

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 097-035

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 5, ARTICLE II (RELATING TO THE UNIFORM BUILDING CODE) 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. Chapter 5 (Buildings and Building Regulations) of the Code of Ordinances of the Town of Addison, Texas is hereby amended in the following particulars, and all other chapters, sections, subsections, paragraphs, sentences, phrases and words of the said Code are not amended but are hereby ratified and affirmed:

A. Article II ("Building Code") of Chapter 5 is hereby amended by adding a new Section 5-25.6 to read as follows:

"Sec. 5-25.6. Unity Agreements. The Uniform Building Code is hereby amended by adding a new section 514 to read as follows:

Sec. 514. (a) The building official may authorize the dissolution of common boundary lines between two or more lots for purposes of this code if a written agreement is executed in accordance with this section on a form provided by the City.

(b) The agreement must:

1. Contain legal descriptions of the properties sharing the common boundary lines;
2. Set forth adequate consideration between the parties;
3. State that all parties agree that the properties sharing the common boundary lines may be

collectively treated as one lot for the limited purpose of meeting requirements of this Code

4. State that the dissolution of the common boundary lines described in the agreement is only for the limited purpose of meeting requirements of this Code, and that actual lines of property ownership are not affected;
5. State that the agreement constitutes a covenant running with the land with respect to all properties sharing the common boundary lines;
6. State that all parties agree to defend, indemnify and hold harmless the Town of Addison from and against all claims or liabilities arising out of or in connection with the agreement;
7. State that the agreement will be governed by the laws of the State of Texas;
8. State that the agreement may only be amended or terminated in accordance with Subsection (d) of this section;
9. Be approved by the building official and be approved as to form by the city attorney; and
10. Be signed by all owners of the properties sharing the common boundary lines;
11. Be signed by all lienholders, other than taxing entities, that have either an interest in the properties sharing the common boundary lines or an improvement on those properties; and
12. Be filed and made a part of the deed records of the county or counties in which the properties are located.

(c) An agreement is not effective until a true and correct copy of the approved agreement is filed in the deed records in accordance with Subsection (b) and two file-marked copies of the agreement are filed with the building official.

(d) An agreement may only be amended or terminated by a

written instrument that is executed in accordance with this subsection on a form provided by the city. The instrument must be:

1. Signed by an owner of property sharing the common boundary lines or by a lienholder, other than a taxing entity, that has either an interest in a property sharing the common boundary lines or an improvement on such a property;
2. Approved by the building official;
3. Approved as to form by the city attorney; and
4. Filed and made a part of the deed records of the county or counties in which the properties are located.

(e) The building official shall approve an instrument amending or terminating an agreement if all properties governed by the agreement fully comply with this Code. The amending or terminating instrument is not effective until it is filed in the deed records in accordance with Subsection (d) and two file-marked copies are filed with the building official.

B. Sections 5-26 (fire resistive substitution), 5-29 (Group B, Division 2 office buildings) and 5-35.5 (smokeproof enclosures) of Chapter 5 are hereby deleted in their entirety.

C. Section 5-36 (sprinklers) is hereby amended by amended to read as follows (additions are underlined; deletions are ~~struck through~~):

"Sec. 5-36. Sprinklers.

Subsection 3802(b) of the Uniform Building Code is amended by adding a subparagraph 5 which will read as follows:

'5. In all building three (3) or more stories in height:

In all such buildings, the automatic extinguishing system must comply with the following:

- (a) Buildings having floors used for human occupancy located less than 75 feet above the lowest level of fire department access less than sixty five (65) feet in height shall have hydraulically designed systems conforming to the Uniform Building Code Standard No. 38-1. The system shall be equipped with monitored shut-off valves and flow switches on each floor.

Such valves and switches shall be supervised by a continuously manned control station either in the building or at a remote location approved by the fire chief. Required standpipe systems shall be combined with the automatic extinguishing system as required by Section 3805(6).

- (b) Buildings having floors used for human occupancy located more than 75 feet above the lowest level of fire department access ~~sixty-five (65) feet or more in height~~ shall have a system that meets all the requirements of Section 1807(c) as amended. Required standpipes shall be combined with the automatic extinguishing system as required by Section 3805(f)."

D. Section 5-37 (combined standpipe systems) is hereby amended by amending subsections 3805(f)(4) and the first paragraph of subsection 3805(f)(5) of the Uniform Building Code to read as follows:

"(4) Detailed requirements for buildings having floors for human occupancy located more than 75 feet above the lowest level for fire department access ~~sixty-five (65) feet or more in height~~. Combined standpipe systems shall meet all requirements listed in this section, including those in (e), and Uniform Building Code Standard No. 38-2."

"(5) Detailed requirements for buildings having floors used for human occupancy located less than 75 feet above the lowest level of fire department access ~~less than sixty-five (65) feet in height~~."

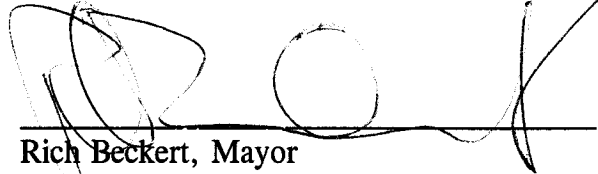
Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting buildings and building regulations and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any right, property or claim which was vested in the Town of Addison, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding, or any offense committed, or any penalty or forfeiture incurred, which prior to the effective date of this Ordinance had been initiated, arisen, or completed under or pursuant to the said parts of the Code of Ordinances repealed or amended hereby, shall continue to be governed by the such repealed or amended provisions, and for that purpose the said provisions so repealed or amended shall be deemed to remain and shall continue in full force and effect.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective date. This Ordinance shall become effective from and after its date

of passage as provided by law. portions shall remain in full force and effect.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 26th day of August, 1997.



Rich Beckert, Mayor

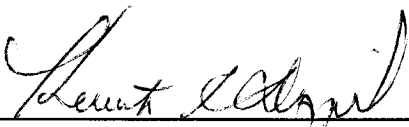
ATTEST:



Carmen Moran, City Secretary

[SEAL]

APPROVED AS TO FORM:



Ken Dippel, City Attorney

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