Code, 2015 Edition, and made a part hereof for all purposes, the same as if fully copied in full herein, with the exception of such sections hereof, which are hereafter deleted, modified or amended.

**Sec. 15-17-2. Amendments.**

The following sections of the International Existing Building Code, 2015 Edition, are hereby amended to read as follows:

**1. Amend Section 102.4 to read as follows:**

**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. Any reference to NFPA 70 or the ICC Electrical Code shall mean the National Electrical Code as adopted.

**2. Amend Section 105.2 to read as follows:**

**105.2 Work Exempt from Permit.** Exemptions 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 laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
5. Shade cloth structures constructed for agricultural purposes, not including service systems.
6. Swings and other playground equipment accessory to detached one- and two-family dwellings.
7. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753mm) in height.

**3. Amend Section 112.1 to read as follows:**

The Building and Standards Commission shall act as the Board of Appeals.

**4. Section 112.3 Qualifications shall be deleted in its entirety.**

**5. Amend Section 202 to include the following:**

**EXISTING BUILDING.** A building, structure, or space, with an approved final inspection for a legal building permit issued under a code edition which is at least two published code editions preceding the currently adopted building code; or a change of occupancy.

**HIGH RISE BUILDING.** A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

**6. Amend Section 406.2 to read as follows:**

**406.2 Replacement window opening control devices.** In Group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F 2090 shall be installed where an existing window is replaced and where all of the following apply to the replacement window .The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by Section 1030.2 of the International Building Code.

*{Remainder unchanged}*

**7. Amend Section 406.3 to read as follows:**

**406.3 Replacement window emergency escape and rescue openings.** Where windows are required to provide emergency escape and rescue openings in Group R-2 and R-3 occupancies, replacement windows shall be exempt from the requirements of Sections 1030.2, 1030.3 and 1030.5 of the International Building Code provided the replacement window meets the following conditions:

*{Remainder unchanged}*

**8. Amend Section 409.1 by adding an exception to read as follows:**

**Exception:** Moved historic buildings need not be brought into compliance with the exception of new construction features required as the result of such movement, including but not limited to foundations and/or other structural elements.

**9. Amend Section 410.1 by adding 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.

**10. Amend Section 410.4.2 by adding number 7 to the list of requirements, to read 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.

**11. Amend Section 702.6 to read as follows:**

**702.6 Materials and methods.** All 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.

**12. Amend Section 802.1 to read as follows:**

**802.1 General.** Alteration of buildings classified as special use and occupancy as described in Chapter 4 of the International Building Code shall comply with the requirements of Section 801.1 and the scoping provisions of Chapter 1 where applicable.

**13. Amend Section 803.5.1 to read as follows:**

**803.5.1 Minimum requirement.** Every portion of open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side, which are not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

**14. Amend Section 804.1 by adding a 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.

**15. Amend the Exception to Section 804.2.5 to read as follows:**

**Exception:** Supervision is not required where the Fire Code does not require such for new construction. Delete 1, 2,3,4,5.

**16. Amend Section 804.3 to read as follows:**

**804.3 Standpipes.** Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.

*{Delete rest of Section 804.3.}*

**17. Amend Section 805.2 by deleting Exception #1**

**18. Amend Section 805.3.1.1 to read as follows:**

4. In Group R-4 Occupancies, the maximum occupant load excluding staff is 10.

**19. Amend Section 805.5.2 to read as follows:**

**805.5.2 Transoms.** In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies, {remainder unchanged}

**20. Amend Section 806.1 by adding 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.

**21. Amend Section 902.1 to read as follows:**

**902.1 High-rise buildings.** Any building having occupied floors more than 55 feet above the lowest level of fire department vehicle access shall comply with the requirements of Sections 902.1.1 and 902.1.2.

**22. Amend Section 904.1 by adding a 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.

**23. Amend Section 904.1 to read as follows:**

**904.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of high-rise buildings.

**24. Amend Section 1401.2 to read as follows:**

**1401.2 Applicability.** Structures existing prior to the date of an approved final inspection for a legal building permit issued under a code edition which is at least two published code editions preceding the currently adopted building code; or a change of occupancy,” {remainder unchanged}

**SECTION 2.** If any section, subsection, paragraph, sentence, phrase or work in this ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Coppell, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

**SECTION 3.** That the repeal of any ordinance or any portion thereof by the preceding sections shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceedings, suit or prosecution had or commenced shall remain in full force and effect to all intents or purposes as if such ordinance or part thereof so repealed shall remain in force.

**SECTION 4.** That any person, firm or corporation violating any of the provisions of this ordinance or the Code of Ordinances as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Coppell, Texas, shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different penalty has been established by State law for such offense, the penalty shall be that fixed by State law, and for any offense which is a violation of any provision of law that governs fire safety, zoning or public health and sanitation, including dumping of refuse, the penalty shall be fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such offense is continued shall constitute a new and separate offense.

**SECTION 5.** That this ordinance shall become effective thirty (30) days from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**APPROVED:**

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**Karen Hunt, MAYOR**

**ATTEST:**

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**CHRISTEL PETTINOS, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**ROBERT HAGER, CITY ATTORNEY**