

ORDINANCE NO. 006-010

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18, ARTICLE VI 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 rewriting Chapter 18, Article VI in its entirety to read as follows:

ARTICLE VI. PLUMBING CODE

DIVISION 1. GENERALLY

Sec. 18-341. Adopted.

(a) The rules and regulations of the International Plumbing Code, International Fuel Gas Code, and the International Private Sewage Disposal Code, 2003 Editions, are hereby adopted as the rules and regulations and controlling the design, construction, installation, quality of materials, location, operation and maintenance of plumbing apparatus and fixtures within the city.

(b) The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code, 2003 Editions (copies of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, are on file in the city secretary's office) are hereby adopted as the plumbing code of the city as fully as if copied at length in this article, but with the following changes therein and additions thereto provided in this article.

Sec. 18-342 - 360. Reserved.

DIVISION 2. DELETIONS, AMENDMENTS, AND ADDITIONS

Sec. 18-361. Generally.

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code, 2003 Editions, as adopted in this article, are hereby modified by the deletions, amendments and additions provided herein.

Sec. 18-362. Violation penalties.

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code, 2003 Editions, are amended by changing subsection 108.4 to read as follows:

108.4. Violation penalties. Any person, firm or corporation violating any of the provisions of Article VI of Chapter 18 of the Addison Code shall be subject to a fine, upon conviction in the municipal court, in any sum not to exceed five hundred dollars (\$500.00), and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of Article VI of Chapter 18 of the Addison Code, and the owner or owners of any premises wherein a violation of the provisions of Article VI of Chapter 18 of the Addison Code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Sec. 18-363. Board of Appeals.

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code, 2003 Editions, are amended by changing subsection 109.2 to read as follows:

109.2. Board of Appeals.

109.2.1. General. In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of Article VI of Chapter 18 of the Addison Code, there shall be and 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 of appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing. 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 judgment, 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 to perform plumbing work and shall have the power, after hearing, to revoke or suspend said license for the following reasons:

a. Chronic violation of Article VI of Chapter 18 of the Addison Code

b. Misrepresentation of material facts obtaining said license or renewal thereof

c. Chronic failure to secure permits, inspections, or approvals as required by Article VI of Chapter 18 of the Addison Code, or

d. Use of said license to obtain a permit for another person, firm, or corporation.

109.2.2. Limitations of authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

Sec. 18-363.01 Postponed hearing.

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code are amended by changing subsection 109.5 to read as follows:

109.5. Postponed hearing. When three members are not present to hear an appeal, either the appellant or the

appellant's representative shall have the right to request a postponement of the hearing.

Sec. 18-363.1 Board decisions.

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code are amended by changing subsection 109.6 to read as follows:

109.6. Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of two members.

Sec. 18-364. Licensing and registration of contractors.

The International Plumbing Code is amended by adding subsection 106.7 to read as follows:

106.7. Licensing.

(a) No person, corporation, firm, or contractor shall engage in the design, installation, construction, maintenance, service, repair, alteration or modification of a product or a plumbing system unless licensed as a plumbing or irrigation contractor by the town. However, no license is required for work that is not required to be permitted.

(b) To register with the town as a plumbing or irrigation contractor, an application shall be made in writing on forms furnished for that purpose along with a fifty dollar (\$50.00) registration fee, and filed with the building official. This application shall contain a copy of the person's state plumbing or irrigation license.

Exception: A homeowner is not required to be licensed as a registered contractor to perform work in his own home.

(c) The plumbing contractor's license shall be valid for one (1) year from the date of registration.

(d) The contractor shall be subject to the requirements and penalties of the Code of Ordinances of the Town of Addison.

(e) Any person who installs, repairs or alters a plumbing or irrigation system shall be licensed by the State of Texas to perform such work.

Sec. 18-365. Fee schedule.

Subsection 106.6.2 of the International Plumbing Code, subsection 106.5.2 of the International Fuel Gas Code and subsection 106.4.2 of the International Private Sewage Disposal Code are amended to read as follows:

"The fee for each permit shall be as set forth in sections 18-2 and 18-3 of the Code of Ordinance of the Town of Addison."

Sec. 18-366. Fee refunds.

Subsection 106.6.3 of the International Plumbing Code, subsection 106.5.3 of the International Fuel Gas Code, and subsection 106.4.3 of the International Private Sewage Disposable Code are amended to read as follows:

"The building official is authorized to establish a refund policy."

Sec. 18-367. Sewer depth.

The International Plumbing Code is amended by changing subsection 305.6.1 to read as follows:

305.6.1. Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (152mm) below the frost line and not less than 12 inches (305mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches (152mm) below the frost line and not less than 12 inches (305mm) below grade.

Sec. 18-368. - 18-369. Reserved.

Sec. 18-370. Administration approval.

The International Plumbing Code is amended by adding subsection 917.9 to read as follows:

917.9 Administrative approval. The administration shall have final approval of all locations of air admittance valves.

Sec. 18-371. Grease traps and grease interceptors.

The International Plumbing Code is amended by adding the following to subsection 1003.3:

In addition to the above requirements, grease traps shall comply with the following:

<i>Description of use</i>	<i>Minimum Size (In Pounds)</i>
Food service establishments with seating capacity of 50 or more	750
Food service establishments with seating capacity of less than 50 and with a 3-compartment sink	250
Minor food service establishments as defined by administrative authority	150

The administrative authority may require larger grease traps in particular businesses than shown above when it is felt that the quantity of grease may exceed the capacity of the grease traps shown. The administrative authority may also require grease traps for food preparation establishments other than food service facilities.

Grease traps shall be located outside of a building or structure in an area accessible for service.

SECTION 2. 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.

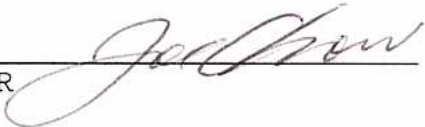
SECTION 3. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the

International Plumbing Code, International Fuel Gas Code, or the International Private Sewage Disposal Code, 2003 Editions, 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 International Plumbing Code, International Fuel Gas Code or International Private Sewage Disposal Code, 2000 Editions, or revisions thereof as a whole or any part of provision other than the part so decided to be invalid or unconstitutional.

SECTION 4. 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 five hundred dollars (\$500.00), and each and every day that the prohibited condition remains shall constitute a separate offense.

SECTION 5. 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 28th day of February, 2006.


MAYOR

ATTEST:


CITY SECRETARY

Published:
03/04/06