



CITY CLERK DEPT.

2016 MAY 10 PM 5:37

Planning & Inspections Department

Mayor
Oscar Leoser

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

City Council

District 1
Peter Svarzbein

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Cortney C. Niland

City Manager
Tommy Gonzalez

DEPARTMENT: PLANNING & INSPECTIONS DEPARTMENT

**AGENDA DATE: INTRODUCTION: MAY 17, 2016
PUBLIC HEARING: MAY 31, 2016**

CONTACT PERSON NAME AND PHONE NUMBER:

LARRY F. NICHOLS, (915) 212-1550, nicholslf@elpasotexas.gov

VICTOR MORRISON-VEGA, (915) 212-1553, Morrison-vegavx@elpasotexas.gov

DISTRICT(S) AFFECTED: ALL

SUBJECT:

An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Administrative Code), adding provisions for Demolition Permit, Certificates of Use, and Conditional Certificates of Occupancy, Chapter 18.08 (Building Code), 18.10 (Residential Code), 18.12 (Mechanical Code), 18.16 (Electrical Code), 18.20 (Plumbing Code), 18.24 (Gas Code), 18.28 (Existing Building Code), 18.30 (Swimming Pool and Spa Code), 18.50 (Property Maintenance Code), 18.70 (Energy Conservation Code), adopting the 2015 International Building Codes, and the 2014 National Electrical Code, and adopting appropriate local amendments, and amending Title 9, Chapter 9.52, adopting the 2015 International Fire Code, the penalty being as provided in 18.02.111 of the El Paso City Code.

Discussion and action on the following code changes to Title 18 (Building & Construction) of the City Code, as follows:

- a.) An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code.
- b.) An Ordinance adopting the 2015 Edition of the International Building Code and amending Title 18 (Building & Construction), Chapter 18.08 (Building Code) of the El Paso City Code to provide for local amendments.
- c.) An Ordinance adopting the 2015 Edition of the International Residential Code and amending Title 18 (Building & Construction), Chapter 18.10 (Residential Code) of the El Paso City Code to provide for local amendments.

Larry F. Nichols – Department Head
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- d.) An Ordinance adopting the 2015 Edition of the International Mechanical Code and amending Title 18 (Building & Construction), Chapter 18.12 (Mechanical Code) of the El Paso City Code to provide for local amendments.
- e.) An Ordinance adopting the 2014 Edition of the National Electrical Code and amending the Title 18 (Building & Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to provide for local amendments.
- f.) An Ordinance adopting the 2015 Edition of the International Plumbing Code and amending the Title 18 (Building & Construction), Chapter 18.20 (Plumbing Code) of the El Paso City Code to provide for local amendments.
- g.) An Ordinance adopting the 2015 Edition of the International Fuel Gas Code and amending Title 18 (Building & Construction), Chapter 18.24 (Gas Code) of the El Paso City Code to provide for local amendments.
- h.) An Ordinance adopting the 2015 Edition of the International Existing Building Code and amending Title 18 (Building & Construction), Chapter 18.28 (Existing Building Code) of the El Paso City Code to provide for local amendments.
- i.) An Ordinance adopting Title 18 (Building & Construction), Chapter 18.30 (Pool & Spa Code) of the El Paso City Code to provide for local amendments.
- j.) An Ordinance adopting the 2015 Edition of the International Property Maintenance Code and amending Title 18 (Building & Construction), Chapter 18.50 (Property Maintenance Code) of the El Paso City Code to provide for local amendments.
- k.) An Ordinance adopting the 2015 Edition of the International Energy Conservation Code and amending Title 18 (Building & Construction), Chapter 18.70 (Energy Conservation Code) to the El Paso City Code and providing for local aments.
- l.) An Ordinance adopting the 2015 Edition of the International Fire Code and amending Title 9, Chapter 9.52 (Fire Prevention Code) of the El Paso City Code.

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BACKGROUND / DISCUSSION:

The International Code Council has published the 2015 Edition of the International Code Family and local public input and industry input has been taken to assure that the current version of the codes are amended and adopted as appropriate for the City of El Paso. These codes are normally revised on a three-year cycle, and adoption is key to stay abreast of modern developments in building safety and to be consistent with adoption by the State of Texas of certain codes.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

Larry F. Nichols – Department Head

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ORDINANCE NO. _____

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AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.50 (PROPERTY MAINTENANCE CODE), ADOPTING THE 2015 INTERNATIONAL BUILDING CODE , AND ADOPTING APPROPRIATE LOCAL AMENDMENTS, THE PENALTY BEING AS PROVIDED IN 18.02.111 OF THE EL PASO CITY CODE

WHEREAS, the 2015 Addition of the International Building Codes has been published and adoption of the 2015 International Building Codes are now proposed; and

WHEREAS, the Building Official for the City of El Paso has reviewed and favorably recommends the adoption of the 2015 International Building Codes; together with the local amendments appropriate for the City of El Paso; and

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 18, (Building and Construction), Chapter 18.50 (Property Maintenance Code) is hereby amended as follows:

Chapter 18.50 - PROPERTY MAINTENANCE CODE

18.50.010 - Short title.

This chapter may be cited as the "Property Maintenance Code."

18.50.020 - Adoption.

The book entitled "International Property Maintenance Code," 2015 Edition, a copy of which authenticated by the city clerk is on file in the city clerk's office, is adopted as the Property Maintenance Code of the city, as fully as if copied at length in this chapter, but with the amendments set forth in this chapter and Chapter 18.02, the Building and Administrative Code of the City of El Paso.

18.50.025 – Section 102.6 Applicability.

102.6 Historic Buildings. Replaced:

The provisions of this code shall be mandatory for existing buildings or premises designated or determined to be of historic value by the Historic Preservation Office.

18.50.030 - Section 202 General Definitions, amended.

International Property Maintenance Code, 2015 Edition, Section 202 General Definitions is hereby amended to add the following definitions to read as follows:

BOARD. The Building and Standards Commission for the City of El Paso.

Historic Building

Item 4. A building, object, site or structure that is forty five years or older and is determined by the Historic Preservation Commission to be of historical, cultural, architectural or archaeological importance, and where demolition or destruction would constitute a loss to the quality and character of El Paso.

OFFICIAL. The building official or any duly authorized representative or designee of the city manager.

OVERLAY ZONING DISTRICT. A district established by ordinance to prescribe special regulations to be applied to a site in combination with the underlying or base district.

STREET FRONTAGE. The length of the elevation or façade of a structure facing a public street or parking area, including main and any secondary public access to the structure. Structures on corner lots will be considered to have two street frontages.

URBAN NUISANCE. A premises or structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety and welfare.

STREET FACADE. The elevation of the structure facing or abutting a public street including the main public access or entry to the structure.

VACANT. The term "vacant" shall have the meaning as defined in Chapter 18.40 of this title.

VACANT PREMISES. A structure having vacant or unoccupied floors, suites, and/or tenant spaces

18.50.040 - Section 301.1 Scope, amended.

International Property Maintenance Code, 2015 Edition, Section 301.1 Scope is hereby amended to read as follows:

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property and shall apply to both vacant and occupied structures and premises.

18.50.050 - Section 302.2 Grading and drainage, amended.

International Property Maintenance Code, 2015 Edition, Section 302.2 Grading and Drainage, is hereby amended to read as follows:

302.2 Grading and drainage. All premises shall be graded and/or maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

18.50.060 - Section 302.4 Weeds, amended.

International Property Maintenance Code, 2015 Edition, Section 302.4 Weeds, is hereby amended to read as follows:

302.4 Weeds, Trash, Rubbish and other Matter. All premises and exterior property shall be maintained free from weeds or plant growth in accordance with Chapter 9.04 of the City Code.

18.50.070 - Section 304.3 Premises identification, amended.

International Property Maintenance Code, 2015 Edition, Section 304.3 Premises Identification, is hereby amended to read as follows:

304.3 Premises Identified. Premises shall be identified in accordance with the requirements of Chapter 18.08 or 18.10 of the City Code.

18.50.080 - Section 304.14 Insect screens, amended.

International Property Maintenance Code, 2015 Edition, Section 304.14 Insect screens, is hereby amended to read as follows:

304.14 Insect Screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

18.50.090 - Section 310 Additional requirements for vacant structures/premises, added.

International Property Maintenance Code, 2009 Edition, Section 310 Additional requirements for vacant structures/premises, is hereby added to read as follows:

Section 310 Additional requirements for vacant structures/premises.

310.1 Street façade/frontage windows and doors. On the street façade/frontage, the exterior surface of any window shall not be covered by any substance or adhesive material sprayed, painted or otherwise applied to the windows. All street façade/frontage windows and doors having cracked, broken or missing glass or glazing material shall be repaired and replaced with glass and glazing material in a manner compatible with the original design of the structure.

Exceptions:

The required glazing of street frontage windows and doors may be substituted with artistic panels under the following conditions.

1. The artistic panels and their installation are limited to the first floor, or must present an aesthetically unified façade/frontage design and must comply with the boarding standards represented in the International Property Maintenance Code Appendix A.
2. Artistic panels proposed as an alternate to the glazing requirements on a structure within an overlay district shall be subject to approval by the overlay district administrator.
3. Building owners desiring to install artistic panels on a structure in a historic district must first apply for and receive a certificate of appropriateness prior to installation.
4. Windows on all occupied floors shall be kept in sound condition, good repair and weather tight. All glazing materials shall be maintained free from cracks and holes. Artistic panels shall not be applied to windows or doors on occupied floors. All windows and doors shall be maintained and secured to prevent unauthorized entry.

310.3 Historic Buildings. Any restoration, rehabilitation, maintenance or demolition of a historic building and any building with a historic zoning overlay is subject to the requirements of this chapter and chapter 20.20 of this Code, and whichever being the more restrictive shall govern.

18.50.100 - Section 501.1 Scope, amended.

International Property Maintenance Code, 2015 Edition, Section 501.1 Scope, is hereby amended to read as follows:

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided for both vacant and occupied structures and premises.

18.50.110 - Section 503.4 Floor surface, amended.

International Property Maintenance Code, 2015 Edition, Section 503.4 Floor surface, is hereby amended to read as follows:

503.4 Floor surface. In other than owner occupied dwelling units, every toilet room floor shall be constructed of a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

18.50.120 - Section 601.1 Scope, amended.

International Property Maintenance Code, 2015 Edition, Section 601.1 Scope, is hereby amended to read as follows:

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided for both vacant and occupied structures and premises.

18.50.130 - Section 605.2 Receptacles, added

International Property Maintenance Code, 2015 Edition, Section 605.2 Receptacles, is hereby amended to read as follows:

605.2 Receptacles. Added

Every countertop outlet within five feet of the flood rim of the kitchen sink shall be a ground fault circuit interrupter receptacle.

18.50.140 - Section 605.3 Luminaires, amended.

International Property Maintenance Code, 2015 Edition, Section 605.3 Luminaires, is hereby amended to read as follows:

605.3 Lighting Fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room, furnace room, attached garage, and detached garage with electric power shall be provided with at least one wall switch controlled ceiling or wall type light fixture. Pool and spa luminaires over 15 volt shall have ground fault circuit interrupter protection.

18.50.150 - Section 701.1 Scope, amended.

International Property Maintenance Code, 2015 Edition, Section 701.1 Scope, is hereby amended to read as follows:

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided, for both vacant and occupied structures and premises.

18.50.160 - Appendix A, Boarding Standard, adopted.

International Property Maintenance Code, 2015 Edition, Appendix A, Boarding Standard, is hereby adopted in its entirety

18.50.170 - Appendix A, Boarding Standard, Section A101.1 General, amended.

International Property Maintenance Code, 2015 Edition, Appendix A, Boarding Standard, Section A101.1 General, is hereby amended to read as follows:

A101.1 General. Except as otherwise required by this chapter, all windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

SECTION 2. That except as herein amended, Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code) of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this ____ day of _____, 2016.

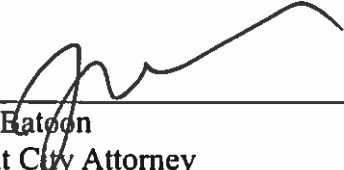
THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



John R. Batoon
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry Nichols, Director
City Development Department

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