

ORDINANCE NO. 2018-11-17

An Ordinance of the City of Plano, Texas, repealing in its entirety City of Plano Ordinance No. 2016-3-6, codified as Article XXII, Existing Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Existing Building Code, with certain additions, deletions and amendments, as the Existing Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, on March 14, 2016, by Ordinance No. 2016-3-6, the City Council of the City of Plano established an Existing Building Code and provided regulations thereunder, and such Ordinances were codified as Article XXII, Existing Building Code, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

WHEREAS, on October 16, 2018, the Building Standards Commission held a public hearing to discuss the adoption of the 2018 Edition of the International Existing Building Code, a publication of the International Code Council (I.C.C.), and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, upon recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and relate thereto, the City Council is of the opinion that the 2018 Edition of the International Existing Building Code and the additions, deletions, and amendments thereto, should be approved and adopted as the Existing Building Code of the City of Plano.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS THAT:

Section I. Ordinance No. 2016-3-6 duly passed and approved by the City Council of the City of Plano on March 14, 2016, is hereby repealed in its entirety.

Section II. A new Article XXII, Existing Building Code, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

“ARTICLE XXII EXISTING BUILDING CODE

Division 1. General

Section 6-716. Penalty.

(a) Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4 (a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

(b) Civil. The city may file a civil action for enforcement of this Division with civil penalties up to \$1,000.00 per day for each offense as authorized by Subchapter B of Chapter 54 of the Texas Local Government Code, as amended.

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Section 6-717. Adopted.

The 2018 Edition of the International Existing Building Code, a publication of the International Code Council (I.C.C.) is hereby adopted and designated as the Existing Building Code of the city, to the same extent as if such code were copied verbatim in this section, subject to the deletions, additions and amendments prescribed in this Division. A copy of the 2018 Edition of the International Existing Building Code is on file in the office of the City Secretary.

Section 6-718. Administrative authority.

For purposes of this Division and interpreting the Code adopted in this Division, the term “Administrative Authority” shall mean the Building Official of the City, and his agents and employees who are hereby empowered with the authority to administer and enforce the provisions of this Division and the Existing Building Code.

Section 6-719. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Existing Building Code adopted in this Division are hereby approved and adopted:

Section 102.4; change to read as follows:

[A] 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.

Section 202; amend 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.

Section 202; amend definition of Existing Structure as follows:

Existing Structure- 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.

Section 305.1 adds 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.

Section 305.4.2; Add Number 7 to the list of requirements 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.

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Section 401.3 Flood Hazard Areas; *Delete this section.*

Section 405.2.5 Flood Hazard Areas; *Delete this section.*

Section 406.1; *add a code reference to read as follows:*

406.1 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.

Section 502.3 Flood Hazard Areas; *Delete this section.*

Section 504.1.2; *change to read as follows.*

504.1.2 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.

Section 504.1.3 New fire escapes. *Delete entire section.*

Section 507.3 Flood Hazard Areas; *Delete this section.*

Section 701.3 Flood Hazard Areas; *Delete this section.*

Section 702.6; *add 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.

Section 802.5.1; *change to read as follows:*

802.5.1 Minimum requirement. Every portion of open-sided walking surfaces, including *mezzanines, equipment platforms, aisles, stairs, ramps* and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

Section 803.1; *add 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.

Section 803.2.4; *change Exception to read as follows:*

Exception: Supervision is not required where the Fire Code does not require such for new construction. *[delete remainder]*

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Section 803.3; *change section to read as follows:*

803.3 Standpipes. Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.
[delete remainder]

Section 805.2; *Delete Exception #1*

Section 805.3.1.2; *change 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.

Section 805.3.1.2.1; *change to read as follows:*

805.3.1.2.1 Fire Escape access and details - ...

1. *[Remain unchanged]*
2. Access to a fire escape shall be through a door...
3. *Item Deleted*
4. *[Remain unchanged]*
5. In all buildings of Group E occupancy up to and including the 12th grade, buildings 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.

Section 805.5.2 Transoms. *Add language to read as follows:*

805.5.2 Transoms. In all buildings of Group B, E, *[Remainder unchanged]*

Section 904.1; *add 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.

Section 904.1.1; *change sentence to read as follows:*

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

Section 1103.3 Flood Hazard Areas; *Delete this section.*

Section 1201.4 Flood Hazard Areas; *Delete this section.*

Section 1301.3.3 Compliance with Flood Hazard Provisions; *Delete this section.*

Section 1402.6 Flood Hazard Areas; *Delete this section.*”

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Section III. All provisions of the Code of Ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

Section V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

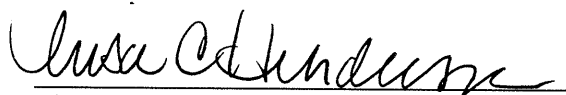
Section VII. This Ordinance shall become effective January 2, 2019 and after its passage and publication as required by law.

DULY PASSED AND APPROVED this, the 26th day of November, 2018.



Harry LaRosiliere, MAYOR

ATTEST:



Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:



Paige Mims, CITY ATTORNEY