

THE INTERNATIONAL RESIDENTIAL CODE

ORDINANCE NO. 2016-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEDERLAND, TEXAS ADOPTING THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONDITIONS, MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF NEDERLAND; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES THEREFORE; REPEALING ARTICLE IX. RESIDENTIAL CODE, IN CHAPTER 18 OF THE CITY OF NEDERLAND CODE OF ORDINANCES.

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

Section 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Nederland, being marked and designated as the International Residential Code, 2012 edition, including Appendix A,B,C,G,H,N and P as published by the International Code Council, be and is hereby adopted as the Residential Construction Code of the City of Nederland, in the State of Texas for regulating and governing the conditions and maintenance of all residential one and two family property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Inspection Department are hereby referred to, adopted, and made part hereof, as if fully set out in this ordinance, with the additions, insertions, amendments and deletions, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections of the 2012 International Residential Code are hereby revised:

Section R101.1. **Title**, of the 2012 International Residential Code is hereby revised by inserting into the jurisdiction the words City of Nederland.

Section R101.2 **Scope**, of the International Residential Code is hereby revised by adding the following to the end of section R101.2.

- A. Single-family or duplex industrialized housing must comply with all local permit and license requirements that are applicable to other single-family or duplex dwellings.
- B. Any industrialized housing shall:

1. Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for Jefferson County;
 2. Comply with applicable building setbacks, side and rear yard offsets, square footage, and other site requirements applicable to single-family dwellings;
 3. Be securely fixed to a permanent foundation; and
 4. Have exterior siding or treatment, roofing materials, roof pitch, and foundation fascia compatible with the single family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located if 51 percent of the single family dwellings located within that 500-foot area share an architectural style encompassing the above listed exterior features.
- C. In this section:
1. *Industrialized housing* has the same meaning as in § 1202.002 of the Texas Occupations Code or as that section may be amended.
 2. *Permanent foundation* means one of the following:
 - a. Pier and beam foundation are allowed where all footings are 24 inches x 24 inches and shall extend into undisturbed soil 12 inches deep. A minimum of four pieces of re-bar are required. Blocks used as piers will be solid or filled with concrete. A connecting strap or piece of re-bar shall extend from the footing up to the bottom of the structure.
 - b. A combination pier and footing is allowed, but must be no less than a round column 18" in diameter and placed 24 inches into the soil containing four pieces of re-bar with stirrups. A connecting strap or piece of re-bar shall be attached to the bottom of the structure from this column. An outside perimeter beam will be required that is a minimum of 12 inches in width and 18 inches deep, 12 inches of which must be in undisturbed soil and 8 inches or more above ground. This will allow for attachment of skirting or loading of structure. If a wider beam is required to accept the weight of the footings, that will be allowed (two and three story structures require wider footings). A beam and footer design in this situation would be allowed. This perimeter beam may be extended to the bottom of the structure. An engineered pier and beam system will be accepted, but must also include the outside perimeter beam as noted above; or,
 - c. A monolithic poured in place slab will be allowed for all industrialized housing. It shall consist of exterior beams eight inches wide and 24 inches thick that extend into undisturbed soil one foot. All load-bearing beams shall be eight inches wide or wider and 24 inches thick or thicker as required for load and soil conditions. The minimum thickness of the slab shall be five inches. This slab will extend no less than eight inches above the surrounding soil and positive drainage away from the slab shall be provided. Permanent tie down connections shall be placed in this slab to be attached to the industrialized structure; or,
 - d. An inverted monolithic slab will be allowed using the same criteria as in Section C.2.b. This would allow for a crawlspace under the structure. Venting of crawlspace shall be provided along with any additional provisions required by the Code.
 - e. An inverted monolithic slab will be allowed using the same criteria as in Section C.2.b. No blocking up above the poured concrete foundation will be allowed. Minor shimming is allowable.
 3. *Person* means an individual, partnership, association, corporation and any other entity.
 4. *Value* means the taxable value of the industrialized housing and lot after installation of the housing.
- D. Any person who intends to construct, erect, install, or move any industrialized housing into the city shall first submit all required applications to the building inspection department and obtain all required permits. In addition to any other information

otherwise required for the permits, a building permit application for industrialized housing shall:

1. Identify by address each single-family or duplex dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located;
 2. Be accompanied by at least one photograph, with identifying address, on the front of each single family or duplex dwelling located within 500 feet of the lot on which the industrialized housing is to be located;
 3. Show proof of the value of the improved property by providing:
 - a. A copy of the sales receipt, signed by the purchaser of the industrialized housing unit, including the value of the lot, if the lot is included in the sale; or
 - b. A copy of the sales receipt, signed by the purchaser of the industrialized housing unit, and documentation showing the taxable value of the lot as determined by the most recent certified tax appraisal roll for the county in which the industrialized housing is to be located, if the lot is not included in sale of the housing unit or if the value of the lot is not include on the sales receipt; and,
 4. State which of the permanent foundations specified in Subsection C.2. will be used for the industrialized housing to which the application applies.
- E. Failure to provide any documentation required in Section 2.d. will be considered grounds to deny a permit application.
- F. A person commits an offense if the person:
1. Causes or permits any industrialized housing to be constructed, erected, installed, or moved in the City without first submitting applications to the Building Inspection Department and obtaining all required permits;
 2. Causes or permits any industrialized housing which does not comply with this section to be constructed, erected, installed, or moved into the city; or
 3. Violates any provision of this section.
- G. A person who violates any provision of Subsection F.1, 2, and/or 3 above is guilty of a Class C misdemeanor. Each violation of the provisions of Subsection F.1, 2, and/or 3 shall constitute a separate offense. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00. A person who violates any provision of this subsection is guilty of a separate offense each day or part of a day during which the offense is committed.

Section R104.10.01 Flood hazard area, of the 2012 International Residential Code is hereby revised to read in full as follows: The Building Official shall not grant a permit nor grant modifications to any provisions required in special flood hazard areas unless said permit or modifications fully comply with the provisions found in Chapter 50 Floods of the City of Nederland Code of Ordinance.

Section R105.1 Permits required, of the 2012 International Residential Code is hereby revised to read in full as follows: Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace and electrical, gas, mechanical or plumbing system, the instillation of which is regulated by this code, or to cause and such work to be done, shall first make application to the Inspection Department and obtain the required permit to include but not limited to the list found in the amended section 105 .1 of the IBC in Chapter 18 Code of Ordinance.

Section R 105.1.1 Applicants responsibility of debris removal is hereby added to the 2012 International Residential Code to read in full as follows: It shall be the responsibility of every bonded contractor to remove all debris generated from the permitted work. Work requiring a permit is listed in section 105.1 of Chapter 18 City Code of Ordinance. The contractor shall not place in the street ROW any debris from the permitted work but shall furnish a storage container or other approved method for storing the debris until it is removed. Permits issued to the property owner for work actually performed by the

property owner, shall require an approved storage method on private property. The property owner is allowed under their regular scheduled trash pick-up a special onetime removal of construction debris generated from each permitted project. The total amount allowed in this pickup is limited to four (4) cubic yards. Any debris generated over this limit is considered a heavy accumulation and is not considered as part of the regular scheduled trash removal. Any debris in excess is hereby the responsibility of the property owner/applicant to remove. One example of the four (4) cubic yards is described as approximately: six (6) ft. in length by four (4) ft. in depth by four (4) ft. in height or any geographical shape adding up to (4) cubic yards in volume. The property owner/applicant shall contact the City Solid Waste Department to request and coordinate the one time city removal.

Section R105.2 Work exempt from permit of the 2012 International Residential Code is hereby amended to refer to the exempt list in section 105.2 of Chapter 18, City of Nederland Code of Ordinance, and Amended Building Code.

Section 105.5.1 Abandoned permits. is hereby added to the 2012 International Residential Code to read as follows: For Commercial and residential permitted projects; if after beginning work, the project is left abandoned for (180) days, the permit will become expired as described in section R105.5; the Building Official shall have the right to additional enforcement by submitting the abandoned project to the Construction Board of Adjustments and Appeals for a rendering whether the current work/current stage of the construction is in a safe condition to continue its abandonment or whether the current stage is creating an unsafe condition. An unsafe condition is created by not meeting the minimum codes and threshold's required of a building to be considered structurally and exteriorly complete. All exterior apparatuses shall be installed and include but not limited to windows, doors, exterior finished veneer and all roof components etc. These minimum thresholds and design loads shall be certified by a Texas Registered Engineer and include but not limited to; wind load, live load and dead loads. If it is shown that the permit applicant cannot or will not comply with the board, the Board may direct the Building Official to immediately file on the permit applicants performance bond. If the bond is honored successfully and the amount granted will cover all cost to the City, the funds will be used for compliance with the minimum standards as stated above. If the funds cannot cover the minimum for compliance, the City may use the funds for demolition but only if a final demolition order is given by the City Council.

Section 106.2 Site plan or plot plan of the 2012 International Residential Code is hereby amended to refer to the requirements shown in Section 107.2.5 of Chapter 18, City of Nederland Code of Ordinance, and Amended Building Code.

Section R107.3 Temporary power of the 2012 International Residential Code is hereby amended to refer to section 108.3 of Chapter 18, City of Nederland Code of Ordinance.

Section R108.2 Schedule of permit fees of the 2012 International Residential Code is hereby amended to refer section 109.2 of Chapter 18, City of Nederland Code of Ordinance.

Section R108.6 Work commencing before permit issuance of the 2012 International Residential Code is hereby revised to read in full as follows: Where work for which a permit is required by this code is started or preceded prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such doubled fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any penalties prescribed herein.

Section R110.3 Required inspections of the 2012 International Building Code is hereby revised to read in full as follows: The Building Official, upon notification, shall make the inspections set forth in Sections of R109 of the International Residential Code. Inspections will not be performed unless the job site has in place accommodations for a construction

restroom, address numbers installed visibly from the adjacent street, storm water standards in place and accommodations for debris storage and removal. No inspections will be performed on job sites found with work debris placed in a street right-of-way.

Section R110.3.10 Final Inspection of the 2012 International Residential Code is hereby revised to read in full as follows: The final inspection shall be made after all work required by the building permit is completed and the all debris from the permitted work is removed from the property and disposed of by the contractor at the contractor's expense.

Section R112.1 General, of the 2012 International Residential Code is hereby revised to read in full as follows: In order to hear and decide appeals of the orders, decisions or determinations made by the Building Official relative to the application and interpretation of the code, there shall be and is hereby created a Construction Board of Appeals. The Construction Board of Appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business. The Construction Board of Appeals shall be the Board of Appeals as referenced through the content of this code.

Section R113.4 Violation penalties of the 2012 International Residential Code is hereby revised to read in full as follows: Any person, firm or corporation violating any of the provisions of these regulations or who shall fail to comply with any of the requirements hereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder, shall be deemed guilty of a misdemeanor and upon conviction shall be subjected to a fine not to exceed two thousand (\$2,000.00) dollars and each day such violation continues or exist shall constitute a separate offense. The owner of any building or premises or part thereof, where anything in violation of these regulations shall be placed or shall exist and any architect, builder, contractor or agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction thereof, shall be fined as herein provided.

Section R115 Referenced 2012 International Building Code Amendments is hereby added to read as follows: Any section shown as a revision or addition in the adoption of the 2012 International Building Code in Chapter 18 of Code of Ordinances, and referring too or intended to refer to both commercial and/or residential codes shall be governing over for the section intended.

Section R313.2 One and two-family dwellings automatic fire systems of the 2012 International Residential Code is hereby deleted in full.

Section R403.1.3.2 Slabs-on-ground with turned-down footings, of the 2012 International Residential Code is hereby revised to read in full as follows: Slabs-on-ground with monolithically poured footings shall have a minimum of four No. 5 bar, two within two to three inches of the bottom of the footing and two in the top of the footing six inches below the surface of the slab.

Section R403.1.4 Minimum depth, of the 2012 International Residential Code is hereby revised to read in full as follows: All exterior footings shall extend six inches into undisturbed soil and have an overall depth of at least 20 inches for a single story residence and an overall depth of at least 24 inches for a two story residence. The width of the footing shall be at least 12 inches and 16 inches respectively.

Section M 1411.3 Condensate disposal, of the 2012 IRC is hereby revised to read in full as follows: Condensate from all cooling coils or evaporators shall be conveyed to discharge into a minimum 1 ½ "trap the discharge pipe shall maintain a minimum

horizontal slop in the direction of the trap of not less than 1/8 unit vertical in 12 units horizontal (1-percent slope)

Section P2602.1 General, of the 2012 IRC is hereby revised to read in full as follows: The water-distribution and sanitary drainage system of any building or premises where plumbing fixtures are installed shall only be connected to the public water supply and sewer system. Private water systems and septic systems are prohibited.

Section P2905.4 Water service pipe, of the 2012 IRC is hereby revised by deleting from the list shown in the referenced Table 2905.4 materials, Asbestos's-cement water pipe, Ductile iron water pipe and Galvanized steel water pipe, Acrylonitrile butadiene styrene (ABS) plastic water pipe and Polyethylene (PE) plastic water pipe tubing.

Section P2905.5 Water distribution pipe, of the 2012 IRC is hereby revised by deleting from the list shown in the referenced Table 2905.5 the material Galvanized steel pipe.

Section P3002.1 Piping within the building, of the 2012 IRC is hereby revised by deleting from the list shown in the referenced Table 3002.1(1) **Above ground drainage and vent pipe**, materials Acrylonitrile butadiene styrene (ABS) drainage pipe DR22 and DR24, Galvanized steel drainage pipe, and from the list shown in referenced Table 3002.1(2) **Underground building drainage and vent**, materials Acrylonitrile butadiene styrene (ABS) drainage pipe DR22 and DR24, Asbestos's-cement drainage pipe and Cast-iron drainage pipe.

Section P 3002.2 Building sewer of the 2012 IRC is hereby revised by deleting from the list shown in the referenced Table 3002.2 Building sewer pipe materials, Asbestos's-cement sewer pipe, Cast iron sewer pipe, concrete pipe and Vitrified clay sewer pipe.

Section E3406.2 Conductor material of the 2012 IRC is hereby revised to read in full as follows: Conductors used to conduct current shall be limited to copper conductors.

Section E3406.3 Minimum size of conductors of the 2012 IRC is hereby revised to read in full as follows: The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper.

Section E3601.6.2 Service disconnect location of the 2012 IRC is hereby revised to read in full as follows: The service disconnecting means shall be located outside, within sight of and nearest the utility company's electric meter.

Section E3604 Service mast as support of the 2012 IRC is hereby revised to read in full as follows: All service conductors shall be installed in raceway type service mast only. Service raceway risers installed through the roof shall be a minimum of 2" rigid metal conduit. Service raceways not penetrating the roof shall be supported to the wall by means described herein and shall only be raceways of rigid metal conduit, intermediate metal conduit, schedule 80 PVC conduit or electrical metallic tubing.


Section 3. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Nederland hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this legislation or in the International Residential Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 5. That the **City Secretary** is hereby ordered and directed to cause this legislation to be published. (An additional provision may be required to direct the number of times the legislation is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)


Section 6. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **ten (10) days** from and after the date of its final passage and adoption.

PASSED AND APPROVED this 11TH day of JANUARY, 2016.




R. A. Nugent, Mayor
City of Nederland, Texas

ATTEST:



Gay Ferguson, City Clerk
City of Nederland,

APPROVED AS TO FORM AND LEGALITY:



Jesse Branick, City Attorney
City of Nederland, Texas