

ORDINANCE NO. 093-011

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 5, ARTICLES I AND II, OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS, TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES. PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Code of Ordinances of the Town of Addison be amended by adding a section numbered 5-1.1 to read as follows:

Sec. 5-1.1. Licensing required.

- (a) No person shall engage in the business of construction, or make any repairs, alterations or changes to an existing building unless that person is licensed as a building contractor by the Town of Addison. However, no license is required for work that is not required to be permitted.
- (b) There will be a fee of \$50.00 for a building contractor's license.
- (c) The building contractor's license shall be valid for one year from the date of registration.
- (d) The building contractor shall be subjected to the requirements and penalties of the Code of Ordinances of the Town of Addison.

Exception: Home owners are not required to be licensed as building contractors to perform work in their own homes.

SECTION 2. That Section 5-2 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-2. Subcontractor's and miscellaneous permit fee schedule.

The subcontractor's and miscellaneous permit fee schedule shall be as follows:

SUBCONTRACTOR WORK

"Subcontractor's work" shall mean the various types of work listed below which are done in previously completed building and when not done as part of the work allowed under a combined permit.

<u>Type of Work</u>	<u>Fee</u>
Electrical Work	Table 3-A of the UBC
Plumbing Work	Table 3-A of the UBC
Mechanical Work	Table 3-A of the UBC
Irrigation Sprinkler System	Table 3-A of the UBC
Demolition	\$100.00
Note:	If ordered by the city to demolish a building, there is no fee charged.
Moving all Buildings	\$100.00

SECTION 3. That Section 5-16 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-16. Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the Uniform Building Code, 1991 Edition (a copy of which, authenticated by the signature of the Mayor and the City Secretary, and made a public record by ordinance, is on file in the city secretary's office) is hereby adopted as the building code of the city as fully as if copied at length in this article, but with the changes therein and additions thereto provided in this article. Also, adopted are Chapter 31 and Chapter 55 of the Appendix to the 1991 Edition of the Uniform Building Code.

SECTION 4. That the Code of Ordinances of the Town of Addison be amended by changing Section 18 to read as follows:

Sec. 5-18. Board of appeals.

There is hereby created a board of appeals, consisting of three (3) members and two (2) alternates appointed by the City Council. The building official shall be an ex officio member and shall act as secretary of the board. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. The powers of the board of appeals shall be as follows:

- (1) To hear appeals from decisions of the building official;
- (2) To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board's judgement, the material or method of construction is at least equivalent to that prescribed and
- (3) To hear complaints from the building official arising against any person, firm, or corporation licensed by the Town of Addison to perform construction work and shall have the power, after hearing, to revoke or suspend said license for the following reasons:
 - a. Chronic violation of the code;
 - b. Misrepresentation of material facts in obtaining said license or renewal thereof;
 - c. Chronic failure to secure permits, inspections, or approvals as required by the code; or
 - d. Use of said license to obtain a permit for another person, firm, or corporation.

SECTION 5. That Section 5-20 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-20. Application for permit.

Section 302(b) of the Uniform Building Code is amended to read as follows:

(b) Plans and Specifications. Plans, engineering drawings and calculations, diagrams and other data as required by the building official shall be submitted in one or more sets with each application for a permit. The building official shall require structural plans and engineering calculations to be prepared by a person licensed by the State of Texas to provide such services. Such plans and calculations must bear the seal of the person responsible for them. This requirement shall apply to all non-residential uses and all apartments and town houses. Submittals shall include construction inspection requirements as defined in Section 302(c).

Exception: The building official may waive the submission of plans, calculations, and other such data, if he finds that the nature of the work applied for is such that professionally prepared plans are not necessary to insure compliance with this code.

If deemed necessary by the building official to insure the structural safety of the building or structure, the building official may require that plans for uses other than those listed above be prepared by a person licensed by the State of Texas to prepare structural drawings or calculations.

SECTION 6. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing Section 5-20.1 to read as follows:

Sec. 5-20.1. Plans.

The second paragraph of Section 302(d) of the Uniform Building Code is hereby deleted.

SECTION 7. That Section 5-23 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-23. Fee refunds.

Subsection 304(f) of the Uniform Building Code is amended to read:

"There will be no refunds of building permit fees except in the following instances:

- (1) When it is determined that the permit was issued due to an error by the building official, a full refund may be authorized, or

- (2) When it is determined that a permit cannot be legally issued, or
- (3) In cases where the building permit has been issued and the fee paid, and no portion of the work has been commenced. However, the city will, in any case, retain fifty dollars (\$50.00), or the total amount paid if less than fifty dollars (\$50.00)."

SECTION 8. That Section 5-23.1 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-23.1. Inspections.

Section 305(a) of the Uniform Building Code is amended by adding the following:

"That no building permit shall be issued for the construction of any building, or improvements for which a building permit is required, until the property shall have been platted as a subdivision and the plat filed for record with the county clerk of Dallas County, Texas."

SECTION 9. That Section 5-24 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-24. Certificate of Occupancy.

Section 307 of the Uniform Building Code is amended to read:

- (a) Use or Occupancy. No building, structure or land may be occupied or used until a certificate of occupancy has been issued by the building official as provided herein. Group R, Division 3 occupancies are exempt from the requirements of this section.
- (b) Change in Use. A certificate of occupancy shall be obtained for a building, structure, or land when there is a change in uses as found in the zoning ordinance of the Town of Addison, when there is a change in occupancy classification as found in the Uniform Building Code, or when there is a change in tenants or occupants of the building, individual lease space, individual suite, structure, or land.

- (c) Certificate Issued. After all necessary inspections are conducted by the building inspection division and the fire department, and when it is determined that the building, individual lease space, individual suite, structure, or land complies with all applicable provisions of the ordinances of the Town of Addison, the building official shall issue a certificate of occupancy which may contain the following:
1. The address of the building, structure or land.
 2. The name of the tenant or occupant who is occupying or using the building, individual lease space, individual suite, structure or land.
 3. A statement concerning the approved use of the building, structure or land.
 4. The maximum allowed occupant load for assembly uses.
 5. Other information deemed necessary by the building official.
- (d) Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.
- (e) Revocation. The building official may revoke a certificate of occupancy when it is determined that it was issued in error or on the basis of incorrect information, or in the event of an unapproved additional use or occupancy or unapproved change in use or occupancy of the building, individual lease space, individual suite, structure, or land.
- (f) Temporary Certificate. If the building official finds that no substantial hazard will result from the occupancy of any building or portion thereof before the same is completed, he may issue a temporary certificate for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.
- (g) Fee. There will be a \$50.00 fee for each Certificate of Occupancy.

SECTION 10. That the Code of Ordinances of the Town of Addison, Texas, be amended by deleting Section 5-25.1.

SECTION 11. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing Section 5-25.2 to read as follows:

Sec. 5-25.2. Occupancy separation.

Section 503(d), Exception 3, is amended by revising the words "...materials approved for one-hour fire-resistive construction..." to read "...1/2 inch gypsum board..." The words "...self-closing..." shall be deleted.

An Exception 5 is also added to Section 503(d) to read as follows:

The one-hour occupancy separation wall between Group B, Division 2 Occupancies and the elevator lobbies of open parking garages may be constructed with openings protected by fixed tempered glass in frames or 135 degrees F sprinkler heads which must be located in such a manner as to thoroughly wet the openings when the heads are activated. Doors may be constructed as specified in Section 3305(h)1, Exception 3.

SECTION 12. That Section 5-26 of the Code of Ordinances of the Town of Addison, Texas, be amended to read as follows:

Sec. 5-26. This section is amended to require the fire resistive substitutions as set out in Section 508 of the 1991 Uniform Building Code.

SECTION 13. That Section 5-27 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-27. Fire extinguishing and detection system.

Section 707 of the Uniform Building Code is hereby amended to read as follows:

- (a) When required by other provisions of this Code, automatic fire extinguishing systems and standpipes shall be installed as specified in Chapter 38.
- (b) An approved smoke detection system shall be installed according to its listing and the Uniform Fire Code in all buildings three or more stories in height in the following locations:

- (1) Every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room.
- (2) In the main return and exhaust air plenum of each air-conditioning system and located in a serviceable area downstream of the last duct inlet.
- (3) At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. The fire detection system shall also be equipped with manual fire alarm boxes, local fire alarms and supervision by means of a continuously manned control station either in the building or at a remote location approved by the Fire Chief. The installation, inspection and maintenance shall be according to the standards set forth in NFPA pamphlets 72A and 72C.

SECTION 14. That Section 5-27.1 of the Code of Ordinances of the Town of Addison, Texas, be amended to read as follows:

Subsection 1705(b)1 of the Uniform Building Code is amended by adding Item E which will read as follows:

E. Non-rated construction within a single tenant space in the following circumstances:

- (a) If the travel distance of the corridor is less than seventy-five (75) feet; or
- (b) If the travel distance of the corridor is seventy-five (75) feet or more and;
 - (i) Smoke detectors are installed along the path of travel per manufacturer's instructions, but in no case less than 60 feet.
 - (ii) The actuation of the smoke detectors provides an alarm audible within the space.
 - (iii) The smoke alarms are connected to the building's fire alarm system where such a system is provided.

SECTION 15. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing Section 5-29.1 to read as follows:

Sec. 5-29.1. Sprinkler system in high-rise construction.

Subsection 1807(c)1 system design of the Uniform Building Code is amended by adding the following:

- C. Shut-off valves and water flow devices shall be provided on each floor. In addition to activating the building alarm system when water flow is detected, such valves shall be supervised by a continuously manned control station either within the building or at a remote location approved by the Fire Chief.
- D. The sprinkler system shall be looped between standpipe risers at the bottom of the building.
- E. Pipe may be copper or steel with no minimum size of pipe required. Solder used in connection shall contain not less than 95 percent tin and 5 percent antimony.
- F. Pitching of lines is not required.
- G. A minimum of one fire pump shall be provided and sized for the sprinkler demand and for a minimum 500 gallons per minute Fire Department standpipe operation.
- H. In addition to providing the normal required protection, sprinkler heads in elevation lobbies must be located in such a manner that the elevator doors will be thoroughly wet when the heads are activated.
- I. Activation of the lobby sprinkler system shall activate the voice alarm system in the building and shall return all elevators to the main floor or approved transfer floor.

SECTION 16. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing section 5-30.2 to read as follows:

Sec. 5-30.2. Two-way communication.

Subsection 1807(e)3 of the Uniform Building Code is amended by changing the second sentence to read:

It shall operate between the central control station and every elevator, elevator lobby, and an approved point inside every entry door to every enclosed exit stair.

SECTION 17. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing section 5-30.3 to read as follows:

Sec. 5-30.3. Central Control Station.

Subsection 1807(f) of the Uniform Building code is amended by revising item 5 to read as shown and by adding items 13 through 17.

5. Status indicators and controls for air-handling systems and instructions for operating such systems.
13. Suitable storage compartment for plans and such building plans as are required by the Fire Chief.
14. Key storage area and such building keys as are required by the Fire Chief.
15. Generator fuel level indicator of a type required by the Fire Chief.
16. Indicator which will show the activation of any alternate fire protection system, such as a halon system.
17. Manometers to indicate air pressure in stairwell enclosures and vestibules.

SECTION 18. That the Code of Ordinances of the Town of Addison, Texas, be amended by changing section 5-30.4 to read as follows:

Sec. 5-30.4. Window Marking.

Subsection 1807(g)1 of the Uniform Building Code is amended by adding a sentence to read:

"Such windows or panels and their controls shall be clearly identified by markings specified by the Fire Chief."

SECTION 19. That the Code of Ordinances of the Town of Addison, Texas, be amended by deleting section 5-30.9.

SECTION 20. That the Code of Ordinances of the Town of Addison, Texas, be amended by deleting section 5-31.

SECTION 21. That section 5-32 of the Code of Ordinances of the Town of Addison, Texas, be amended to read as follows:

Sec. 5-32. Strength.

Section 2402(c) is added to the Uniform Building Code to read as follows:

(c) Strength. All bricks used as an exterior veneer must have a minimum compressive strength of 1,500 pounds per square inch (based upon a five-brick sample, with no single bricks being less than 1,250 pounds per square inch). The absorption rate of the bricks can be no more than 6 percent.

SECTION 22. That Section 5-33 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-33. Stucco.

Section 2413 is inserted in the Uniform Building Code to read:

"For the purposes of complying with the masonry requirements of the zoning ordinance of the Town of Addison, stucco as exterior plastering will be acceptable when applied according to Chapter 47 of this code."

SECTION 23. That Section 34 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-34. Dead Load.

Section 2515(a) of the Uniform Building Code is amended by adding an exception 5 to read as follows:

"5. When designed by an engineer licensed by the State of Texas to provide such services."

SECTION 24. That the Code of Ordinances of the Town of Addison, Texas, be amended by deleting Section 5-35.

SECTION 25. That the Code of Ordinances of the Town of Addison be amended by deleting Section 5-35.01.

SECTION 26. That Section 5-35.1 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-31.1. Exception to construction requirement for corridors.

Subsection 3305(g) of the Uniform Building Code is amended by adding Exceptions 8 and 9 to the first paragraph to read as follows:

8. Corridors within tenant lease spaces described in Section 1705(b), 1, E.

9. Corridors more than 30 feet in width in buildings protected by an automatic sprinkler system.

SECTION 27. That the Code of Ordinances of the Town of Addison, Texas, be amended by amending Section 5-35.3 to read as follows:

Sec. 5-35.3. Other corridor openings.

Subsection 3305(h)2 of the Uniform Building Code, is amended by changing the second paragraph "Exceptions:" to read as follows:

Exceptions: 1. Protection of openings in the exterior walls of exterior exit balconies is not required when it is possible to exit in two directions. 2. In buildings protected by an automatic sprinkler system interior openings other than doors and ducts may be protected by tempered glass in metal or wood frames. The total area of the glass shall not exceed 25 percent of the area of the common wall between the corridor and a tenant space. See Exception 3b in Subsection 1 above.

SECTION 28. That the Code of Ordinances of the Town of Addison, Texas, be amended by adding Section 5-35.4.01 to read as follows:

Section 5-35.4.01. Handrails.

Subsection 3306(i) of the Uniform Building Code is amended by adding exceptions 1 and 2 to the second paragraph to read as follows:

Exceptions: 1. In R3 occupancies handrails may be placed a maximum of 44" above the nosing of the first two treads only. The remainder of the handrail shall measure 36"-38" above the nosing of the treads. 2. Newel posts shall be considered to be continuous.

SECTION 29. That the Code of Ordinances of the Town of Addison, Texas, be amended by adding Section 5-37.03 to read as follows:

Section 5-37.03. Roof panels.

Subsection 5206 of the Uniform Building Code is hereby amended by changing the exception to read as follows:

Exceptions: 1. Swimming pool shelters are exempt from the area limitations of Section 5206 provided such shelters do not exceed 5,000 square feet in area and are not closer than 10 feet to the property line or adjacent building. 2. Pedestrian walkways are exempt from the area limitations of Section 5206 provided such walkways do not exceed 2,000 square feet in projected roof area.

SECTION 30. That Section 5-41 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-41. Adopted.

- (a) The Uniform Building Code Standards, 1991 Edition, is hereby adopted by the city for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city.
- (b) The Uniform Building Code Standards, 1991 Edition, is hereby adopted as the Building Code Standards of the city as fully as if copied at length in this division. A copy which has been authenticated by the signature of the Mayor and the City Secretary, and made public record by ordinance, is on file in the city secretary's office.

SECTION 31. That Section 5-42 of the Code of Ordinances of the Town of Addison, Texas, be amended so that such section shall read as follows:

Sec. 5-42. Deletions, amendments and additions.

The Uniform Building Code Standards, 1991 Edition, as adopted in Section 5-41 hereof, is hereby adopted without modification.

SECTION 32. That Section 5-101 of the Code of Ordinances of the Town of Addison, be amended so that such shall read as follows:

Sec. 5-101. Adopted.

The rules and regulations of the Uniform Code for the Abatement of Dangerous Buildings, adopted by the International Conference of Building Officials, are hereby adopted as the rules and regulations to provide a just, equitable and practicable method to be cumulative with and in addition to, any other remedy provided by the Uniform Building Code, 1991 Edition, or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished within the city. The Uniform Code for the Abatement of Dangerous Buildings, 1991 Edition, is hereby adopted, a copy of which is attached to the ordinance from which this section is derived and made a part hereof for all purposes.

SECTION 33. All other ordinances and parts of ordinances in conflict with this ordinance shall be, and the same is hereby repealed, but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is vested in the Town of Addison, Texas, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this ordinance shall take effect; nor shall said repeals, amendments or changes effect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this ordinance shall take effect under any of the ordinances or sections thereof so repealed.

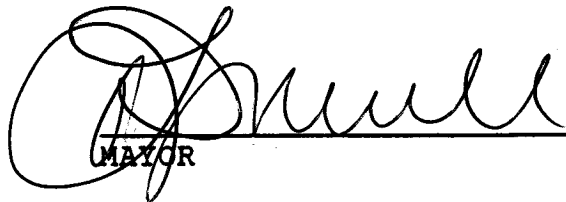
SECTION 34. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the Uniform Building Code, 1991 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same

shall not affect the validity of this ordinance or of the Uniform Building Code, 1991 Edition, or revisions thereof as a whole or any part of provision other than the part so decided to be invalid or unconstitutional.

SECTION 35. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed Two Hundred Dollars and each and every day that the prohibited condition remains shall constitute a separate offense.

SECTION 36. That this ordinance shall become effective from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
this the 23rd day of February, 1993.


MAYOR

ATTEST:


CITY SECRETARY

Published
3/4/93

