

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, REPEALING CITY OF PLANO ORDINANCE NO. 2001-9-13, ORDINANCE NO. 2002-7-12, AND ORDINANCE NO. 2002-11-27 CODIFIED AS ARTICLE XX, RESIDENTIAL CODE, OF CHAPTER 6 OF THE CODE OF ORDINANCES; ADOPTING THE 2003 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, WITH CERTAIN ADDITIONS, DELETIONS AND AMENDMENTS, AS THE RESIDENTIAL CODE OF THE CITY OF PLANO; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on September 10, 2001, by Ordinance No. 2001-9-13 the City Council of the City of Plano established a Residential Code and provided regulations thereunder, and such Ordinances were codified as Article XX, Residential Code, of Chapter 6 of the Code or Ordinances of the City of Plano (“City”); and

WHEREAS, on November 25, 2002, by Ordinance No.2002-11-27 the City Council of the City of Plano modified section 2904.5.1 of the international Residential Code to prohibit the use of certain materials under concrete slabs and

WHEREAS, on July 22, 2002 by Ordinance No. 2002-7-12 the City Council of the City of Plano added a provision on encroachments to the Residential Code and

WHEREAS, on June 15, 2004, the Building Standards Commission held a public hearing to discuss the adoption of the 2003 Edition of the International Residential Code , a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, 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 related thereto, the City Council is of the opinion that the 2003 Edition of the International Residential Code, along with the Appendices of such Code and the local amendments thereto, should be approved and adopted as the Residential Code of the City.

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

Section I. The following ordinances or sections thereof, all of which are codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances of the City of Plano, are hereby repealed:

Ordinance No. 2001-9-13, duly passed and approved by the City Council of the City of Plano on September 10, 2001.

Ordinance No. 2002-11-27, duly passed and approved by the City Council of the City of Plano on November 25, 2002.

Ordinance No. 2002-7-12, duly passed and approved by the City Council of the City of Plano on July 22, 2002.

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ARTICLE XX. RESIDENTIAL CODE

DIVISION 1. GENERALLY

Sec. 6-708. Penalty.

Any person, firm or corporation found to be violating any term or provision of this Ordinance, 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.

Sec. 6-709. Adopted.

The 2003 Edition of the International Residential Code, a publication of the International Code Council (ICC), along with the Appendices of such Code, is hereby adopted and designated as the Residential Code of the City of Plano to the same extent as if such Code were copied verbatim in this Article, subject to deletions, additions, and amendments prescribed in this Article. A copy of the 2003 Edition of the International Residential Code is on file in the office of the City Secretary.

DIVISION 2. AMENDMENTS

Sec. 6-710. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Building Code adopted herein are hereby approved and adopted:

(1) *Chapter 1, Administration*

Subsection R102.4, Referenced codes and standards; is changed to read as follows:

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. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as

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

Where differences occur between provisions of this Code and referenced Codes and standards, the provisions of this code shall apply.

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

Subsection R104.2, Applications and permits; is amended by the addition of *Subsection R104.2.1.*

Subsection R104.2.1, Adequate toilet facilities.

Every construction project requiring a building permit within the City limits of the City of Plano shall have adequate toilet facilities for workers associated with the project.

At least one permanent or temporary toilet facility shall be maintained in each subdivision for the employees or subcontractors of each builder holding a permit for a building in that subdivision. A toilet facility must be provided by each builder as long as the builder holds an active building permit in the subdivision.

Permanent toilet facility is defined as a room in an existing building or in the building being constructed with a water closet installed in such a room, which conforms to the *Plumbing Code* and is continuously available to all workers involved in a construction project.

Temporary toilet facility is defined as a portable, fully enclosed, chemically sanitized toilet, which is serviced and cleaned at least once each week.

In addition to the justifications in the *Building Code* and in addition to other remedies, the building official may issue a Stop Work Order as described in the *Building Code* for any work done on a project not in compliance with this section.

Subsection R105.2, Work exempt from permit, item number 1; is changed to read as follows;

One-story detached accessory structures, provided the floor area does not exceed 120 square feet.

Subsection R105.2, Work exempt from permit, item number 2; is deleted in

its entirety, and remaining numbers are renumbered accordingly.

Subsection R105.2.1, Emergency repairs; is changed to read as follows:

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted prior to work being performed and an emergency inspection may be requested when ready.

Exception: Emergency repairs made outside of normal business hours will require the permit application to be submitted on the next regular business day.

Subsection R105.3, Application for permit; is amended by the addition of the following paragraphs:

Registration:

- a. To obtain a permit the applicant shall be registered as a contractor.

Exception: Homeowners may obtain permits to do work at their residence without being registered.

- b. Registration Requirements: Contractor may register by making application on forms provided by the Building Official. Electrical, irrigation, mechanical, and plumbing contractors shall provide proof of required licenses.

Licensing:

1. Electrical license is a license issued by the State of Texas under provisions of title 8, Occupations Code, Chapter 1305, Administered by the Texas Department of Licensing and Regulation, effective September 1, 2003 or, authorization issued under the provisions set out in the Code of Ordinances of the City of Plano, allowing an individual to perform work which is controlled by the City Electrical Code.
2. Mechanical license is authorization issued by the State of Texas allowing an individual to install air conditioning, heating and ventilating systems or their components.
3. Plumbing license is a license issued by the State of Texas under the provisions of Article 6243.101,

Vernon's Texas Civil Statutes, as amended, (known as "The Plumbing License Law of 1974").

c. Revocation/Suspension: A contractor's registration may be suspended for the following causes:

1. The contractor fails to finalize permits by obtaining the required, approved inspections.
2. The contractor allows use or occupancy of a structure for which a permit was obtained without first obtaining the required authorization.
3. The contractor has been found by the Building Standards Commission to have been grossly negligent in the performance of his/her work. For purposes of this Section, a contractor may be found to have acted in a grossly negligent manner if such contractor has received six (6) municipal court convictions for city code violations and if such violations occurred in the twelve (12) month period preceding the revocation/suspension action before the Commission.
4. Expiration, suspension or revocation of required license, bond or insurance.

Subsection R105.3.1, Action on application; is amended by the addition of the following paragraph:

A demolition permit may be withheld for any building or structure within the Plano Historic Building and Site Survey as designated in the Preservation Plan for a period not exceeding thirty (30) days pending review by the Heritage Commission.

Section R105, is amended by the addition of *Subsection R105.9* to read as follows:

Subsection R105.9, Withdrawn Permits. Permits may be withdrawn by the applicant if no work has commenced on the project. Permit fees exceeding \$50.00 may be partially refunded. Where applicable, fees will be refunded at 80 percent of their original value, excluding the plan review and fire protection plan review deposits.

Permits for which work has commenced may not be withdrawn except for the following:

1. A subsequent permittee has obtained a permit to complete the work, or when work has started unless an inspection has been made.
2. The Building Official has determined that the existing work has created no violation of any code or ordinance.

Expired permits may be withdrawn if determined by the Building Official that no work has commenced.

Withdrawn permits with fees less than fifty (\$50) dollars are nonrefundable.

Subsection R106.1, Submittal documents; is amended by the addition of the following paragraph:

Foundation plans shall be submitted with each application. These plans shall be designed by an engineer licensed by the State of Texas and shall bear that engineer's seal.

Exception: These plans shall not be required for Group U Occupancies when not attached to another occupancy, except for those which are required by separate ordinance.

All structural plans for residential buildings in excess of 7,000 square feet in area shall be designed by an engineer licensed by the State of Texas and shall bear that engineer's seal.

Subsection R109.1.3, Floodplain inspections; is changed to read as follows:

For construction permitted in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official may require submission of documentation, prepared and sealed by a registered design professional of the elevation of the lowest floor, including basement, required in Section R323.

Subsection R110 (R110.1 through R110.4); are deleted in their entirety.

Section R112, Board of Appeals; is changed so that the Section title shall read "*Building Standards Commission.*"

Subsection R112.2.1, Determination of substantial improvement in areas prone to flooding; is deleted in its entirety.

Subsection R112.2.2, Criteria for issuance of a variance of areas prone to flooding; is deleted in its entirety.

Subsection R112.3, Qualifications; deleted in its entirety

Subsection R114, Stop Work Order; is amended by the addition of *Subsection R114.3,* to read as follows:

Subsection R114.3, Construction debris

a. Whenever work is being done that is authorized by a permit, and construction debris from that work is not confined to a container or to a site on the property approved by the Building Official or his designee, and such construction debris poses a threat to public health, safety and comfort so that it constitutes a nuisance, the Building Official or his designee may order the work stopped and the Contractor shall clean up the construction debris within thirty-six (36) hours of receiving written notice of the violation. After the expiration of the thirty-six (36) hour period, Contractor shall pay City a fifty dollar (\$50.00) reinspection fee to offset costs incurred by City due to the necessary reinspection before the stop work order is lifted.

b. Upon the issuance of the first stop work order by City pursuant to 114.3(a), the Contractor responsible for the job site where the violation occurred shall clean up such debris within thirty-six (36) hours of notice and shall pay City a fifty dollar (\$50.00) reinspection fee to offset costs incurred by City due to the necessary reinspection before the stop work order is lifted.

c. Upon issuance of the second stop work order at the specific job site because of a violation of this section pursuant to 114.3(a), the Contractor responsible for the job site shall bring the site into compliance by cleaning debris within thirty-six (36) hours, pay City a fifty dollar (\$50.00) reinspection fee to reimburse City for all costs incurred due to the necessary reinspection, and shall post a five hundred dollar (\$500.00) clean-up deposit for the job site before the stop work order is lifted. If a Contractor objects to posting such clean-up deposit, Contractor may, within five (5) days after receiving notice of the second violation at a specific job site, appeal that requirement to the Building Official. The decision of the Building Official shall be final. Interest shall not accrue on a deposit posted pursuant to this Subsection.

d. Upon issuance of a third stop work order at a job site pursuant to 114.3(a) above, the Contractor responsible for the job

site bring the site into compliance by cleaning debris within thirty-six (36) hours and shall pay a fifty dollar (\$50.00) reinspection fee. If Contractor fails to remedy the violation within such thirty-six (36) hour period, City may, at its option, clean up the debris on the job site or cause such debris on the job site to be cleaned up. If City exercises its option hereunder, Contractor shall forfeit all or a portion of its five hundred dollar (\$500.00) deposit posted pursuant to 114.3(c) for the job site at which the violation occurred.

e. The amount deducted from a Contractor's deposit pursuant to 114.3(d) shall be based upon the costs incurred by City for the cleaning of the job site and shall be an amount sufficient to reimburse City for costs incurred due to the violation. All evidence of the existence of a violation upon a job site shall be retained by the Building Inspection Department, and prior to deducting any amount for the Contractor's deposit for a job site, the Building Official or his designee shall submit to the contractor copies of all evidence establishing the existence of the violation for which the deduction was taken. If Contractor objects to such deduction from clean-up deposit, Contractor may, within five (5) days after receiving notice of the deduction, appeal to the Building Official. The decision of the Building Official shall be final.

f. Upon forfeiture of all or a portion of Contractor's initial five hundred dollar (\$500.00) deposit for a job site. Contractor shall be required to post an amount sufficient to maintain a five hundred dollar (\$500.00) clean-up deposit for the job site or to post an additional five hundred dollar (\$500.00) clean-up deposit when the costs of clean-up for the job-site are equal to or in excess of \$500.00 before the stop-work order at the job site will be lifted by the Building Official.

g. A Contractor that is required hereunder to post a five hundred dollar (\$500.00) deposit for a job site pursuant to 114.3(c) above, shall be required to maintain such deposit with the City until completion of work at the job site.

h. As used herein, the term "Construction Debris" shall include all materials utilized in the construction process, including all litter and debris deposited and left remaining upon the premises of a job site by a Contractor, Subcontractor, and their employees, agents, and assigns.

i. As used herein "Costs" shall mean all expense incurred by City for the cleaning of the job site and the amount of any unpaid municipal court fine.

(2) *Chapter 2, Definitions*

Section R202, definition of "Townhouse"; is changed to read as follows:

A single-family dwelling unit constructed in a group of attached units separated by property lines in which each unit extends from foundation to roof and with open space on at least two sides.

Section R202, add definition of "Floor Area, Gross" as follows:

The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts

Section R202; add definition of "Naturally durable wood" as follows:

The heartwood of the following species with the exception that an occasional piece with corner sapwood is permitted if 90 percent or more of the width of each side on which it occurs is heartwood.

Decay resistant - Redwood, cedars, black locust and black walnut.

Termite resistant - Redwood and Eastern red cedar.

Section R202; add definition of "Recreation Room" as follows;

A room in a dwelling unit which primary use is intended for viewing television or films, listening to recordings, or participating in video or similar games or other types of recreation use. The area of this room is not to exceed one-tenth of the floor area of the habitable space of the dwelling unit.

(3) *Chapter 3, Building Planning*

Table R301.2(1), Climatic and Geographic Design Criteria; is filled in as follows:

GROUND SNOW LOAD	WIND SPEED ^{ed} (mph)	SEISMIC DESIGN CATEGORY ^{gn}
5 lb/ft ²	90 (3-sec-gust)/75 fastest mile	A

SUBJECT TO DAMAGE FROM			
Weathering ^a	Frost line depth ^b	Termite ^c	Decay ^d
moderate	6"	very heavy	

WINTER DESIGN TEMP ^{fe}	ICE SHIELD UNDER-LAYMENT REQUIRED ^{ih}	FLOOD HAZARDS ^{hg}	AIR FREEZING INDEX ^{ji}	MEAN ANNUAL TEMP ^{kj}
22°F	No	local code	69	64.9°F

For SI: 1 pound per square foot = 0.0479 kN/m.0², 1 mile per hour = 1.09 km/h.

a.- c. no revisions, delete d., e. becomes d., f. becomes e., g. becomes f, etc.

Figure R301.2(7); delete and renumber figures as needed.

Subsection R302.1, Exterior walls; is amended by deleting the exception to the second paragraph *and adding subsection 302.1.1, to read as follows:*

R302.1.1 Encroachments: In town homes and patio homes, roof overhangs not exceeding two feet in width, and brick ledges, which support exterior veneer walls not exceeding six inches in width, may project onto an adjoining property where an easement is provided for this specific purpose.

Subsection R303.3, Bathrooms; exception; is changed to read as follows:

Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system, complying with one of the following, are provided:

1. The minimum ventilation rates shall be 50 cfm (23.6 L/s) for intermittent ventilation or 20 cfm (9.4 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside.
2. Bathrooms that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

Subsection R303.8, Required heating; is changed to read as follows:

Every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a

point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature.

Subsection R311.2.2; change to read as follows:

R311.2.2 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.8 mm) fire-rated gypsum board or one-hour fire-resistive construction.

Subsection R311.5.6.3 Handrail grip size; is changed to read as follows:

The handgrip portion of handrails shall have a circular cross section of 1 1/4 inches (32 mm) minimum to 3 1/8 inches (80 mm) maximum. Other handrail shapes that provide an equivalent grasping surface are permissible. Edges shall have a minimum radius of 1/8-inch (3.2 mm).

Subsection R312.2 Guard opening limitations; is amended with the addition of the following at the end of the paragraph;

Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.

Subsection R313.1 Smoke alarms; is amended with the addition of the following location:

4. Recreation/Media Rooms

Section R313 Smoke Alarms; is amended with the addition of the following subsection R313.3 Carbon Monoxide Detector:

A Carbon Monoxide detector shall be installed in new dwelling units. The detector may be omitted where there are neither fuel burning appliances nor an attached garage. The detectors may be either hard-wired or battery operated. Carbon Monoxide detectors shall be installed in accordance with their listing

Subsection R317.1, Two Family Dwellings; is amended by the addition of a second exception as follows:

Exceptions:

2. Two-family dwelling units that are also divided by a property line through the structure shall be separated as required for townhouses.

Subsection R318.1, Moisture control; is changed in its entirety to read as follows:

In all framed walls, floors and roof/ceilings comprising elements of the building thermal envelope, a vapor retarder, when installed, shall be installed in a manner so as to not trap moisture.

Sections R319 and R320; change to read as follows:

Revise Section R319.1 to read as follows:

R319.1, Location required. Protection from decay shall be provided in the following locations by the use of naturally durable wood ,or wood that is pressure preservatively treated in accordance with AWPA C1, C2, C3, C4, C9, C15, C18, C22, C23, C24, C28, C31, C33, P1, P2, and P3.

Locations 1-7 No revisions

R319.1.1, Field treatment. Field cut ends, notches and drilled holes of pressure preservatively treated wood shall be retreated in the field in accordance with AWPA M4.

Renumber existing sections R319.1.1 (Ground contact) through R319.1.4 (Wood columns).

Delete Section R320.1 and substitute the following:

R320.1 Subterranean termite control. In areas favorable to termite damage as established by Table R 301.2 (1), methods of protection shall be by one of the following, or any combination of these methods:

R 320.1.1 Pressure preservatively treated or naturally durable wood shall be provided as per HUD standards. Pressure perservatively treated wood shall be treated in accordance with the standards cited in R 319.1.

R 320.1.1.1 Quality Mark. Lumber and plywood required to be pressure preservatively treated in accordance with

R320.1 shall bear the quality mark of an approved inspection agency which maintains continuing supervision, testing, and inspection over the quality of the product and which has been approved by an accreditation body which complies with the requirements of the American Lumber Standards Committee treated wood program.

R320.1.1.2 Field treatment. Field cut ends, notches and drilled holes of pressure preservatively treated wood shall be retreated in the field in accordance with AWPA M4.

Revise sections R320.2 through R320.4 as follows:

Subsection R320.2 delete and replace with R320.1.2 Pesticide treatment. The concentrations, rate of application and treatment methods of the termiticide shall be consistent with the termiticide label. Pesticide treatment shall be provided using methods approved by the Environmental Protection Agency and the Texas Structural Pest Control Board.

Add subsection R320.1.3 Physical Barriers. Physical barriers shall be installed as recognized by Texas Structural Pest Control Board.

Delete subsection R320.3 Pressure preservatively treated wood and naturally resistant wood

Delete subsection R320.3.1 Field treatment.

Revise subsection R320.4 to R320.2 Foam plastic protection. In areas where the probability of termite infestation is “very heavy” as indicated in Figure R301.2 (6) , extruded and expanded polystyrene, polyisocyanurate and other foam plastics shall not be installed on the exterior face or under interior or exterior foundation walls or slab foundations located below grade and exposed earth shall be at least 6 inches (152 mm).

Exception:

1. *Buildings where the structural members of walls, floors, ceilings and roofs are entirely of noncombustible materials or pressure preservatively treated wood.*
2. *When in addition to the requirements of R320.1, and approved method of protecting the foam plastic and structure from subterranean termite damage is provided*
3. *On the interior side of basement walls.*

Subsection R321.1, Premises Identification; is changed to read in its entirety as follows:

Approved numerals of minimum three (3) inches height and of a color contrasting with the background designating address shall be placed on all new and existing buildings or structures in such a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways where said alleyways exist.

Section R323.1; change to read as follows:

R323.1 General. Buildings and structures, when permitted to be constructed in flood hazard areas (including A or V Zones) as established in Table R301.2 (1) shall be designed and constructed as required in accordance with the provisions contained in this section or by other local provisions as applicable.

Subsection R327.1, General; is changed to read as follows:

All buildings and structures, when permitted to be erected in areas prone to flooding as identified in Table R301.2(1) and classified as either flood hazard areas (including V-Zones), shall be constructed and elevated as required by the provisions contained in this section or by other local provisions as applicable.

Chapter 3, Building Planning; is amended by the addition of Section R324.

Section R324, Automatic Sprinkler Systems. An automatic sprinkler system shall be installed in all new buildings 6,000 square feet and greater, and in all existing buildings that are enlarged to be 6,000 square feet or greater, and in building greater than 6,000 square feet which are enlarged. Only gross floor area within the exterior walls shall be used to calculate the building area.

Exception:

- a. The floor areas of covered patios and porches open entirely on at least one side, except for guardrails, may be excluded in the calculation of the area of the building.

(3) *Chapter 6, Wall Construction*

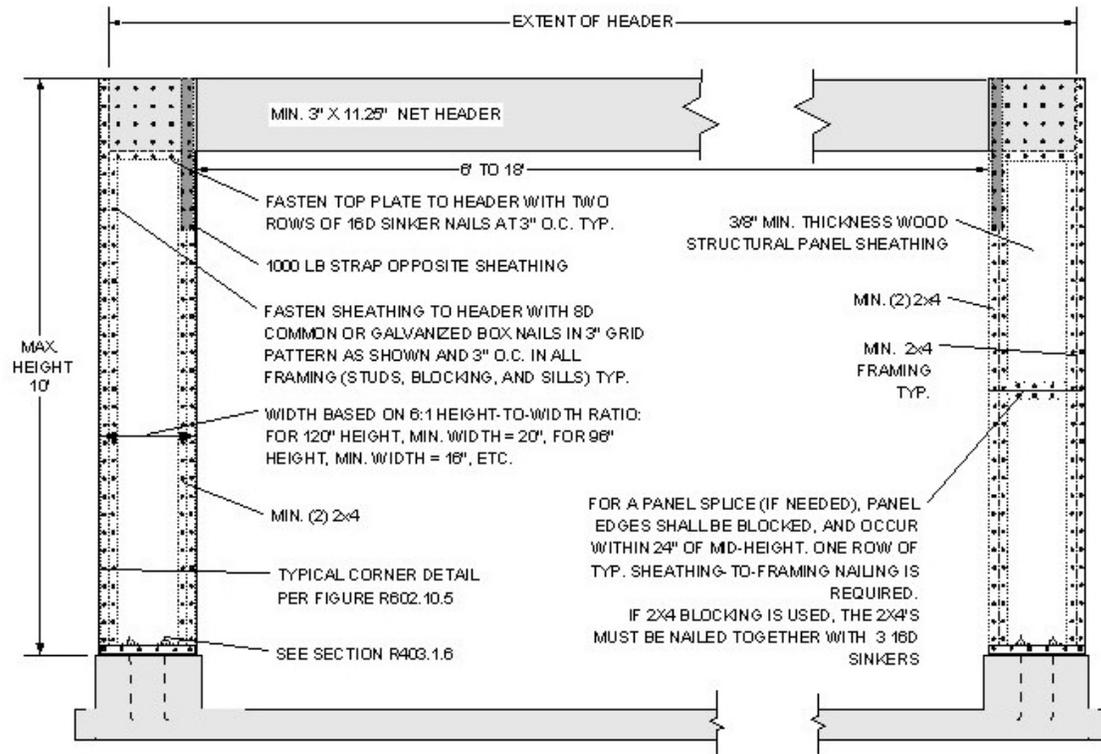
Subsection R602.6, Drilling and notching – studs; is amended by the addition of a sentence to read as follows:

Studs that are drilled or notched for plumbing pipes shall be a minimum of 2x6 studs.

Section R602.10.5; add the following exception and figure:

Exception: Vertical wall segments in the first of one- or first of two-story buildings next to garage openings shall be permitted to have a 6:1 height-to-width ratio (with height being measured from top of header to sill plate) when constructed in accordance with the following provisions. Each panel shall have a length of not less than 16 inches (406 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with a single layer of 3/8-inch-minimum-thickness (9.5 mm) wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure R602.10.5(2). The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure R602.10.5(2). The header shall extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel shall be not less than six feet (1829 mm) and not more than 18 feet (5486 mm) in length. A strap with an uplift capacity of not less than 1000 pounds (454 kg) shall fasten the header to the side of the inner studs opposite the sheathing. Two anchor bolts shall be installed in accordance with Section R403.1.6, and plate washers shall be a minimum of 2 inches by 2 inches by 3/16 inch (51 mm by 51 mm by 4.88 mm) thick and shall be used on each bolt. This exception is only permitted in Seismic Design Categories A-C.

Figure R602.10.5(2)
GARAGE DOOR BRACED WALL PANEL FOR USE WITH CONTINUOUSLY
SHEATHED WALLS



(5) Chapter 7, Wall Covering

Subsection R703.7.2 Exterior Veneer Support; is amended by the addition of a second paragraph to read as follows:

The maximum height of masonry veneer supported by wood or cold-formed steel shall not exceed (twenty-five) 25 feet. A licensed professional engineer’s design with a detail is required on all brick on wood/steel installations exceeding (five) 5 square feet, to verify the requirements of this section.

Subsection R703.7.4.1, Size and Spacing; is amended by the addition of a second paragraph to read as follows:

For 3¼ square feet (0.302 m²) of wall area, the following dimensions shall be adhered to:

1. When ties are placed on studs 16" o.c., they shall be spaced no further apart than 29" vertically starting approximately 15" from the foundation.

2. When ties are placed on studs 24" o.c., they shall be spaced no further apart than 19" vertically starting approximately 10" from the foundation.

Subsection R703.7.4.3, Mortar or grout fill; is amended by the addition of a second paragraph to read as follows:

When using ties that will flex when pushed, spot bedding of cement mortar shall be installed on all ties.

(6) *Chapter 9, Roof Assemblies*

Section R902; is amended by the addition of *Subsection R902.3*, to read as follows:

Subsection R902.3, Minimum Roof Class. All roof coverings shall be a minimum Class C. All individual replacement shingles or shakes shall be a minimum Class C.

Exception: Non-classified roof coverings shall be permitted on buildings of U occupancies having not more than 120 sq. ft. of projected roof area. When exceeding 120 sq. ft. of projected roof area, buildings of U occupancies may use non-rated non-combustible coverings.

Subsection R905.1, Roof covering applications; is amended by the addition of the following paragraphs:

Roof systems in place prior to January 18, 1988, may be repaired with roof coverings of the same type as the original roof when all the following conditions are met:

1. The repair does not exceed twenty-five (25) percent of the roof.
2. The repair does not result in an increase in the total surface area of the roof.
3. Repairs shall not exceed (twenty-five) (25) percent of the roof surface area within any twelve month period unless Class C or better roof covering is provided.

Shingles and shakes shall be applied to roofs with solid sheathing. Existing roofs may be replaced over spaced sheathing. When spaced sheathing is used, sheathing boards shall not be less than 1-inch by 4-inches (25 mm by 102 mm) nominal dimensions

and shall be spaced on centers equal to the weather exposure to coincide with the placement of fasteners. When 1-inch by 4-inch (25 mm by 102 mm) spaced sheathing is installed at 10 inches (254 mm) on center, additional 1-inch by 4-inch (25 mm by 102 mm) boards must be installed between the sheathing boards.

Subsection R905.7.1 Deck Requirements; is changed to read as follows:

Wood shingles shall only be installed on solid sheathing except as allowed for existing roofs in subsection R905.1.

Subsection R905.8.1 Deck Requirements; is changed to read as follows:

Wood shakes shall only be installed on solid sheathing except as allowed for existing roofs in subsection R905.1.

Subsection R907.1, General; is amended by the addition of a second paragraph to read as follows:

All individual replacement shingles or shakes shall comply with Section R902.3. Repairs exceeding twenty-five (25) percent of the roof surface area within any twelve month period require a building permit.

(7) *Chapter 10, Chimneys and Fireplaces*

Subsection R1005.2, Exterior air intake; is changed to read as follows:

The exterior air intake shall be capable of providing all combustion air from the exterior of the dwelling or from spaces within the dwelling ventilated with outside air such as attic spaces. The exterior air intake shall not be located within the garage or basement of the dwelling nor shall the air intake be located at an elevation higher than the firebox. The exterior air intake shall be covered with a corrosion-resistant screen of ¼ -inch (6.4 mm) mesh.

(8) *Chapter 11, Energy Efficiency*

Subsection N1101.2.1, Detached one- and two-family dwellings; is amended to read as follows:

Compliance shall be demonstrated by meeting one of the following:

1. Meeting the requirements of this chapter for buildings with a glazing area that does not exceed 15 percent of the gross area of exterior walls;
2. Meeting the requirements of this chapter for buildings with a glazing area that is greater than 15 percent but not exceeding 20 percent of the gross area of exterior walls and air conditioning equipment rated 12 SEER or higher;
3. Meeting the requirements of this Chapter for buildings with a glazing area that is greater than 20 percent but not exceeding 25 percent of the gross area of exterior walls and air conditioning equipment rated 14 SEER or higher; or
4. Meeting the requirements of the *International Energy Conservation Code* for residential buildings, detached one- and two-family dwellings.

(9) *Chapter 11, Energy Efficiency*

Subsection N1101.3; is amended by the addition of *Subsection N1101.3.4*, to read as follows:

Subsection N1101.3.4, Exterior basement or slab insulation. When susceptibility to termite damage is classified as "very heavy" according to Table R301.2(1), designs employing basement or slab exterior insulation capable of harboring termites shall not be utilized.

Subsection N1102.1, Thermal performance criteria; is amended to read as follows:

The minimum required insulation *R*-value or the weighted average maximum required fenestration *U*-factor (other than opaque doors which are governed by Section N1102.1.3) for each element in the building thermal envelope (fenestration, roof/ceiling, opaque wall, floor, slab edge, crawl space wall and basement wall) shall be in accordance with the criteria in Table N1102.1.

Detached one- and two-family dwellings with greater than 25-percent glazing area; townhouses with greater than 25-percent glazing area; shall determine compliance using the building envelope requirements of Chapters 4 or 5 of the *International Energy Conservation Code*.

Replace Table N1102.1 with:

TABLE N1102.1
SIMPLIFIED PRESCRIPTIVE BUILDING ENVELOPE THERMAL COMPONENT CRITERIA. MINIMUM REQUIRED THERMAL PERFORMANCE (U-FACTOR AND R-VALUE)

MAXIMUM GLAZING U-FACTOR [Btu/(hr·ft ² ·°F)]	MINIMUM INSULATION R-VALUE [(hr·ft ² ·°F)/Btu]						
	Ceilings open to Attic Space	Ceiling Joist/Roof Rafter Assembly	Walls	Floors	Basement Walls	Slab perimeter	Crawl space walls
0.65	R-38	R-22	R-13	R-19	R-0	R-0	R-7 ^a

a. Crawl space insulation is only required for structures with uninsulated floors

Use of this table is limited to projects where the cathedral ceiling area is limited to one third or less of the total ceiling area

Section N1102.1.6; delete last sentence of exception.

Section N1102.2, Maximum solar heat gain coefficient for fenestration products; is amended to read as follows:

The area-weighted-average solar heat gain coefficient (SHGC) for glazed fenestration installed in locations with 3,500 or fewer heating degree days (HDD) shall not exceed 0.40.

Exceptions:

1. Any glazing facing within 45 degrees of true north;
2. Any glazing facing within 45 degrees of true south which is shaded along its full width by a permanent overhang with a projection factor of 0.3 or greater.
3. Any fenestration with permanently attached screens where the screens have a rated shading coefficient of .6 or less.

Table N1103.5; amend as follows:

Cooling Systems	FLUID TEMP RANGE (°F)	INSULATION THICKNESS inches ^b
Chilled water, refrigerant or brine	40-55	.5
	Below 40	1.25

{Remainder of table unchanged.}

Amend footnote “b” to read as follows:

- b. For piping lengths in excess of five (5) feet (1,524 mm) exposed to outdoor air, increase thickness by 0.5 inch (13 mm).

(10) *Chapter 13, General Mechanical System Requirements*

Subsection M1305.1.3, Appliances in attics, is changed to read as follows:

Attics containing appliances requiring access shall be provided with an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous unobstructed solid flooring in accordance with Chapter 5 not less than 30 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair.
2. A pull down stair.
3. An access door from an upper floor level.

Exception: The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

Subsection M1305.1, Appliance access for inspection service, repair and replacement; is amended by the addition of subsection M1305.1.5 and M1305.1.5.1 to read as follows:

Subsection M1305.1.5, Water heaters above ground or

floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

M1305.1.5.1. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with *Section M1305.1.3.1.*

Subsection M1305.1.3.1, Electrical requirements; is amended by the addition of a sentence to read as follows:

Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

Subsection M1305.1.4.1, Ground clearance; is changed to read as follows:

Appliances supported from the ground shall be level and firmly supported on a concrete slab or other approved material extending above the adjoining grade a minimum of 3 inches (76 mm). Appliances suspended from the floor shall have a clearance of not less than 6 inches (152 mm) above the ground.

Subsection M1305.1.4.3, Electrical requirements; is amended by the addition of a sentence to read as follows:

Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

Subsection M1307.3.1, Protection from impact; is deleted in its entirety.

(11) *Chapter 15, Exhaust Systems*

Subsection M1501.2, Exhaust duct size; is changed to read as follows:

The minimum diameter of the exhaust duct shall be as recommended by the manufacturer, shall be at least the diameter of the appliance outlet and shall be a minimum nominal size of 4 inches (102 mm) in diameter. The size of duct shall not be reduced along its developed length nor at the point of termination.

Subsection M1501.3, Length limitation; is changed to read as follows:

The maximum length of a clothes dryer exhaust duct shall not exceed 25 feet (7620 mm) from the dryer location to the wall or roof termination with not more than two bends. When extra bends are installed, the maximum length of the duct shall be reduced 2.5 feet (762 mm) for each 45-degree (0.79 rad) bend and 5 feet (1524 mm) for each 90-degree (1.6 rad) bend that occur after the first two bends, measuring in the direction of airflow. The maximum length of the exhaust duct does not include the transition duct.

Exception:

1. *Where a clothes dryer booster fan is installed and listed and labeled for the application, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the booster fan manufacturer's installation instructions. Where a clothes dryer booster fan is installed and not readily accessible from the room in which the dryer is located, a permanent identifying label shall be placed adjacent to where the exhaust duct enters the wall. The label shall bear the words "This dryer exhaust system is equipped with a remotely located booster fan."*
2. *Where the make and model of the clothes dryer to be installed is known and the manufacturer's installation instructions for such dryer are provided to the building official, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacturer's installation instructions.*

(12) *Chapter 20, Boilers/Water Heaters*

Subsection M2005.2, Prohibited locations; is changed to read as follows:

Fuel-fired water heaters shall not be installed in a room used as a storage closet. Water heaters located in a bedroom or bathroom shall be installed in a sealed enclosure so that combustion air will not be taken from the living space. Access to

such enclosure may be from the bedroom or bathroom when through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an approved self-closing device. Direct-vent water heaters are not required to be installed within an enclosure.

Subsection M2005.2.1, Water heater access; is deleted in its entirety.

(13) *Chapter 24, Fuel Gas*

Subsection G2403, General Definitions, the definition of, "Unvented Room Heater"; is amended by the addition of the following sentence to read as follows:

For the purpose of installation, this definition shall also include "Unvented Decorative Appliances."

Subsection G2408.3, Private garages; is deleted in its entirety.

Subsection G2412.5, Identification; is amended by the addition of a second paragraph to read as follows:

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

Subsection G2413.3, Sizing; is amended by the addition of an exception to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2".

Subsection G2415.6, Piping in solid floors; is changed to read as follows:

Piping in solid floors shall be laid in channels in the floor and covered in a manner that will allow access to the piping with a

minimum amount of damage to the building. Where such piping is subject to exposure to excessive moisture or corrosive substances, the piping shall be protected in an approved manner. As an alternative to installation in channels, the piping shall be installed in accordance with Section G2415.11 (404.11).

Subsection G2415.9, Minimum burial depth; is changed to read as follows:

Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade.

Subsection G2415.9.1, Individual outside appliances; is deleted in its entirety.

Subsection G2417.1, General; is changed to read as follows:

Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 2417.1.1 through 2417.7.4 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

Subsection G2417.4, Test pressure measurement; is changed to read as follows:

Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. For tests requiring a pressure of 3 psig, mechanical gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, mechanical gauges shall utilize a dial with a minimum

diameter of three and one-half inches (3 ½”), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi.

Subsection G2417.4.1; change to read as follows:

The test pressure to be used shall be not less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) and less than 56 inches of water column pressure (13.92 kPa), the test pressure shall not be less than ten (10) pounds per square inch (40.4 kPa). For piping carrying gas at a pressure that exceeds 56 inches of water column (13.92 kPa), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.

Subsection G2417.4.2, Test duration; is changed to read as follows:

Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes.

Subsection G2420.1, General; is amended by the addition of Subsection G2420.1.4 to read as follows:

Subsection G2420.1.4, Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

Subsection G2421.1, Pressure regulators; is amended by the addition of a second paragraph and exception to read as follows:

Access to regulators shall comply with the requirements for access to appliances as specified in Section M1305.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

Subsection G2439.5, Clothes dryer ducts; is amended by the addition of a sentence to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

Subsection G2439.5.1, Maximum length; is changed to read as follows:

The maximum length of a clothes dryer exhaust duct shall not exceed 25 feet (7620 mm) from the dryer location to the outlet terminal with not more than two bends. When extra bends are installed, the maximum length of the duct shall be reduced 2 1/2 feet (762 mm) for each 45-degree (0.79 rad) bend and 5 feet (1524 mm) for each 90-degree (1.6 rad) bend that occur after the first two bends, measuring in the direction of airflow.

Exception: Where the make and model of the clothes dryer to be installed is known and the manufacturer's installation instructions for such dryer are provided to the code official, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacturer's installation instructions.

Subsection G2445.2, Prohibited use; is changed to read as follows:

One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code

provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in *International Fuel Gas Code*, Section 108.7.

Subsection G2448.1.1, Installation requirements; is changed to read as follows:

The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with this Code.

(14) *Chapter 25, Plumbing Administration*

Subsection P2503.5.1, Rough plumbing, item number 1; is amended by the addition of a second paragraph to read as follows:

Shower receptors shall be tested for water tightness by filling with water to the level of the rough threshold. The drain shall be plugged in a manner so that both sides of pans shall be subjected to the test at the point where it is clamped to the drain.

Subsection P2503.7.2, Testing; is changed to read as follows:

Reduced pressure principle backflow preventers, double check valve assemblies, double-detector check valve assemblies and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and at regular intervals as required by applicable state or local provisions.

(15) *Chapter 26, General Plumbing Requirements*

Subsection P2603.2.1, Protection against physical damage; is changed to read as follows:

In concealed locations, where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1.5 inches (38 mm) from the nearest edge of the member, the pipe shall be protected by shield plates. Protective shield plates shall be a minimum of .062-inch-thick (1.6 mm) steel, and shall cover the area of the pipe where the member is notched or bored.

Subsection P2603.6, Freezing; is amended by the addition of *Subsection P2603.6.1* to read as follows:

Section P2603.6.1, Sewer depth; Building sewers shall be a minimum of 12 inches (304 mm) below grade.

(16) *Chapter 27, Plumbing Fixtures*

Subsection P2709.1, Construction; is amended by the addition of an exception to read as follows:

Exception: Showers designed to comply with ICC/ANSI A117.1.

(17) *Chapter 28, Water Heaters*

Subsection P2801.5, Required Pan; is amended by the addition of the following sentence at the end of the paragraph:

The pan drain pipe material shall comply with Table 2904.4.1 as amended.

Subsection P2801.6; add an exception as follows:

Exception: Elevation of the ignition source is not required for water heaters that are listed as flammable vapor resistant and for installation without elevation.

Subsection P2803.6.1, Requirements for discharge; is changed to read as follows:

The outlet of a pressure relief valve, temperature relief valve or combination thereof, shall not be directly connected to the drainage system. The discharge from the relief valve shall be piped full size separately to the outside of the building or to an indirect waste receptor located inside the building.

In areas subject to freezing, the relief valve shall discharge through an air gap into an indirect waste receptor located within a heated space, or by other approved means. The discharge pipe shall not discharge into the pan required in Section P2801.5.

The discharge shall be installed in a manner that does not cause personal injury or property damage and that is readily observable by the building occupants. The discharge from a relief

valve shall not be trapped. The diameter of the discharge piping shall not be less than the diameter of the relief valve outlet.

The discharge pipe shall be installed so as to drain by gravity flow and shall terminate atmospherically. When discharging outside the building, the point of discharge shall be with the end of the pipe not more than two (2) feet (610 mm) nor less than six (6) inches (152 mm) above the ground or the floor level of the area receiving the discharge and pointing downward.

The end of the discharge pipe shall not be threaded.

(18) *Chapter 29, Water Supply and Distribution*

Subsection P2902.4.3, Lawn Irrigation Systems; is changed to read as follows:

The potable water supply system to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed down-stream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

Subsection P2903.8.2, Minimum size; is changed to read as follows:

The minimum size of individual distribution lines shall be ½ inch (6.4 mm). Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from the end of a cold water manifold, the manifold shall be one size larger than the water heater feed.

Subsection P2903.9.1, Service valve; is amended by the deletion of the last sentence of the paragraph;

Delete the following; Additionally, the water service pipe shall be valved at the curb or property line in accordance with local requirement.

Table P2904.4.1, Water Service Pipe, and Table P2904.5 Water Distribution Pipe; are amended by deletion of the following:

Cross-linked polyethylene/aluminum/cross-linked
Polyethylene (PEX-AL-PEX) pipe
Cross-linked polyethylene (PEX) plastic tubing
Polybutylene (PB) plastic pipe
Polybutylene (PB) plastic tubing
PVC plastic pipe

Subsections P2904.5, 2904.5.1 and 2904.14; is amended by deleting all references to “PB” plastic pipe.

(19) *Chapter 30, Sanitary Drainage*

Subsection P3005.2.6, Upper terminal; is changed to read as follows:

Each horizontal drain shall be provided with a cleanout at its upper terminal.

Exception: Cleanouts may be omitted on a horizontal drain less than five (5) feet (1524 mm) in length unless such line is serving sinks or urinals.

(20) *Chapter 31, Vents*

Subsection P3103.1, Roof extension; is changed to read as follows:

All open vent pipes which extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (2134 mm) above the roof.

Subsection P3105.2; is change to read as follows:

The total fall in a fixture drain due to pipe slope shall not exceed one pipe diameter, nor shall the vent pipe connection to a fixture drain, except for water closets, be below the weir of the trap.

Subsection 3105.3 and Figure P3105.3; deleted in its entirety.

Subsection P3111; is deleted in its entirety

Subsection P3112.2; delete and replace with the following:

P3112.2 Installation. Traps for island sinks and similar equipment shall be roughed in above the floor and may be vented by extending the vent as high as possible, but not less than the drainboard height and then returning it downward and connecting it to the horizontal sink drain immediately downstream from the vertical fixture drain. The return vent shall be connected to the horizontal drain through a wye-branch fitting and shall, in addition, be provided with a foot vent taken off the vertical fixture vent by means of a wye-branch immediately below the floor and extending to the nearest partition and then through the roof to the open air or may be connected to other vents at a point not less than six (6) inches (152 mm) above the flood level rim of the fixtures served. Drainage fittings shall be used on all parts of the vent below the floor level and a minimum slope of one-quarter (1/4) inch per foot (20.9 mm/m) back to the drain shall be maintained. The return bend used under the drainboard shall be a one (1) piece fitting or an assembly of a forty-five (45) degree (0.79 radius), a ninety (90) degree (1.6 radius) and a forty-five (45) degree (0.79 radius) elbow in the order named. Pipe sizing shall be as elsewhere required in this Code. The island sink drain, upstream of the return vent, shall serve no other fixtures. An accessible cleanout shall be installed in the vertical portion of the foot vent.

Subsection P3114.7, Vent required; is changed to read as follows:

Within each plumbing system, a minimum of one stack vent or vent stack shall extend outdoors to the open air and shall be equal to the cross sectional area of the sewer line serving the building.

- (21) *Chapters 33-42, Delete these chapters entirely. Replace with the 2002 National Electrical Code*
- (22) *Appendix G, Swimming Pools, Spas and Hot Tubs*

Subsection AG105.2, Outdoor swimming pool; item number 4 is changed to read as follows:

- 4. When the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence, or shall be so constructed as to not

provide a climbable surface. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

- (23) *Subsection AG105.2, Outdoor swimming pool*; item number 8.1 is changed to read as follows:

8.1. The release mechanism shall be located on the poolside of the gate at least 6 inches (152 mm) below the top of the gate

Part X – Appendices; is amended by the addition of *Appendix M, Requirements for Group R, Division 3.1 Occupancies*; to read as follows:

REQUIREMENTS FOR GROUP R
DIVISION 3.1 OCCUPANCIES
“In-Home Day Care”

Section AM101 - Definition

For the purpose of this division, Group R, Division 3.1 Occupancies or “In-Home Day Care” shall be a Single-family detached residence used for the purpose of providing daycare. The use is allowed in the caretaker’s residence under these three options:

1. Provides care for less than 24 hours a day to no more than six children under the age of fourteen, plus no more than six additional elementary school-age children (age five to thirteen). The total number of children (counting the caretaker’s own children) shall not exceed twelve at any time. Registration with the Texas Department of Protective and Regulatory Services is required, unless exempted by state law.

2. Provides care for less than 24 hours a day for seven to twelve children (including the caretaker’s and staff’s children) under the age of 14. A license from the Texas Department of Protective and Regulatory Services is required. Care provided to nine or more children that does not comply with Option 1 requires a Specific Use Permit as defined in the city zoning ordinance.

3. All group day care homes which were licensed by the State of Texas or had a license application pending on or before October 25, 1993, are considered to be a legal use in residential districts and will not require SUP approval as long as a valid license is maintained for the operation in its original location and it provides care for less than 24 hours a day for no more than twelve children (including the caretaker's and staff's children) under the age of 14.

Section AM102 - Construction, Height and Allowable Area

AM102.1 General. Building or parts of buildings classified as R3.1 because of the use and character of the occupancy shall comply with the provisions for an R-3.1 occupancy with the exception of the provisions located in this appendix chapter.

AM102.2 Special Provisions. All rooms or spaces used for the purpose of providing daycare shall be located on the ground floor. All stairways or ramps providing access to areas above or below the ground floor shall be made inaccessible to children by means of an approved permanent barrier located at the ground floor.

AM102.3. A Certificate of Occupancy is required for all buildings containing R-3.1 occupancy. Such Certificate of Occupancy must be renewed annually in conjunction with the State mandated inspections conducted by the Fire Department. The Certificate of Occupancy will only be renewed when it is determined by the Fire Marshall that the building complies with all the provisions of this Chapter. Application for the Certificate of Occupancy shall be made in the Office of the Building Official and a fee shall be collected as prescribed in the Administrative Code.

Section AM103 - Location of Lot

AM103.1. For requirements for fire resistance of exterior walls and openings, refer to Section R302 – Location of Lot.

Section AM104 - Access and Exit Facilities and Emergency Escapes

AM104.1. No room or space used for the purpose of daycare may be enclosed by doors equipped with double-keyed dead bolts. An approved emergency plan shall be posted and maintained in the facility.

Section AM105 – Light, Ventilation and Heating

AM105.1 For requirements for light, ventilation and heating Section R303, Light, Ventilation and Heating.

Section AM106 – Minimum Room Areas

AM106.1. For requirements of room dimensions, refer to Section R304, Minimum Room Areas

Section AM107 - Smoke Detectors and Fire Extinguishing Equipment

AM107.1. Every habitable room in buildings housing R3.1 Occupancies shall be equipped with an approved smoke detector. All such smoke detectors shall be interconnected in such a manner that if smoke is detected by any one detector, all detectors will alarm.

Exceptions: An approved heat detector may be substituted for the required smoke detector located in the kitchen in R3.1 Occupancies.

All other requirements for smoke detection equipment for R3.1 Occupancies must be met.

AM107.2. Kitchens in buildings housing R3.1 Occupancies shall be equipped with an approved 2A:10-B:C fire extinguisher. An additional approved 2A:10-B:C fire extinguisher shall be located in the area of the building used for daycare purposes.

Section AM108 - Heating

AM108.1. All equipment used for heating and air conditioning and all water heaters shall comply with the provisions for such equipment found in Part V – Mechanical, Part VI – Fuel Gas and Part VII – Plumbing of this code.

Section II. 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 III. 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 IV. 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 V. Any person, firm or corporation found to be violating any term or provision of this Ordinance, 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 VI. This Ordinance shall become effective from and after its passage and publication as required by law.

DULY PASSED AND APPROVED this the _____ day of _____, 2004.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY