

AN ORDINANCE OF THE CITY OF DENTON AMENDING THE CODE OF ORDINANCES OF THE CITY OF DENTON, CHAPTER 28, ARTICLE II, SECTIONS 28-26 THROUGH 28-32, BY REPEALING THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE* AND ADOPTING THE 2021 EDITION OF THE *INTERNATIONAL BUILDING CODE*, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Health & Building Standards Commission at its March 24, 2022 meeting, the City Council now finds it is in the best interests of public health, safety, and welfare to repeal the 2012 edition of the *International Building Code* and to adopt the 2021 edition of the *International Building Code* including Appendix C; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Chapter 28, Article II, Buildings and Building Regulations, Sections 28-26 through 28-32, of the Denton Code of Ordinances are repealed in their entirety and replaced with new Sections 28-26 through 28-27, to read as follows:

Sec. 28-26. 2021 International Building Code adopted.

The International Building Code, 2021 edition, published by the International Code Council, a copy of which shall be filed in the office of the city secretary and available for public inspection, is hereby adopted, the same as if copied at length herein, including appendix C and subject to the deletions and amendments enumerated in Section 28-27.

Section 28-27. Deletions and Amendments to the 2021 International Building Code.

1. Section 101.1. is deleted in its entirety and replaced with the following:

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

2. Section 101.4 is deleted in its entirety and replaced with the following:

101.4 Referenced codes. The other codes specified in sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered to be part of the requirements of this code to the prescribed extent of each such reference.

3. A new Section 101.4.8 is added, to read as follows:

101.4.8 Electrical. The provisions of the NFPA 70 *National Electrical Code* shall apply to the installation, alterations, repairs, and replacement of electrical systems, including equipment, appliances, fixtures, fittings and appurtenances and where connected to an electrical system.

4. A new Section 104.12. is added to read as follows:

104.12 Contractor Registration. The Building Official shall receive applications from and register contractors according to the rules adopted by the City.

5. The first paragraph and first two items under the “Building” list of Section 105.2 are deleted in their entirety and replaced with the following; the remainder of the Section is unchanged:

105.2 Work exempt from permit. Exemption 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. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (18.58 m²).

2. Deleted.

6. Section 109.2 is deleted in its entirety and replaced with the following:

109.2 Schedule of permit fees. Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority or ordinance of the City.

7. Section 113 Means of Appeal, is deleted in its entirety and replaced by the following:

113. General. In order to hear and decide appeals of orders, decisions or determinations made by the building official, code official, or fire marshal relative to the application and interpretation of the requirements of this Code and all other applicable codes of the City of Denton, there shall be a health and building standards commission.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

8. A new Section 903.2.9.5 is added to read as follows:

903.2.9.5 Self-Service Storage Facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

9. Section 903.2.11 is deleted in its entirety and replaced with the following.

903.2.11 Specific buildings areas and hazards. In all occupancies other than Group U, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.7.

10. A new Section 903.2.11.7 is added to read as follows:

903.2.11.7 General.

1. An automatic sprinkler shall be installed in all new buildings of noncombustible construction, (Type I & II) including group R-3, which exceed three stories in height or which have more than ten thousand (10,000) square feet (929 m²) of floor area regardless of fire area, area separation walls, or fire walls.
2. An automatic sprinkler system shall be installed in all new buildings of combustible construction, (Type III, IV & V) including Group R-3, which exceed two stories in height or which have more than seven thousand five hundred (7,500) square feet (697 m²) of floor area regardless of fire area, area separation walls, or fire walls.
3. The owner(s) of any building shall be required to install an automatic sprinkler system at such time as the owner(s) constructs an addition or enlargement to the building if the total square footage of such addition, when combined with the total square footage of the existing building, exceeds ten thousand (10,000) square feet (929 m²) of noncombustible construction (Type I & II) total floor area, regardless of fire area, area separation walls, or fire walls.
4. The owner(s) of any building shall be required to install an automatic sprinkler system at such time as the owner(s) constructs an addition or enlargement to the building if the total square footage of such addition, when combined with the total square footage of the existing building, exceeds seven thousand five hundred (7,500) square feet (696 m²) of combustible construction (Type III, IV & V) total floor area, regardless of fire area, area separation walls, or fire walls.

11. Section 903.3.1.2 is deleted in its entirety and replaced with the following:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or fewer above grade plane.
2. For other than Group R-2 occupancies, the floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.

For Group R-2 occupancies, the roof assembly is less than 45 feet (13716 mm) above the lowest level of fire department vehicle access. The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the building to the eave of the highest pitched roof, the intersection of the highest roof to the exterior wall, or the top of the highest parapet, whichever yields the greatest distance.

3. The floor level of the lowest story is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the *International Building Code* shall be measured from grade plane.

12. Section 903.3.5 is deleted in its entirety and replaced with the following:

Water supplies for automatic sprinklers systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code*. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved by the fire code official. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every water-based fire protection system shall be designed with a 10 psi (69 kPa) safety factor. Reference Section 507 of the *International Fire Code* for additional design requirements.

13. Section 907.6.3 is Deleted in its entirety and replaced with the following:

907.6.3 Initiating device identification. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

Exceptions:

1. Deleted.
2. Deleted.
3. Deleted.
4. Deleted.

SECTION 2. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid by any court, such invalidity shall not affect other provisions or applications, and to this end, the provisions of this ordinance are severable.

SECTION 3. All provisions of the ordinances of the City of Denton in conflict with the provision of this ordinance are hereby repealed. The repeal of any ordinance or any portion thereof by the preceding text shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect and such shall remain in force for all intents and purposes as if such ordinance or part thereof so repealed shall remain in force.

SECTION 4. Any person violating any provision of this ordinance shall, upon conviction, be found guilty of a misdemeanor and fined a sum not to exceed two thousand dollars (\$2,000.00) for each violation. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 5. Pursuant to Section 2.09(c) of the Charter for the City of Denton and Section 214.218 of the Texas Local Government Code, this ordinance shall become effective on June 1, 2022, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record Chronicle, the official newspaper of the City of Denton, Texas, within ten (10) days of the date of its passage and approval.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

The motion to approve this ordinance was made by Jesse Davis and seconded by Alison Maguire, the ordinance was passed and approved by the following vote [7 - 0]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	<u>✓</u>	_____	_____	_____
Vicki Byrd, District 1:	<u>✓</u>	_____	_____	_____
Brian Beck, District 2:	<u>✓</u>	_____	_____	_____
Jesse Davis, District 3:	<u>✓</u>	_____	_____	_____
Alison Maguire, District 4:	<u>✓</u>	_____	_____	_____
Deb Armintor, At Large Place 5:	<u>✓</u>	_____	_____	_____
Paul Meltzer, At Large Place 6:	<u>✓</u>	_____	_____	_____

PASSED AND APPROVED this, the 5th day of April, 2022.

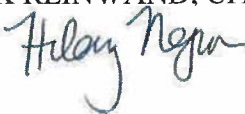


GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

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