

**ORDINANCE NO. 2017-04-11**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, REPEALING THE INTERNATIONAL EXISTING BUILDING CODE 2012 EDITION IN ITS ENTIRETY AND REPLACING IT WITH THE ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE 2015 EDITION; BY ADOPTING CHAPTER 6 “BUILDING REGULATIONS”, ARTICLE 6.04, “TECHNICAL AND CONSTRUCTION CODES AND STANDARDS,” DIVISION 8, “EXISTING BUILDING CODE,” TO PROVIDE FOR THE AMENDMENTS TO THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 6 of the Lancaster Code of Ordinances be, and the same is, hereby repealed the International Existing Building Code 2012 Edition in its entirety and replacing it with the International Existing Building Code 2015 Edition , by adopting Chapter 6, Building Regulations, Article 6.04, Technical and Construction Codes and Standards, Division 8, Existing Building Code, to provide for the amendments to thereto, which shall read as follows:

**“ARTICLE 6.04 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS**

....

**Division 8. Existing Building Code**

**Sec. 6.04.351. Adoption of Existing Building Code.**

A certain document, a copy of which is on file in the office of the city secretary of the city, being marked and designated as the International Existing Building Code, 2015 Edition, including appendix, as published by the International Code Council, be and is hereby adopted as the existing building code of the city. Each and all of the regulations, provisions, penalties, conditions and terms of said existing building code on file in the office of the city are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Section 6.04.352 of this Article.

**Sec. 6.04.352. Exceptions and Amendments**

The Existing Building Code adopted in this article shall be subject to the exceptions and amendments to the International Existing Building Code, 2015 Edition, as follows:

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**To amend Section 102.4; change 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.”

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**To amend Section 202 by amending 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.”

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**To amend Section 405.1.2 to read as follows:**

**“405.1.2 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.”

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**To delete Section 405.1.3 in its entirety**

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**To 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.

.....”

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**To 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:

.....”

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**408.3 Flood hazard areas.** *Delete in its entirety.*

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**To 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.”

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**To 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.”

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**To amend Section 410.4.2 by adding Number 7 to the list of requirements as follows:**

“.....

1. ....

.....

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

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**601.3 Flood hazard areas. *Delete in its entirety.***

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**To amend Section 602.3 by adding code reference to read as follows:**

“**602.3 Glazing in hazardous locations.** Replacement glazing in hazardous locations shall comply with the safety glazing requirements of the *International Building Code*, *International Energy Conservation Code*, or *International Residential Code* as applicable.”

**606.2.4: Flood hazard areas. *Delete in its entirety.***

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**To amend Section 607.1 to read as follows:**

“**607.1 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.”

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**701.3: Flood Hazard areas. *Delete in its entirety.***

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**To amend Section 702.6 by adding a code reference 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.”

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**To amend Section 802.1 by adding a code reference 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.”

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**To amend Section 803.5.1; Exception 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 not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.”

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**To amend Section 804.1 by adding 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.”

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**To amend Section 804.2.2, Number 2 Exception to read as follows:**

“.....

**Exception:** Where the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a new fire pump, fire sprinkler protection shall not be required.”

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**To amend Section 804.2.5 by changing Exception to read as follows:**

“.....

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

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**To 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.}”

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**To delete Exception 1 under Section 805.2**

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**To delete Number 4 under Section 805.3.1.1;**

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**To amend Section 805.3.1.2 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 fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.”

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**To amend Section 805.3.1.2.1 to read as follows:**

**“805.3.1.2.1 Fire Escape access and details - ...**

2. Access to a fire escape shall be through a door .....

....

4. In all building of Group E occupancy up to and including the 12<sup>th</sup> grade, building of Group I occupancy, boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.”

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**To delete Section 805.3.1.2.2 in its entirety**

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**To delete Section 805.3.1.2.3 in its entirety.**

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**To add note to Section 805.5.2 Transoms to read as follows:**

*“B and E occupancies are not included in the list and consideration should be given to adding them depending on existing buildings stock.”*

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**To amend Section 806.2 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.”

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**To amend Section 904.1 by adding 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.”

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

**“904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of high-rise building”

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***Section 1103.5 Flood Hazard areas. Delete in its entirety.***

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***Section 1201.4 Flood hazard areas. Delete in its entirety.***

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***Section 1302.7 Flood hazard areas. Delete in its entirety.***

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**To amend Section 1401.2 to read as follows:**

**“1401.2 Applicability.** Structures existing prior to the date of an approved final inspection

issued under a code edition which is at least two published code editions preceding the currently adopted building code; or a change of occupancy ....”

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**To amend Section 1401.3.2 to read as follows:**

**“1401.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the *International Fire Code.*”

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**To amend Chapter 16 – Referenced Standards to read as follows:**

“IECC           Edition as adopted by the State of Texas           International Energy Conservation Code®. . 301.2, 702.6, 708.1, 811.1, 908.1”

**SECTION 2.** Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Lancaster, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 3.** That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said




ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

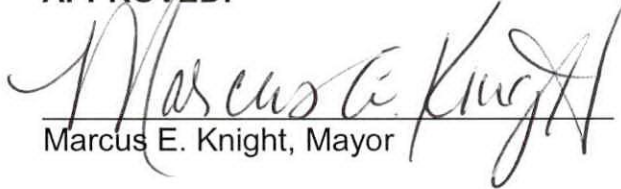
**SECTION 5.** That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, this the 10<sup>th</sup> day of April, 2017.


**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

  
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Robert E. Hager, City Attorney