

**ORDINANCE NO. 15-C-20**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS BY REPEALING EXISTING INTERNATIONAL CODES AND ADOPTING NEW INTERNATIONAL CODES; PROVIDING FOR A PENALTY**

**WHEREAS**, the Texas Local Governmental Code empowers the cities to enact building codes and regulations and provide for their administration, enforcement, and amendment; and

**WHEREAS**, the regulation of building and building construction by the City of Schertz (the “City”) is necessary to protect the public health and welfare; and

**WHEREAS**, the City Council of the City desires to protect the safety and welfare of the citizens of the City through regulation of construction activities in the City; and

**WHEREAS**, the City has previously adopted multiple international codes; and

**WHEREAS**, more recent international codes have been adopted by the International Code Committee; and

**WHEREAS**, City Staff has undertaken a review of the newly adopted international codes as compared to the City’s existing codes; and

**WHEREAS**, City Staff recommends adopting the international codes provided for herein along with certain amendments; and

**WHEREAS**, City Staff presented the international codes provided for herein along with their amendments to the City Planning and Zoning Commission (the “P&Z”) on July 22, 2015; and

**WHEREAS**, the P&Z voted to recommend approval of the provisions regulating construction

activities set forth herein at the P&Z meeting on July 22, 2015; and

**WHEREAS**, the City Council has determined that the regulation of construction activities in the City, as set forth herein, is in the best interests of the City.

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

**Section 1. Repealer.** Chapter 18, “Buildings and Building Regulations” of the Code of Ordinances, City of Schertz, Texas, Articles I – X are hereby repealed.

**Section 2. Amendments.** Chapter 18, “Buildings and Building Regulations” of the Code of Ordinances, City of Schertz, Texas, is hereby amended to read as follows:

## **ARTICLE I. – IN GENERAL**

### **Section 18-1. Scheduling Inspections**

**(a) Posting permit and plans.** Work requiring a permit shall not commence until the permit holder or his agent posts the Inspection card and plans in a conspicuous place on the premises. The Inspection card and plans shall be protected from the weather and located in such a position as to permit the building official or designee or assigned inspector to conveniently make the required entries thereon. The permit holder shall maintain the Inspection card and plans in such position until the certificate of occupancy or completion certificate is issued by the building official or designee or assigned inspector.

**(b) Inspection Requirements.** A 24-hour notice is required before an inspection is desired, excluding Saturdays, Sundays and Holidays. To insure a 24-hour service, all inspections must be called in by 4:00 p.m. Monday through Friday and shall include the permit number, address of the inspection site, contact information of the requester, and type of inspections being requested. Any Inspections requested but unable to be performed on the requested day shall be given priority on the next business day.

If a re-inspection has been called for and the second inspection revealed that the original turn down items have not been corrected in part or in whole, a 72-hour hold on the failed segment may be given before another re-inspection will be made. Each subsequent fail on the same re-inspection may be rescheduled no sooner than 72 –hours which will not include weekends or holiday time periods.

### **Section 18-2. Building Contractors Registration.**

It shall be the duty of every contractor who shall make contracts for the construction, erection, alteration, repair, moving, demolition, installation or replacements of any building, structure, swimming pool, or sign, whether permanent or temporary, obtain all the necessary permits. Such

contractor shall be registered by the City of Schertz.

**Insurance required.** It shall be the duty of all contractors who practice their craft within the City of Schertz, Texas to show proof of general commercial liability insurance for claims for property damage, or bodily injury regardless of whether the claim arises from a negligence claim or on a contract claim. Coverage amount of liability insurance shall not be less than \$300,000.00. The insurance shall run for a concurrent term with the registration.

**Application.** A written application for a contractor's registration will be submitted to the building official or designee or assigned inspector on a form prescribed by the city along with the required initial fee and evidence of qualifications as follows:

- Required initial fee;
- Renewal fee as applicable;
- Completed application;

The building official or designee or assigned inspector, within 30 days from the receipt of the completed application, will issue the registration or give a written refusal setting out the reasons for refusal.

**Renewal.** All renewals shall be due January 1, of each year. Failure to renew within 30 days after the renewal date will require the applicant to reapply for registration at the initial fee rate.

**Revocation.** Any registration issued under this section may be revoked by the building official or designee or assigned inspector for failure to remedy unsatisfactory work, violations of the chapter, failure to obtain permits, or failure to obtain proper inspections in addition to any additional penalties provided by this ordinance.

**Appeal.** An applicant, whose registration has been denied or revoked, may appeal to the Board of Appeals within 30 days, in writing along with an established filing fee.

### **Section 18-3. Electrical Registration.**

No person shall install, repair or remove electrical wiring or devices unless he is licensed as an Electrical Contractor issued by the State of Texas who employs any of the listed tradesmen as established by the Texas Department of Licensing and Regulation (TDLR). A licensed master, sign master, journeyman, sign journeyman, residential wireman, or journeyman lineman must directly supervise work done by an apprentice or sign apprentice.

Directly supervise is defined as follows:

1. Where a single family or duplex residential structure is under construction. The supervisor shall be on the property while any electrical work as defined by TDLR Rules and Law is underway.
2. Where a commercial or industrial project is under construction. The supervisor shall be not less than one supervisor per 50,000 square feet or each story above the first floor or sub-floor over 50,000 square feet and shall be on the property while any electrical work as defined by TDLR Rules and Law is underway.

A master, sign master, journeyman, sign journeyman, residential wireman, or journeyman lineman electrician may supervise not more than eight apprentice electricians for commercial construction and not more than four apprentice electricians for residential construction.

**Exception:**

1. A registration is not required of a homeowner who is doing electrical work on his own home. The homeowner may receive help from others to do such work, provided that the principal occupation of the person giving help is not that of an electrical contractor or electrician.
2. A registration is not required of a person who is hired as a full-time employee to perform normal maintenance excluding alterations and additions of electrical systems in commercial establishments, provided that the person does not work as an electrician or electrical contractor for the general public.

**Renewal.** All renewals shall be due January 1, of each year. Failure to renew within (180) one hundred and eighty days after the renewal date will require the applicant to reapply for registration at the initial fee rate.

**Revocation.** Any Registration issued under this section may be revoked by the building official or designee or assigned inspector for failure to remedy non-code compliant work, violation of the electrical code, failure to obtain a permit or failure to obtain proper inspections in addition to any additional penalties provided by this ordinance. A complaint shall also be filed with the TDLR by the building official or designee or assigned inspector.

**Insurance required.** It shall be the duty of all electrical contractors who practice their craft within the City of Schertz, Texas to show proof of general liability insurance for claims for property damage, or bodily injury regardless of whether the claim arises from a negligence claim or on a contract claim. Coverage amount of liability insurance shall not be less than the amount mandated by the Texas Department of Licensing and Regulation Administrative Code Chapter 73.40 Insurance Requirements.

1. Electrical contractors, electrical sign contractors, and residential appliance installation contractors are required to maintain at least the minimum general liability insurance coverage at all times to satisfy proof of financial responsibility.
  - a. the insurance must be at least \$300,000 per occurrence (combined for property damage and bodily injury);
  - b. be at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
  - c. be at least \$300,000 aggregate for products and completed operations.
2. A license applicant or licensee shall file with TDLR a completed certificate of insurance or other evidence satisfactory to the department when applying for initial and renewal licenses and upon request of the department.
3. Proof of the required general liability and workers' compensation insurance can be submitted on an industry standard certificate of insurance form with a 30-day cancellation notice. Workers' compensation coverage may be established by a certificate of authority to self-insure, or an applicant may state that it has elected not to obtain workers' compensation coverage.
4. A licensed contractor shall furnish the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the contractor is insured to any customer who requests it.
5. Insurance must be obtained from an admitted company or an eligible surplus lines carrier, as defined in the Texas Insurance Code, Chapter 981, or other insurance companies that are rated by A.M. Best Company as B+ or higher.

#### **Section 18-4. Mechanical Registration.**

It shall be the duty of all mechanical contractors who practice their craft within the City of Schertz, Texas to show proof of state license and insurance as required by the Department of Licensing and Regulation (TDLR), as referenced in State Law, Article 8861, TDLE-ACR-75.11/v.1/93.

**Insurance required.** It shall be the duty of all Mechanical contractors who practice their craft within the City of Schertz, Texas to show proof of general liability insurance for claims for property damage, or bodily injury regardless of whether the claim arises from a negligence claim or on a contract claim. Coverage amount of liability insurance shall not be less than the amount mandated by the TDLR Administrative Code Chapter 75.40 Contractor Insurance Requirements.

1. Class A licensees must maintain commercial general liability insurance at all times

- during a license period:
- a. of at least \$300,000 per occurrence (combined for property damage and bodily injury);
  - b. of at least \$600,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
  - c. of at least \$300,000 aggregate for products and completed operations.
2. Class B licensees must maintain commercial liability insurance at all times during a license period:
- a. of at least \$100,000 per occurrence (combined for property damage and bodily injury);
  - b. of at least \$200,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
  - c. of at least \$100,000 aggregate for products and completed operations.
3. Insurance must be obtained from an insurance provider authorized to sell liability insurance in Texas pursuant to the Texas Insurance Code.
4. A license applicant or licensee must file with TDLR a completed certificate of insurance or other evidence satisfactory to TDLR when applying for an initial license, changing a business name or affiliation, and upon request of TDLR.
5. Requests to waive the insurance requirements because the license holder does not contract with the public must:
- a. be submitted in writing to TDLR; and
  - b. contain a detailed explanation of the conditions under which the waiver is requested.
6. A licensee who has received a waiver of insurance cannot perform or offer to perform air conditioning and refrigeration contracting under his license with the general public.
7. A licensee or an air conditioning and refrigeration contracting company must furnish the name of the insurance carrier, policy number, name, address, and telephone number of the insurance agent with whom the licensee or company is insured to any customer who requests it.

State law reference— State license requirements for air conditioning and refrigeration contracting, Tex. Occupations Code, § 1302.251 et seq.; municipal licensing and regulation of air conditioning and refrigeration contracting, Tex. Occupations Code, §§ 1302.301—1302.303.

### **Section 18-5. Plumbing Registration.**

It shall be the duty of all plumbing contractors who practice their craft within the City of Schertz, Texas to show proof of state license and insurance as required by the Texas State Board of Plumbing Examiners in accordance with, Vernon's Civil Statutes, Article 6243-101.

#### **Plumbing Supervision:**

A master, journey man, residential utilities installer, drain cleaner or tradesman plumber may directly supervise not more than eight apprentice plumbers for commercial construction and not more than four apprentice plumbers for residential.

Directly supervise is defined as follows:

1. Where a single family or duplex residential structure is under construction. The supervisor shall be on the property while any plumbing work as defined by Texas State Board of Plumbing Examiners Rules and Law is underway.
2. Where a commercial or industrial project is under construction. The supervisor shall be not less than one supervisor per 50,000 square feet or each story above the first floor or sub-floor over 50,000 square feet and shall be on the property while any plumbing work as defined by TSBPE Rules and Law is underway.

**Insurance required.** It shall be the duty of all Plumbing contractors who practice their craft within the City of Schertz, Texas to show proof of general liability insurance for claims for property damage, or bodily injury regardless of whether the claim arises from a negligence claim or on a contract claim. Coverage amount of liability insurance shall not be less than the amount mandated by the Texas Board of Plumbing Examiners Board Rules, Section 367.3 Requirements for Plumbing Companies, Responsible Master Plumbers (RMP) ; Certificate of Insurance.

1. The Certificate of Insurance must:
  - a. Be written by a company licensed to do business in this state;
  - b. Provide for commercial general liability insurance for the RMP for claims

for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim and shall include all types of plumbing that will be performed under the RMP's license, including, but not limited to:

- i. Liquefied petroleum gas (LPG) plumbing;
  - ii. Medical gas plumbing; and
  - iii. Multipurpose residential fire protection sprinkler systems; and
- c. Be in a coverage amount of not less than \$300,000.00 for all claims arising in any one-year period;
  - d. State the name and license number of the Master Plumber for whom the coverage is provided;
  - e. State the name of the plumbing company for which the Master Plumber is acting as the RMP.
    - i. Insurance coverage specified in part (a) of this subsection, shall be maintained at all times during which a Master Plumber acts as a RMP.
    - ii. The Certificate of Insurance form expires on the date that the insurance coverage, specified in section (a) of this subsection, expires.
    - iii. The RMP shall furnish the TSBPE with a completed Certificate of Insurance form not later than 10 days after the expiration on the previously furnished Certificate of Insurance form.

### **Section 18-6. Board of Appeals**

Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the codes adopted in this Chapter shall be to the Board of Appeals as established under the Unified Development Code, Article 3, Boards, Commissions and Committees.

Secs. 18-7 – 18.39 Reserved.

## **ARTICLE II. – INTERNATIONAL BUILDING CODE**

### **Section 18-40. Adopted**

The International Building Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

### **Section 18-41. Amendments**

The International Building Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *Building Code* of the City of Schertz, Texas, hereinafter referred to as “this code.”

### **Permits.**

#### **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 other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

#### **Building:**

1. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Shade cloth structures constructed for nursery or agricultural purposes, but not including service systems.
5. Swings and other temporary playground equipment accessory to one and two-family dwellings.
6. Window awnings supported by an exterior wall of R-3 - One and Two Family Dwellings as applicable in Section 101.2 and Group U occupancies of the International Building Code 2012 as defined in Chapter 3 - Use and Occupancy Classification.
7. Movable cases, countertops and partition not over (5) five feet (9) nine inches in height.

#### **Electrical:**

1. Normal maintenance work, such as replacement of lamps, sockets, fuses, drop cords, snap switches, or other similar minor repairs as may be permitted by the building official or designee or assigned inspector;
2. Connection of portable electrical equipment to suitable existing permanently installed receptacles.
3. Replacement of a motor of the same horsepower and rating and installation of pressure devices and similar controls, when the electrical supply for the same has been properly installed by a licensed electrician.
4. The provisions of this chapter shall not apply to electrical equipment used for radio and television transmission, but does apply to equipment and wiring for power supply and the installations of towers and antennas.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance;
2. Portable ventilation equipment;
3. Portable cooling unit;
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this chapter;
5. Replacement of any part which does not alter its approval or make it unsafe;
6. Portable evaporative cooler;
7. Self-contained refrigeration system containing ten pounds or less of refrigerant and actuated by motors of one horsepower or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-pipe, water, soil, waste or vent pipe becomes defective and 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 chapter.

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 involve or require the replacement or rearrangement of valves, pipes or fixtures.

### **105.3.1 Action on Application.**

Ref: Texas Local Government Code Section 214.904 Time for Issuance of Municipal Building Permit.

1. This section applies only to a permit required by a municipality to erect or improve a building or other structure in the municipality.
2. Not later than the 45th calendar day after the date an application for a permit is submitted the municipality must;
  - a. grant or deny the permit
  - b. provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application: or
  - c. reach a written agreement with the applicant providing for a deadline for granting or denying the permit.
3. For a permit application for which notice is provided under Subsection (2)(b), the municipality may grant or deny the permit not later than the 30th day after the date the notice is received.
4. If a municipality fails to grant or deny a permit application in the time required by Subsection (3) or by an agreement under Subsection (2)(c), the municipality:
  - a. may not collect any permit fees associated with the application; and
  - b. shall refund to the applicant any permit fees associated with the application that have been collected.

**Public right-of-way, alleys and easements.** A permit shall not be given by the building official or designee or assigned inspector for the construction of any building or structure, or alteration of any building or structure that will encroach upon any right-of-way, alley, or utility or drainage easement.

### **107.3.4 Design professional in responsible charge.**

The design professional shall be an architect or engineer legally registered under the laws of the State of Texas regulating the practice of architecture or engineering and shall affix his/her seal to said drawings, specifications and accompanying data, for the following:

1. All group A, E and I occupancies as defined in the IBC, Chapter 3.

The City of Schertz Building Inspection Division may send plans to an accredited third party review service at the City of Schertz's discretion to expedite the plan review process.

## **109.2 Fees**

Provide a copy of the contract or proposal signed by both the contractor and the person responsible for the property that the construction will occur on when requested by the Building Inspections Division to verify the value of the work for miscellaneous activities such as remodeling, re-roofing, and foundations.

## **111.1 Use and Occupancy**

**New Certificate of Occupancy for Existing Structures.** A certificate of occupancy is required of all commercial or industrial establishments and must be applied for prior to occupancy of the space. A new certificate is required if a business is relocated, ownership is changed, occupancy use and classification is changed or the name of a business is changed. Certificates of Occupancy are not transferable.

The building official or designee or assigned inspector along with any other city staff required, shall inspect the building or structure and finding no violations of the provisions of this code or other laws that are enforced by the Departments of Development Services, Engineering, Fire, Parks or Health and all applicable fees are paid, a certificate of occupancy shall be issued.

## **111.2. Certificate of Occupancy Issued**

After the building official or designee or assigned inspector inspects a building or structure and finds no violations of the provisions of this chapter or other laws that are enforced by this department, the building official or designee or assigned inspector shall issue a certificate of occupancy that shall contain the following:

1. The building permit number;
2. The address of the structure;
3. The name and address of the owner;
4. A description of that portion of the structure for which the certification is issued based on approved City of Schertz Zoning determination.

5. The name of the building official or designee or assigned inspector;
6. Edition of the code under which the permit was issued;
7. The classification of use and occupancy in accordance with the provisions of Chapter 3 of International Building Code;
8. Type of construction as defined in Chapter 6 of the International Building Code;
9. The design occupant load;
10. If an automatic sprinkler system is required or not;
11. Any special stipulations or condition for occupancy.
12. The Zoning District in which the occupancy is located.

### **113 Board of Appeals**

The Board of Appeals is hereby repealed in its entirety.

### **202 Definitions.**

**Applicable governing body** as referenced within any code adopted under this chapter shall mean the City Council of the City of Schertz

**As Built Plans** are plans submitted after the building is complete showing any alterations, additions or changes that have occurred after construction has begun. All alterations, additions or changes may require Building Division approval.

**Service Systems** are electrical, fire, mechanical, plumbing or other services not associated with structural elements.

#### **508.4.4 Separation**

Individual occupancies shall be separated from adjacent occupancies in accordance with Table 508.4 but in no case shall the fire barrier be less than (1) one hour where permitted with or without an automatic sprinkler system.

#### **1801.2.1 Design basis**

All foundations shall be designed by a Professional Engineer licensed in the State of Texas and all drawings and documentation must be signed and sealed per Texas Board of Professional Engineers rules. Design Engineers must be registered with the City of Schertz. Documentation shall include:

1. Design letter referencing soils report project numbers, date of report, and soils engineer name; specific location including lot, block and subdivision; specific design criteria including soil bearing capacity and design plasticity index or Post-Tensioning Institute parameters. The engineer shall also approve a concrete mix design with performance criteria based on soils and seasonal conditions.
2. Signed and sealed drawings clearly indicating the strand and reinforcement placement, pier size, depth, location, and reinforcing, beam size and location, and any special details. Design calculations must be included.
3. A representative of the design engineer must perform a pre-pour inspection and provide the City of Schertz with a signed and sealed document stating that the foundation has been inspected and approved. This inspection must take place prior to requesting a foundation inspection from the City of Schertz. A representative of the design engineer shall be present during placement of concrete to verify concrete mix design and seasonal conditions during placement, and to verify tensioning and elongation of cables if it is a post-tensioned foundation.
5. A letter from an engineer or surveyor indicating that rough grading of the lot occurred immediately after form removal, or after final tendon stressing if a Post-Tensioned slab, to maintain drainage away from foundation during the construction process shall be provided

6. The engineer must provide to the City of Schertz a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to issuance of a Certificate of Occupancy.
7. Prior to issuance of a Certificate of Occupancy, the engineer shall provide a letter indicating that a strength test was performed on the batch of concrete and the results of the concrete strength test were consistent with the acceptable range specified in the foundation design. Copies of relevant logs or test results from the concrete manufacturer shall also be provided.
8. After foundation construction, but prior to commencement of framing, the owner or applicant shall provide the building official of the City with a sealed certification from an engineer licensed to practice in the State of Texas and registered with the City of Schertz that the concrete has adequately cured to allow for framing of the first floor only to occur. Prior to placing any additional load on the slab the owner or applicant shall provide the building official of the City with a sealed certification from an engineer licensed to practice in the State of Texas that the concrete has adequately cured to allow an additional load to be placed on the slab, including framing above the first floor. In no event shall this be less than 3 days after completion of concrete placement.
9. If the foundation is a post-tensioned foundation, a letter shall be provided to the City that the foundation was designed after the engineer's consideration of (a) the Post-Tensioning Institute's Construction and Maintenance Manual for Post-Tensioned Slab-on-Ground Foundations, 3d Edition; (b) the Post-Tensioning Institute's Design of Post-Tensioned Slabs-on-Ground, 3d Edition with 2008 Supplement; and soil test conducted for the lot.
10. Post-Tensioned foundations must be inspected by a Post-Tensioning Institute (PTI) Slab-on-Ground Installer-Stressor or Level 1 or 2 Unbonded PT Inspector prior to placing a load on the slab or commencement of framing. Additionally, the Inspector must provide foundation design drawings, shipping lists, material certifications, jack certifications, stressing records, and concrete placement records (as described in the Post-Tensioning Institute's Construction and Maintenance Manual for Post-Tensioned Slab-on-Ground Foundations, 3d Edition) to the City.

#### **1803.1.1 General.**

Notwithstanding the foregoing, prior to issuance of a building permit, the owner or applicant shall provide to the building official for the City a soil test (geotechnical investigation) for the lot signed, sealed, and made by a geotechnical engineer licensed to practice in the State of Texas. The soil test shall contain design recommendations. The soil test shall be conducted within the area where the building foundation is to be located and the owner shall provide a survey of the lot to the City indicating the location of the soil test. Such soil test report shall be referenced on the building permit application along with a signed and sealed statement from an engineer licensed to practice

in the State of Texas that the foundation(s) on the lot was/were designed in consideration of the

results shown in the soil test report for that lot. The owner(s) of the property shall provide a letter stating that no cut or fill was done subsequent to the soil test being conducted.

**1807.1(a) Foundation Walls, Retaining Walls and Embedded Posts and Poles**

Construction of a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing of the wall to the top of the wall, constructed on public property or to be dedicated to the City as a public improvement, as a part of the overall subdivision civil plans and the Development Permit application process, shall require submission to, and approval by, the City Engineer of the City of detailed retaining wall design plans sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction of such wall. Construction of such retaining wall shall also require submission to, and approval by, the City Engineer of the City of a sealed engineering inspection report verifying the construction of the retaining wall in conformance with the retaining wall design plans in order to close out the Development Permit.

Construction of a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing of the wall to the top of the wall, constructed on private property and that will not be dedicated to the City as a public improvement, as a part of the building permit application process, shall require submission to, and approval by, the building official of the City of detailed retaining wall design plans sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction of such wall. Construction of such retaining wall shall also require submission to, and approval by, the building official of the City of a sealed engineering inspection report verifying the construction of the retaining wall in conformance with the retaining wall design plans in order to close out the building permit.

On lots with a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing to the top of the wall, in addition to the designated rear and side yard setbacks, a maintenance and access easement for the benefit of the adjacent property owners and the City on either side of the retaining wall, as necessitated by the design of the retaining wall and in accordance with the signed and sealed engineering plans, shall be required for retaining wall maintenance and to prevent any incursion into fill material. The required area of the easement shall vary according to the retaining wall design and adjacent property access and shall, at a minimum, include all of the fill area. Any incursion into a retaining wall fill for maintenance and construction of utilities shall require the submission to, and approval by, the building official of the City of detailed design plans, sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction on such incursion. All other incursions are prohibited."

PTI Level 1 or 2 Unbonded PT Inspector is a certified individual meeting the requirements of the IBC 2012, Section 1704 Special Inspections, Contractor Responsibility and Structural Observations, Table 1705.3 Required Verification and Inspection of Concrete Construction.

**1207 Sound Transmission Standards for High Noise Areas**

All habitable portions of structures located within the 65 dBA as shown on Exhibit A attached, shall be designed and constructed to achieve either:

1. an outside to inside noise level reduction (NLR) of at least twenty-five (25) a-weighted decibels (dBA), or
2. be built to the standards set forth in subsection 2. below.

Options for Compliance. Compliance may be demonstrated using one of the following methods:

1. Use simultaneous noise readings of instantaneous outside and inside noise levels in accordance with ASTM E 966 to ensure the structure achieves an outside to inside NLR of at least twenty-five (25) dBA; or
2. Utilize construction materials with a minimum tested or listed sound transmission class (STC) rating of forty (40), in accordance with ASTM E 90, for walls and ceilings, and with a minimum tested or listed STC rating for doors and windows as specified below, in accordance with the following construction methods:

- a. Walls. The specific exterior wall assemblies listed below shall include the interior finishes set forth therein. Exception: Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).

- i. Brick veneer. When exterior walls are constructed using brick veneer, a minimum of one-half (1/2) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3- 1/2) inches of foam insulation shall be sprayed in as allowed by the building and fire code.

- ii. Vinyl or cement sidings. When exterior walls are constructed using vinyl or cement sidings, a minimum of five-eighths (5/8) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3-1/2) inches of foam insulation shall be sprayed in as allowed by the building and fire code.

- iii. Other assemblies and materials. All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of forty (40).

- b. Roof/Ceiling Assemblies. Roof/ceiling assemblies shall be constructed in accordance with the requirements of subsections (i) or (ii) below.

**Exception:** Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).

- i. Ceilings with unconditioned attic space shall be insulated with a minimum of one-half (1/2) inch gypsum drywall on the interior ceiling side covered with a minimum of twelve (12) inches of blown in fiberglass insulation, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.
  - ii. Ceilings without attic space above shall be insulated with a minimum of five-eighths (5/8) inch gypsum drywall on the interior side filled with a minimum of nine (9) inches of fiberglass batt insulation with a one (1) inch air space between the roof sheathing and the fiberglass, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.
- c. Windows. The cavity between the wood framing and the window frame shall be insulated with fiberglass insulation or foam insulation to the depth of the window frame.
- i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty (30).
  - ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty-two (32).
  - iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of forty (40).
- d. Doors.
- i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty (30).
  - ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty-two (32).

iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of forty (40).

**Exception:** An exterior door may have a tested or listed STC rating of less than forty (40) when installed with a storm door which when combined, achieve a minimum tested or listed STC rating of forty (40).

e. Mechanical Systems. Mechanical ventilation systems (HVAC) shall provide minimum air circulation and fresh air requirements for various uses in occupied rooms without the need to open any windows, doors, or other openings to the exterior.

i. In-window, through-wall, or through-floor air conditioning, ventilating, or heating units may be used if:

1) the above insulation requirements for walls, ceilings, windows and doors are implemented, or

2) walls, ceilings, windows and doors have a minimum tested or listed STC rating of forty (40).

ii. Evaporative coolers may be installed if the following is implemented to reduce sound entering through the unit:

1) Insert a duct extension with at least two (2) ninety degree (90°) "elbows" between the structure and the unit.

2) Add acoustically designed "up-ducts" in the ceiling of each room to allow proper circulation of air while windows are closed.

Certification.

1. Prior to approval of final inspection or issuance of a certificate of occupancy, all project applicants shall submit to the Building Inspection Division, a signed statement certifying compliance with this section from an accredited third party testing agency if sound attenuation is achieved per Section 1207.1. Options for Compliance or by a letter from the builder if sound attenuation is achieved per Section 1207.2. Options for Compliance.
2. A single certification statement for multiple structures in the same development may be used as long as the structures implement the same floor plans and construction methods.

Definition: Accredited is defined as certified through the National Voluntary Laboratory

Accreditation Program (NVLAP)

Secs. 18-42 – 18-59. Reserved.

## **ARTICLE III. - INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS**

### **Section 18-60. Adopted**

The International Residential Code for One and Two Family Dwellings Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

### **Section 18-61. Amendments**

The International Residential Code for One and Two Family Dwellings, 2012 Edition is hereby amended as follows:

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

### **Permits.**

#### **R105.2 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 other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

#### **Building:**

1. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Shade cloth structures constructed for nursery or agricultural purposes, but not including service systems.
5. Swings and other temporary playground equipment accessory to one and two-family dwellings.
6. Window awnings supported by an exterior wall of R-3 - One and Two Family Dwellings as applicable in Section 101.2 and Group U occupancies of the International Building Code 2012 as defined in Chapter 3 - Use and Occupancy Classification.

7. Movable cases, countertops and partition not over (5) five feet (9) nine inches in height.

**Electrical:**

1. Normal maintenance work, such as replacement of lamps, sockets, fuses, drop cords, snap switches, or other similar minor repairs as may be permitted by the building official or designee or assigned inspector;
2. Connection of portable electrical equipment to suitable existing permanently installed receptacles.
3. Replacement of a motor of the same horsepower and rating and installation of pressure devices and similar controls, when the electrical supply for the same has been properly installed by a licensed electrician.
4. The provisions of this chapter shall not apply to electrical equipment used for radio and television transmission, but does apply to equipment and wiring for power supply and the installations of towers and antennas.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance;
2. Portable ventilation equipment;
3. Portable cooling unit;
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this chapter;
5. Replacement of any part which does not alter its approval or make it unsafe;
6. Portable evaporative cooler;
7. Self-contained refrigeration system containing ten pounds or less of refrigerant and actuated by motors of one horsepower or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drain-pipe, water, soil, waste or vent pipe becomes defective and 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 chapter.
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 involve or require the replacement or rearrangement of valves, pipes or fixtures.

**R105.3.1 Action on Application.**

Ref: Texas Local Government Code Section 214.904 Time for Issuance of Municipal Building Permit.

1. This section applies only to a permit required by a municipality to erect or improve a building or other structure in the municipality.
2. Not later than the 45<sup>th</sup> day after the date an application for a permit is submitted the municipality must;
  - a. grant or deny the permit
  - b. provide written notice to the applicant stating the reasons why the municipality has been unable to grant or deny the permit application: or
  - c. reach a written agreement with the applicant providing for a deadline for granting or denying the permit.
3. For a permit application for which notice is provided under Subsection (2)(b), the municipality may grant or deny the permit not later than the 30th day after the date the notice is received.
4. If a municipality fails to grant or deny a permit application in the time required by Subsection (3) or by an agreement under Subsection (2)(c), the municipality:
  - a. may not collect any permit fees associated with the application; and
  - b. shall refund to the applicant any permit fees associated with the application that have been collected.

**Public right-of-way, alleys and easements.** A permit shall not be given by the building official or designee or assigned inspector for the construction of any building or structure, or alteration of any building or structure that will encroach upon any right-of-way, alley, or utility or drainage easement.

### **R106.1 Submittal Documents**

**Design professional.** The design professional shall be an architect or engineer legally registered under the laws of the State of Texas regulating the practice of architecture or engineering and shall affix his/her seal to said drawings, specifications and accompanying data, for the following

1. All group A, E and I occupancies as defined in the IBC, Chapter 3.

The City of Schertz Building Inspection Division may send plans to an accredited third party review service at the City of Schertz's discretion to expedite the plan review process.

### **R108.3 Fees**

Provide a copy of the contract or proposal signed by both the contractor and the person responsible for the property that the construction will occur on when requested by the Building Inspections Division to verify the value of the work for miscellaneous activities such as remodeling, re-roofing, and foundations.

### **R110.3 Certificate of Occupancy Issued.**

After the building official or designee or assigned inspector inspects a building or structure and finds no violations of the provisions of this chapter or other laws that are enforced by this department, the building official or designee or assigned inspector shall issue a certificate of occupancy that shall contain the following:

1. The building permit number;
2. The address of the structure;
3. The name and address of the owner;
4. A description of the building use;
5. The name of the building official or designee or assigned inspector;
6. Edition of the code under which the permit was issued;
7. The classification use of the structure;
8. Type of construction as defined in Chapter 6 of the International Building Code;
9. If an automatic sprinkler system is required or not;
10. Any special stipulations or condition for occupancy.
11. The Zoning District in which the occupancy is located.

### **R111.3 Authority to Disconnect Service Utility**

1. Portable Generators for residential home use where used to remove the one or two family dwelling from the public electric utility grid permanently are prohibited.

Exception: During emergency situations where authorized by the Authority Having Jurisdiction.

### **R112 Board of Appeals**

The Board of Appeals is hereby repealed in its entirety.

### **R202 Definitions.**

**Applicable governing body** as referenced within any code adopted under this chapter shall mean the City Council of the City of Schertz

**As Built Plans** are plans submitted after the building is complete showing any alterations, additions or changes that have occurred after construction has begun. All alterations, additions or changes may require Building Division approval.

**Residential Arbors** are defined as trellises and not as a building when less than 200 square feet in size. Arbors shall be built without a solid roof covering; used only to support vegetation; or acting as a shadow box attached or unattached to the primary or secondary structure; or free standing anchored solidly into the soil or to a permanent foundation and capable of withstanding the environmental conditions as established in the International Residential Code.

**Service Systems** are electrical, fire, mechanical, plumbing or other services not associated with structural elements.

### **R106.1.4 Submittal documents.**

All foundations shall be designed by a Professional Engineer licensed in the State of Texas and all drawings and documentation must be signed and sealed per Texas Board of Professional Engineers rules. Design Engineers must be registered with the City of Schertz. Documentation shall include:

1. Design letter referencing soils report project number, date of report, and soils engineer name; specific location including lot, block and subdivision; specific design criteria including soil bearing capacity and plasticity index or Post-Tensioning Institute parameters. The engineer shall also approve a concrete mix design with performance criteria based on soils and seasonal conditions.
2. Signed and sealed drawings clearly indicating the strand and reinforcement placement, pier size, depth, location, and reinforcing, beam size and location, and any special details. Design calculations must be included.

3. A representative of the design engineer must perform a pre-pour inspection and provide the City of Schertz with a signed and sealed document stating that the foundation has been inspected and approved. This inspection must take place prior to requesting a foundation inspection from the City of Schertz. A representative of the design engineer shall be present during placement of concrete to verify concrete mix design and seasonal conditions during placement, and to verify tensioning and elongation of cables if it is a post-tensioned foundation.
4. A letter from an engineer or surveyor indicating that rough grading of the lot occurred immediately after form removal, or after final tendon stressing if a Post-Tensioned slab, to maintain drainage away from foundation during the construction process shall be provided.
5. The engineer must provide to the City of Schertz a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to issuance of a Certificate of Occupancy.
6. Prior to issuance of a Certificate of Occupancy, the engineer shall provide a letter indicating that a strength test was performed on the batch of concrete and the results of the concrete strength test were consistent with the acceptable range specified in the foundation design. Copies of relevant logs or test results from the concrete manufacturer shall also be provided.
7. After foundation construction and prior to commencement of framing, the owner or applicant shall provide the building official of the City with a sealed certification from an engineer licensed to practice in the State of Texas and registered with the City of Schertz that the concrete has adequately cured to allow for framing of the structure. In no event shall this be less than 3 days after the completion of concrete placement.
8. If the foundation is a post-tensioned foundation, a letter shall be provided to the City that the foundation was designed after the engineer's consideration of (a) the Post-Tensioning Institute's Construction and Maintenance Manual for Post-Tensioned Slab-on-Ground Foundations, 3d Edition; (b) the Post-Tensioning Institute's Design of Post-Tensioned Slabs-on-Ground, 3d Edition with 2008 Supplement; and soils report conducted for the lot.
9. Post-Tensioned foundations must be inspected by a Post-Tensioning Institute (PTI) Slab-on-Ground Installer-Stressor or Level 1 or 2 Unbonded PT Inspector prior to placing a load on the slab or commencement of framing. Additionally, the Inspector must provide foundation design drawings, shipping lists, material certifications, jack certifications, stressing records, and concrete placement records (as described in the Post-Tensioning Institute's Construction and Maintenance Manual for Post-Tensioned Slab-on-Ground Foundations, 3d Edition) to the City.
10. Prior to receiving a Certificate of Occupancy, a final survey indicating final grade elevations and verifying positive drainage away from the foundation must be submitted to the City.

### **R401.4.3 Soil Tests**

Notwithstanding the foregoing, prior to issuance of a building permit, the owner or applicant shall provide to the building official of the City a soil test (geotechnical investigation) for the residential lot made by a geotechnical engineer licensed to practice in the State of Texas. The soil test shall contain design recommendations. The soil test shall be conducted within the area where the building foundation is to be located and the owner shall provide a survey of the lot to the City indicating the location of the soil test. Such soil test report shall be referenced on the building permit application along with a signed and sealed statement from an engineer licensed to practice in the State of Texas that the foundation on the residential lot was designed in consideration of the results shown in the soil test report for that lot and that no cut or fill was done subsequent to the soil test being conducted.

### **R404.4.1 Retaining Walls**

Construction of a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing of the wall to the top of the wall, constructed on public property or to be dedicated to the City as a public improvement, as a part of the overall subdivision civil plans and the Development Permit application process, shall require submission to, and approval by, the City Engineer of the City of detailed retaining wall design plans sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction of such wall. Construction of such retaining wall shall also require submission to, and approval by, the City Engineer of the City of a sealed engineering inspection report verifying the construction of the retaining wall in conformance with the retaining wall design plans in order to close out the Development Permit.

Construction of a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing of the wall to the top of the wall, constructed on private property and that will not be dedicated to the City as a public improvement, as a part of the building permit application process, shall require submission to, and approval by, the building official of the City of detailed retaining wall design plans sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction of such wall. Construction of such retaining wall shall also require submission to, and approval by, the building official of the City of a sealed engineering inspection report verifying the construction of the retaining wall in conformance with the retaining wall design plans in order to close out the building permit.

On residential lots with a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing to the top of the wall, in addition to the designated rear and side yard

setbacks, a maintenance and access easement for the benefit of the adjacent property owners and the City on either side of the retaining wall, as necessitated by the design of the retaining wall and in accordance with the signed and sealed engineering plans, shall be required for retaining wall maintenance and to prevent any incursion into fill material. The required area of the easement shall vary according to the retaining wall design and adjacent property access and structures and shall, at a minimum, include all of the fill area. All incursions are prohibited, including but not limited to the planting of trees, except that a fence may be constructed but shall require the submission to, and approval by, the building official of the City of detailed design plans, sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction on such incursion. Additionally motor vehicles shall not be parked within the easement.

**R703.7.2 Exterior veneer support, R703.7.2.1 Support by steel angle, 703.7.2.2 Support by roof construction and R703.7.3 Lintels**

Lintels shall be attached to the wood framing above all openings wider than 2 feet by fasteners as required by the design professional prior to a framing inspection being requested.

**R807.1 Attic Access**

Attic access shall be provided by a ceiling pull down ladder capable of supporting (250) two hundred and fifty pounds. If an appliance is located in the attic, an opening large enough to remove the largest single section or the entire unit shall be installed with a walkway provided in accordance with the IRC or IMC.

**P2503.8.2 Testing.**

Backflow prevention devices used for residential lawn sprinkler systems shall be tested at the time of installation, immediately after repairs or relocation

**P2603.3. Breakage and Corrosions Through Foundation Walls.**

Any pipe that passes under a footing or through a foundation wall shall be provided with a relieving arch, or a pipe sleeve shall be built into the foundation wall. The sleeve shall be two pipe sizes greater than the pipe passing through the wall. Pipes used for p-traps with in a foundation shall not be located within footings or beams.

**P2603.5 Freezing.**

All building sewers shall be a minimum of 12 inches below finished grade.

**P2609 Installation of Materials**

Cellular core pipe shall be prohibited for all underground uses in all materials.

**The following Appendixes are adopted:**

Appendix A – Sizing and Capacities of Gas Piping

Appendix B – Sizing of Venting Systems Serving appliances equipped with Draft hood, Category 1 Appliances, and Appliances listed for use with Type B Vents

Appendix C – Exit Terminals of Mechanical draft and Direct-Vent Venting Systems

Appendix E – Manufactured Homes used as Dwellings

Appendix G- Swimming Pools, Spas and Hot Tubs

Appendix H – Patio Covers

Appendix J – Existing Buildings and Structures

Appendix K Sound Transmission

**AK 101 Sound Transmission Standards for High Noise Areas**

All habitable portions of structures located within the 65 dBA as shown on Exhibit A attached shall be designed and constructed to achieve either:

1. an outside to inside noise level reduction (NLR) of at least twenty-five (25) a-weighted decibels (dBA), or
2. be built to the standards set forth in subsection 2. below.

Options for Compliance. Compliance may be demonstrated using one of the following methods:

1. Use simultaneous noise readings of instantaneous outside and inside noise levels in accordance with ASTM E 966 to ensure the structure achieves an outside to inside NLR of at least twenty-five (25) dBA; or
2. Utilize construction materials with a minimum tested or listed sound transmission class (STC) rating of forty (40), in accordance with ASTM E 90, for walls and ceilings, and with a minimum tested or listed STC rating for doors and windows as specified below, in accordance with the following construction methods:
  - a. Walls. The specific exterior wall assemblies listed below shall include the interior finishes set forth therein. Exception: Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).
    - i. Brick veneer. When exterior walls are constructed using brick veneer, a minimum of one-half (1/2) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3- 1/2) inches of

foam insulation shall be sprayed in as allowed by the building and fire code.

- ii. Vinyl or cement sidings. When exterior walls are constructed using vinyl or cement sidings, a minimum of five-eighths (5/8) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3-1/2) inches of foam insulation shall be sprayed in as allowed by the building and fire code.
- iii. Other assemblies and materials. All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of forty (40).

b. Roof/Ceiling Assemblies. Roof/ceiling assemblies shall be constructed in accordance with the requirements of subsections (i) or (ii) below.

**Exception:** Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).

- i. Ceilings with unconditioned attic space shall be insulated with a minimum of one-half (1/2) inch gypsum drywall on the interior ceiling side covered with a minimum of twelve (12) inches of blown in fiberglass insulation, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.
- ii. Ceilings without attic space above shall be insulated with a minimum of five-eighths (5/8) inch gypsum drywall on the interior side filled with a minimum of nine (9) inches of fiberglass batt insulation with a one (1) inch air space between the roof sheathing and the fiberglass, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.

c. Windows. The cavity between the wood framing and the window frame shall be insulated with fiberglass insulation or foam insulation to the depth of the window frame.

- i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty (30).
- ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty-

two (32).

iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of forty (40).

d. Doors.

i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty (30).

ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty-two (32).

iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of forty (40).

**Exception:** An exterior door may have a tested or listed STC rating of less than forty (40) when installed with a storm door which when combined, achieve a minimum tested or listed STC rating of forty (40).

e. Mechanical Systems. Mechanical ventilation systems (HVAC) shall provide minimum air circulation and fresh air requirements for various uses in occupied rooms without the need to open any windows, doors, or other openings to the exterior.

i. In-window, through-wall, or through-floor air conditioning, ventilating, or heating units may be used if:

1) the above insulation requirements for walls, ceilings, windows and doors are implemented, or

2) Walls, ceilings, windows and doors have a minimum tested or listed STC rating of forty (40).

ii. Evaporative coolers may be installed if the following is implemented to reduce sound entering through the unit:

1) Insert a duct extension with at least two (2) ninety degree (90°) "elbows" between the structure and the unit.

- 2) Add acoustically designed "up-ducts" in the ceiling of each room to allow proper circulation of air while windows are closed.

Certification.

1. Prior to approval of final inspection or issuance of a certificate of occupancy, all project applicants shall submit to the Building Inspection Division, a signed statement certifying compliance with this section from an accredited third party testing agency if sound attenuation is achieved by Options for Compliance method 1.; or by a letter from the builder if sound attenuation is achieved by Options for Compliance method 2. .
2. A single certification statement for multiple structures in the same development may be used as long as the structures implement the same floor plans and construction methods.

Accredited is defined as certified through the National Voluntary Laboratory Accreditation Program (NVLAP)

## **Part VIII - Electrical**

The International Residential Code for One and Two Family Dwellings, 2012 Edition, Chapters 34 - 43, Electrical is repealed in its entirety and is replaced by reference with the National Electric Code (NEC) 2014 as published by the National Fire Protection Association (NFPA) which is specifically adopted as if fully set forth herein.

### **The following Appendix is adopted:**

Appendix P – Sizing of Water Piping System

Secs 18-62 – 18.79 Reserved.

## **ARTICLE IV - NATIONAL ELECTRICAL CODE**

### **Section 18-80. Adopted**

The National Electrical Code, 2014 edition to include, revisions, amendments and corrections, published by the National Fire Protection Association (NFPA), is hereby adopted by reference as the electrical code of the City of Schertz, Texas, subject to and including such amendments as herein shall appear. The State of Texas will mandate all future code editions through the Texas Department of Licensing and Regulation (TDLR) as to the date of future adoptions.

Note - this code in no way alters or repeals any additional requirements established by any other utility companies and/or cooperative for its members and/or consumers.

### **Section 18-81. Amendments**

The National Electrical Code, 2014 Edition is hereby amended as follows:

**210.11 Branch Circuits Required**

No more than (12) twelve duplex receptacle outlets shall be installed per circuit serving general lighting circuits.

**210.11 Branch Circuits Required (C) (3) Bathroom Branch Circuits**

If more than one bathroom group is to be installed, the required receptacle 15/20 volt-ampere 125 volt devices are to be GFCI protected. Exhaust fans and lighting shall be in compliance with 210.12 Arc-fault Circuit-Interrupter Protection for Personnel and be located on a different circuit.

**210.19 Minimum Ampacity and Size**

No branch circuit shall have wire smaller than 14 AWG. Maximum total length of the 14 AWG run is limited to (120) one hundred and twenty feet or a 5% voltage drop as allowed by Article II Branch-Circuit Ratings 210.19 Conductors –Minimum Ampacity and Size. Informational Note No. 4. This does not prohibit smaller wire for circuits 90 volts and lower for control circuits.

**210.52 Dwelling Unit Receptacle Outlets (B)(3) Kitchen Receptacle Requirements**

No more than (4) four duplex receptacle outlets per kitchen countertop circuit.

Refrigerators, freezers, microwaves, dishwashers, garbage compactors, and washing machines shall be located on dedicated individual circuits. Such receptacle outlets shall comply with 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel and 210.12 Arc-Fault Circuit-Interrupter Protection as needed. Garbage Disposals shall be permitted to be on the same circuit for a kitchen counter top circuit.

**210.52 Dwelling Unit Receptacle Outlets (D) Bathrooms**

No outlet, light or fan switch, or receptacle outlet shall be closer than 5 feet to a shower or bathtub from the inside edge of the fixture.

Single family dwellings must be individually metered.

**230.71 Maximum Number of Disconnects**

An exterior disconnecting means shall be provided at each building serviced where more than two circuits supply the structure. A shunt trip device designed to de-energize the service disconnect equipment at all load side connections, is acceptable on the exterior of the structure at a location approved by the City of Schertz as an alternative means of disconnection.

Secs. 18-82 – 18-99 Reserved.

## **ARTICLE V - INTERNATIONAL FUEL GAS CODE**

### **Section 18-100. Adopted**

The International Fuel Gas Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

### **Section 18-101. Amendments**

The International Fuel Gas Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *Fuel Gas Code* of the City of Schertz, Texas, hereinafter referred to as “this code.”

### **109 Means of Appeal**

Means of Appeal is hereby repealed in its entirety.

### **The following appendixes are adopted:**

Appendix A (IFGS) – Sizing and Capacities of Gas Piping A.1 shall be altered as follows: for any gas piping system, or special appliance, or for conditions other than those covered by the tables provided in the code, such as longer runs, greater gas demands, or greater pressure drops, the size of each gas piping system shall be determined by standard engineering practices acceptable to the code official.

Appendix B (IFGS) Sizing of Venting Systems Servicing Appliances Equipped With Draft Hoods, Category 1 Appliance and Appliances Listed for Use With Type B Vents Appendix C (IFGS) Exit Terminals of Mechanical Draft and Direct-vent Venting Systems.

Secs. 18-102 – 18-119 Reserved.

## **ARTICLE VI - INTERNATIONAL MECHANICAL CODE**

### **Section 18-120. Adopted**

The International Mechanical Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

### **Section 18-121. Amendments**

The International Mechanical Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *Mechanical Code* of the City of Schertz,  
Final Revisions 9-30-2015 V.16 MS

Texas, hereinafter referred to as “this code.”

### **109 Means of Appeal**

Means of is hereby repealed in its entirety.

Secs 18-122 – 18-139 Reserved.

## **ARTICLE VII. - INTERNATIONAL PLUMBING CODE**

### **Section 18-140. Adopted**

The International Plumbing Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

### **Section 18-141. Amendments**

The International Plumbing Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *International Plumbing Code* of the city of Schertz, Texas hereinafter referred to as “this code.”

### **109 Means of Appeal**

Means of Appeal is hereby repealed in its entirety.

### **305.3 Pipes Through Foundation Walls**

Any pipe that passes under a footing or through a foundation wall shall be provided with a relieving arch, or a pipe sleeve shall be built into the foundation wall. The sleeve shall be two pipe sizes greater than the pipe passing through the wall. Pipes used for p-traps with in a foundation shall not be located within footings or beams.

#### **305.4.1 Sewer Depth**

All building sewers shall be a minimum of 12 inches below finished grade.

#### **311.1 Toilet Facilities for Workers**

Portable toilets shall be provided for construction sites so that the path of travel to such facilities shall not exceed 500 feet. Exception: A single portable toilet may be used for small individual construction jobs when approved by the building official.

**312.10.2 Testing - Exception:** Backflow prevention devices used for residential lawn sprinkler systems shall be tested at the time of installation, immediately after repairs or relocation

### **Table 702.3 Building Sewer Pipe**

Cellular core pipe shall be prohibited for all underground uses in all materials. .

**The following Appendixes are adopted:**

Appendix B – Rates of Rainfall for Various Cities

Appendix C – Vacuum Drainage System

Appendix D – Degree Day and Design Temperatures

Appendix E – Sizing of Water Piping System

Appendix F – Structural Safety

Secs. 18-142 – 18-159 Reserved.

**ARTICLE VIII. - INTERNATIONAL PROPERTY MAINTENANCE CODE**

**Section 18-160. Adopted**

The International Property Maintenance Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

**Section 18-161. Amendments**

The International Property Maintenance Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *International Property Maintenance Code* of the City of Schertz, Texas, hereinafter referred to as “this code.”

**112 Means of Appeal**

Means of Appeal is hereby repealed in its entirety.

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or grass growth in excess of eight inches.

**302.7 Accessory Structures**

All Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

No accessory structure shall be more than twenty (20) degrees out of vertical (using an (8) eight foot level) along any 20 feet of wall surface to obtain an accurate determination of the degrees from vertical.

Fences and walls twenty (20) degrees or more in each directional run (vertical or horizontal) shall not have more than twenty-five (25) percent of any directional run (vertical or horizontal) to be of decayed or damaged material.

**The following Appendix is adopted:**

Appendix A – Boarding Standard

Secs. 18-162 – 18-179 Reserved.

**ARTICLE IX. - INTERNATIONAL ENERGY CONSERVATION CODE**

**Section 18-180. Adopted.**

The International Energy Conservation Code, 2009 Edition is hereby adopted with the amendments as provided for in this Article.

The State of Texas will mandate all future code editions through the Texas *Comptroller's State Energy Conservation Office (SECO)* as to the date of future adoptions.

**Section 18-181. Amendments**

The International Energy Conservation Code, 2009 Edition is hereby amended as follows:

**C101.1 Title.** This code shall be known as the International Energy Conservation Code of the City of Schertz, Texas, and shall be cited as such. It is referred to herein as “this code.”

**C109 Board of Appeals**

The Board of Appeals is hereby repealed in its entirety.

Secs. 18-182 – 18-199 Reserved.

**ARTICLE X. - MANUAL OF CROSS-CONNECTION CONTROL**

**Section 18-200. Adopted.**

The Manual of Cross-Connection Control by the University of Southern California, Tenth edition published October 2009, by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, is hereby adopted and incorporated as the Backflow and Cross-Connection Code of the City of Schertz, Texas, subject to and including by reference as herein shall appear.

**Section 18-201. Amendments**

The Manual of Cross-Connection Control, Tenth Edition, October 2009 is hereby amended as follows:

### **Irrigation Back Flow Device Location**

The residential irrigation RP or PVB shall be located immediately adjacent to the residential structure and shall be located a minimum of twelve (12) inches above the highest lawn sprinkler head. A Ground Fault Circuit Interrupter receptacle that is weather proof while in operation is recommended to be located immediately adjacent to the back flow device for the installation of a heat tape to prevent freezing. A rain sensor(s) shall be installed on all systems.

The Commercial irrigation RP and PVB or other approved back flow devices shall be protected from traffic if not located immediately adjacent to the structure and shall be located a minimum of twelve (12) inches above the highest lawn sprinkler head. A Ground Fault Circuit Interrupter receptacle that is weather proof while in operation is recommended to be located immediately adjacent to the back flow device for the installation of a heat tape to prevent freezing. Freeze protection shall be considered in all designs. A rain sensor(s) shall be installed on all systems.

Any RP or PVB located in a flood plain shall be 1 foot above the Design Flood Elevation (DFE) or designed in such a way that will prevent floodwaters from entering or accumulating within system components and to additionally ensure that floodwater does not contaminate the potable water supply system. (Ref: FEMA 348 November 1999)

Adopting the backflow and cross-connection requirements in no way shall appeal or set aside any of the requirements of the International Plumbing Code.

Secs. 18-202 – 18-219 Reserved.

## **ARTICLE XI. - INTERNATIONAL SWIMMING POOL AND SPA CODE**

### **Section 18-220. Adopted**

The International Swimming Pool and Spa Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

**Section 18-221. Amendments** The International Swimming Pool and Spa Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the International Swimming Pool and Spa Code of the City of Schertz, Texas, hereinafter referred to as “this code.”

### **108 Means of Appeal**

Means of Appeal is hereby repealed in its entirety.

**The following Appendixes are adopted:**

Symbols

Appendix B: Field Checklist for identifying Suction Entrapment Hazards shall be completed by the pool installer or his or her authorized agent. The information in the Appendix B shall be provided to the Inspector for final approval.

Appendix C Warning – Drowning Hazard signage shall only apply to non-residential installation for signage and is only recommended for single and two family residential installations.

Secs. 18-222 – 18-239 Reserved.

**ARTICLE XII. INTERNATIONAL EXISTING BUILDING CODE**

**Section 18-240. Adopted**

The International Existing Building Code, 2012 Edition is hereby adopted with the amendments as provided for in this Article.

**Section 18-241. Amendments**

The International Existing Building Code, 2012 Edition is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the International Existing Building Code of the City of Schertz, Texas, hereinafter referred to as “this code.”

**112 Board of Appeals**

Board of Appeals is hereby repealed in its entirety.

**ARTICLE XIII. - VIOLATIONS AND PENALTIES.**

Any person, firm, corporation or agent who shall violate a provision of this chapter, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish, or move any structure, electrical, gas, mechanical or plumbing system in violation of the detailed statement or drawings submitted and permitted thereunder, shall be guilty of a misdemeanor. Such persons shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed or continued, and upon conviction of any such violation such person shall be punished

by a fine of not more than five hundred dollars (\$500.00) for each offense unless said violation is a violation of a regulation governing fire safety or public health and sanitation then by a fine of not more than \$2,000.00 for each offense. All such violations shall be prosecuted in accordance with Section 1-8 General penalty for violations of Code; continuing violations of the Schertz Municipal Code of Ordinances.

**Section 3.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 4.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section 5.** That all rights and privileges of the City are expressly saved as to any and all violations of the provision of any ordinances repealed by this ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 6.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

**Section 7.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 8.** This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law. Builders may choose to continue with the use of the previous 2006 International Building Codes through December 31, 2015.

PASSED ON FIRST READING, the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

PASSED, APPROVED and ADOPTED ON SECOND READING, the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Mayor, Michael R. Carpenter

ATTEST:

---

City Secretary, Brenda Dennis

(CITY SEAL)

**EXHIBIT A**  
Evaluation of Zoning within Airfield Noise Contours JBSA Randolph

