

**ORDINANCE NO. 2014-4059**

**AN ORDINANCE REPEALING OR AMENDING CERTAIN SECTIONS OF CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS; PROVIDING A REPEALER PROVISION; AND, PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS;**

**SECTION 1.** The following sections of Chapter 5 (Building and Construction) of the Code of Ordinances of the City of Aransas Pass. are hereby repealed or amended to read as follows:

**“SECTION 5-1 ADOPTION OF BUILDING CODE.” AMEND THIS SECTION TO READ AS FOLLOWS:**

The books entitled **“INTERNATIONAL BUILDING CODE 2012 EDITION WITH APPENDIX ( D ) ( J ) AND INTERNATIONAL RESIDENTIAL CODE 2012 EDITION”**, a copy of which, authenticated by the Mayor and City Secretary, is on file in the City Secretary’s office, is hereby adopted and is further adopted as the building code of the City as fully as if copied at length herein subject to all amendments and modifications hereafter set forth.

**“SECTION 5-2 AMENDMENTS TO AND MODIFICATIONS OF BUILDING CODE.” AMEND THIS SECTION TO READ AS FOLLOWS:**

The building code and residential code adopted herein is amended and modified in the following respects;

- a) Any reference to an Appeals Board shall be replaced with the City Council.
- b) Any reference to substandard building is contained within **Chapter 5: Building and Construction; Article V. Substandard Buildings** Ordinance of the City of Aransas Pass.
- c) Any reference to flood administration is contained within **Chapter 5: Building and Construction; Article VIII. Flood Damage Prevention** Ordinance of the City of Aransas Pass.
- d) Any reference to electrical, plumbing, mechanical and fuel gas shall be replaced with the adopted code in Sections 5-35, 5-85, 5-86 and 5-87.
- e) **Any reference to Building Inspector shall be replaced with Building Official.**

The following shall be and constitute the Aransas Pass Schedule of Permits for license and permit fees:

**1. BUILDING**

**A. CONTRACTORS REGISTRATION FEES**

Every contractor who shall make or sublet contracts for installation or repair for which a permit is required shall be licensed **by the State of Texas as required** and shall pay an annual **registration** fee. **Contractor registration** is for a one-year ending the 30<sup>th</sup> day of September each year period **or pro-rated if more than three (3) months are due for the current registration year**. The fees are as follows:

**All Contractors (except state licensed plumbing contractors):** \$100.00  
**<deleted reference to repair and/or remodeling contractor \$50.00>**

**B. BUILDING PERMIT FEES**

<b>Total Valuation</b>	<b>Fee</b>	
Permit Fee:		
\$1.00 to \$1,000.00	<b>\$ 50.00</b>	
\$1,001.00 to \$50,000.00	<b>\$ 75.00</b>	for first \$1,000.00 plus <b>\$10.00</b> for each additional thousand to \$50,000.00

\$50,001.00 to \$100,000.00	<b>\$ 565.00</b>	for the first \$50,000.00 plus <b>\$10.00</b> for each additional thousand to \$100,000.00
\$100,001.00 to \$500,000.00	<b>\$ 1,065.00</b>	for the first \$100,000.00 plus <b>\$6.00</b> for each additional thousand to 500,000.00.
\$500,001.00 and up	<b>\$3,465.00</b>	for the first \$500,000.00 plus <b>\$4.00</b> for each additional thousand (\$1,000.00) thereof.

**Reinspection (2<sup>nd</sup> or more) fee: \$25.00 / each inspection**

**C. MECHANICAL PERMIT FEES**

**Fees shall be as follows:**

**Administration Fee: \$35.00**  
**Existing Construction: \$10.00 per \$1,000.00 of total valuation for Mechanical work.**  
**New Construction: \$ 0.05 x total square footage of structure.**

**D. ELECTRICAL PERMIT FEES**

**Fees shall be as follows:**

**Administration Fee: \$35.00**  
**Existing Construction: \$10.00 per \$1,000.00 of total valuation for Electrical work.**  
**New Construction: \$0.05 x total square footage of structure.**  
**Electrical Re-Out: \$35.00**

**E. PLUMBING (INCLUDES GAS) PERMIT FEES**

**Fees shall be as follows:**

**Administration Fee: \$35.00**  
**Existing Construction: \$10.00 per \$1,000.00 of total valuation for Plumbing work.**  
**New Construction: \$0.05 x total square footage of structure.**  
**Gas meter inspection: \$35.00**

**F. IRRIGATION PERMIT FEES**

**Fees shall be as follows:**

**Administration Fee: \$35.00**  
**All Construction: \$10.00 per \$1,000.00 of total valuation for Irrigation work.**

**G. DEMOLITION FEE-BUILDING MOVING FEES**

For the demolition or moving of any building or structure the fee shall be \$100.00 plus a deposit of \$400.00, such deposit shall be returned when lots are cleaned and inspected.

**H. SWIMMING POOL <Deleted Reference To FENCES> AND SIGN PERMIT FEES**

Swimming pool <deleted reference to fences> and sign permit fees shall be the same as those outlined in Building Permit Fees.

**J. DRIVEWAY AND PAVING PERMIT FEES**

Driveway and paving permit fees shall be the same as those outlined in Building Permit Fees.

**K. MANUFACTURED HOUSING PERMITS**

Permit fees shall be based on the cost of the manufactured house and charged as outlined in Building Permit Fees. All **manufactured** homes shall be **no more than ten (10) years old at time of application for permit as verified by the U.S. Department of Housing and Urban Development (HUD) label.**

**L. PLANS REVIEW FEES**

When a plan is required to be submitted, a plan review fee shall be paid to the City at the time of submitting plans and specifications for review.

One and two family dwelling :     **\$50.00**

Multi-family and non residential construction shall be equal to one-third of the building permit fees.

The fee for a certificate of occupancy for a new **residential structure**, any **commercial structure or business** shall be:     **\$80.00**

**M. ANNUAL FIRE INSPECTION FEE**

**Inside city limits:**             **\$125.00**

**Outside city limits:**         **\$150.00**

**N. PENALTIES**

Where work, for which a permit is required by this code, begins or proceeds prior to obtaining said permit, the fees herein specified shall be doubled **and an administration fee of seventy-five dollars (\$75.00) shall be paid.** The payment shall not relieve any persons from fully complying with the requirements of this code in the execution of the work; **preclude the city from any other remedies otherwise available to the city to enforce the said codes** or from any other penalties prescribed herein.

**“2012 INTERNATIONAL BUILDING CODE, SECTION 105.1” AMEND THIS SECTION TO READ AS FOLLOWS:**

- a) It shall be the duty of every contractor or builder, who shall make contracts for the erection or repair of buildings for which a permit is required in the City and every contractor or builder making such contracts and subletting the same or any part thereof to pay a license tax per the schedule for license and permit fees. No license tax shall be required of a residential home owner who personally remodels, repairs, alters, improves converts or demolished on his own homestead , provided a home owner’s permit is obtained, and that the materials and equipment and work performed be in strict accord with the rules and regulations of this code and other applicable City codes and Ordinances, and approval of the **Building Official** is obtained upon inspection in regular order; provided, further, that the property owner and/or his immediate family living upon said property must actually perform the work, and that no other person other than said owner or his immediate family shall conduct any part of such work, unless such other person or persons are licensed in full compliance with all provisions of this code.

**“2012 INTERNATIONAL BUILDING CODE, SECTION 105.2” AMEND TO ADD THIS SECTION TO READ AS FOLLOWS:**

Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Anchored/Tied-down one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over seven (7) feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
5. Water tanks supported directly on grade, if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.

6. Sidewalks, driveways, and concrete flat work, with the exception of parking lots, not more than thirty (30) inches (762 mm) above adjacent grade, not for support of a structure, not over any basement or story below, and not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops, interior doors, screen doors, door hardware, window hardware, and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L), and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance:

Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations:

The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

Temporary testing systems:

A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains or water, soil, waste, or vent pipes; provided, however, that if any concealed trap, drain pipe, or water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

**“2012 INTERNATIONAL BUILDING CODE, SECTION 107.1” AMEND BY ADDING NEW SUBSECTIONS 107.1.1 THROUGH 107.1.8 TO READ AS FOLLOWS:**

**107.1.1 Definition of “*design professional*”:**

**An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state of Texas.**

**107.1.2 Texas Department of Health Requirements:**

- 1. Prior to the issuance of a permit to renovate or demolish a commercial or public building or structure, the owner must provide evidence to the building official that an asbestos survey has been performed by a design professional as outlined in this code or an asbestos inspector licensed by the Texas Department of Health. The applicant must verify on the application that the survey was performed and approved.**

**107.1.3 Windstorm:**

- 1. Prior to issuing a permit, the building official will require a separate building plan or plans with building sections and details showing the components, their types, locations, and framing elements which delineate that the framing will resist the pressures developed from the wind speeds in ASCE-7, as adopted by the Texas Windstorm Insurance Association's Building Code for Windstorm Resistant Construction, or any model code approved by the Texas Department of Insurance.**
- 2. All documentation submitted must be sealed by a professional engineer who is licensed to practice in the state and approved to participate in the Texas Windstorm Insurance Association's windstorm program.**
- 3. For buildings or structures having unusual geometric shapes, response characteristics, or site locations for which channeling effects or buffeting in the wake of upwind obstructions may warrant special consideration, wind loads must be based on wind tunnel tests or nationally recognized data approved by the Texas Department of Insurance.**
- 4. All structures within the city must be designed and constructed under the wind load provisions of Section 1609.**
- 5. All engineered structures must be designed and inspected by a Texas- registered professional engineer. The engineer must submit a Building Design Certificate, Form WPI-1, with sealed design drawings and a Building Certificate, Form WPI-2, approved by the Texas Department of Insurance.**

**107.1.4 Accessibility:**

- 1. The building official must, prior to issuing a building permit, require proof that plans have been submitted to the Texas Department of Licensing and Regulation, Elimination of Architectural Barriers Program, a Registered Accessibility Specialist registered with the Texas Department of Licensing and Regulation, and in compliance with the requirements of Chapter 469 of the Texas Government Code and the rules and regulations of the Texas Department of Licensing and Regulation.**
- 2. An EAB Project Number issued by the Texas Department of Licensing and Regulation will be accepted as proof that the project has been registered with the Texas Department of Licensing and Regulation.**
- 3. Accessibility for projects not subject to state registration. Before issuing a permit, the building official shall examine or cause to be examined each commercial project valued at less than fifty thousand dollars (\$50,000.00) to determine if the project falls within the requirements of Chapter 469 of the Texas Government Code, Elimination of Architectural Barriers.**
  - a. For projects that are not required to be registered with the Texas Department of Licensing and Regulation, but which are required to comply with Chapter 469 of the Texas Government Code, no occupancy will be allowed without required city inspection and city certification that the project complies with the requirements of Chapter 469.**
  - b. The city's certification of a project does not imply that the Texas Department of Licensing and Regulation also certifies the project.**

**107.1.5 Structural and Fire Resistance Integrity:**

1. **Plans for all buildings must indicate how required structural and fire resistance integrity will be maintained where penetration of a required fire resistant wall, floor, ceiling, or partition will be made for electrical, gas, mechanical, plumbing, communication conduits, pipes, and systems, and also indicate in sufficient detail how fire integrity will be maintained where required fire resistant floors intersect the exterior walls. The information must include Underwriters Laboratories system numbers for each fire resistive assembly required by the technical construction codes.**

#### **107.1.6 Concrete Foundations:**

1. **All foundations and foundation repairs, including concrete pier foundations exceeding twenty-five (25) percent of existing piers, are to be designed by a registered design professional.**

#### **107.1.7 Free Standing Structures:**

1. **Any free-standing structure, such as a sign, antenna, tower, or flag pole, exceeding twenty-five (25) feet in height or producing over fifteen thousand foot-pounds of wind moment on the structure, except as provided in the technical construction codes, must be designed by a registered design professional.**

#### **107.1.8 Fences:**

1. **Any fence over seven (7) feet in height, except fences more than eighty (80) percent open to the wind up to ten (10) feet in height. Drawings by a design professional are required.**

#### **“2012 INTERNATIONAL BUILDING CODE, SECTION 3407.1” AMEND TO ADD THIS SECTION TO READ AS FOLLOWS:**

If in the opinion of the building official, the moving of any building will cause serious injury to persons or property or serious injury to the streets or other public improvements, or the building to be moved has deteriorated more than 50% of its original value by fire or other element, or the moving of the building will violate any of the requirements of this code or of the zoning regulations, the permit shall not be issued and the building shall not be moved over the streets. Any building being moved for which permit was granted shall not be allowed to remain in or on the streets for more than **4 hours**.

#### **“2012 INTERNATIONAL RESIDENTIAL CODE, SECTION R105.2” AMEND TO ADD THIS SECTION TO READ AS FOLLOWS:**

Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction:

##### **Building:**

1. **Anchored/tied-down** one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed **120 square feet (11 m<sup>2</sup>)**.
2. Fences not over seven (7) feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade, if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
7. Prefabricated swimming pools less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58m<sup>2</sup>) in area, that are not more than 30 inches (762mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

**Electrical:**

1. Listed cord-and-plug connected to temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains or water, soil, waste, or vent pipes; provided, however, that if any concealed trap, drain pipe, or water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

**“2012 INTERNATIONAL RESIDENTIAL CODE, SECTION R106.1” AMEND BY ADDING NEW SUBSECTIONS R106.1.1 TO READ AS FOLLOWS:**

**R106.1.1 Windstorm:**

1. **Prior to issuing a permit, the building official will require a separate building plan or plans with building sections and details showing the components, their types, locations, and framing elements which delineate that the framing will resist the pressures developed from the wind speeds in ASCE-7, as adopted by the Texas Windstorm Insurance Association's Building Code for Windstorm Resistant Construction, or any model code approved by the Texas Department of Insurance.**
2. **All documentation submitted must be sealed by a professional engineer who is licensed to practice in the state and approved to participate in the Texas Windstorm Insurance Association's windstorm program.**

3. For buildings or structures having unusual geometric shapes, response characteristics, or site locations for which channeling effects or buffeting in the wake of upwind obstructions may warrant special consideration, wind loads must be based on wind tunnel tests or nationally recognized data approved by the Texas Department of Insurance.
4. All engineered structures must be designed and inspected by a Texas- registered professional engineer. The engineer must submit a Building Design Certificate, Form WPI-1, with sealed design drawings and a Building Certificate, Form WPI-2, approved by the Texas Department of Insurance.

**“2012 INTERNATIONAL RESIDENTIAL CODE, SECTION P2904.1.1” AMEND TO READ AS FOLLOWS:**

*P2904.1.1 When installed.* Sprinklers shall be installed to protect all areas of a *dwelling unit*.

*Exceptions:*

1. Attics, crawl spaces, and normally unoccupied concealed spaces that do not contain fuel-fired appliances do not require sprinklers. In *attics*, crawl spaces, and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler shall be installed above the equipment; however, sprinklers shall not be required in the remainder of the space.
2. Clothes closets, linen closets, and pantries not exceeding 24 square feet (2.2 m<sup>2</sup>) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.
3. Bathrooms not more than 55 square feet (5.1 m<sup>2</sup>) in area.
4. Garages; carports; exterior porches; unheated entry areas, such as mud rooms, that are adjacent to an exterior door; and similar areas.

**“2012 INTERNATIONAL RESIDENTIAL CODE, SECTION P2909”: LAWN IRRIGATION SYSTEMS.” AMEND THIS SECTION BY ADDING.**

*P2909.1 Landscape Irrigation Systems.* Landscape Irrigation Systems are required to comply with Chapter 344 of Part 1 of Title 30 of the Texas Administrative Code.

**“SECTION 5-20 ELECTRICAL INSPECTOR – OFFICE CREATED; APPOINTMENT; POLICE POWERS; APPOINTING ASSISTANTS; QUALIFICATION.” AMEND THIS SECTION AS FOLLOWS:**

(e) <Delete This Section >

**“SECTION 5-26 SAME – REMOVAL OF MEMBERS.” AMEND BY DELETING SECTION.**

**“SECTION 5-27 SAME – DUTIES.” AMEND BY DELETING SECTION.**

**“SECTION 5-28 SAME – APPEALS FROM DECISIONS ON APPLICANT QUALIFICATIONS.” AMEND BY DELETING SECTION.**

**“SECTION 5-28.1 ELECTRICAL LICENSE RECIPROCATATE WITH CITIES OF PORT ARANSAS, INGLESIDE AND ROCKPORT, TEXAS.” AMEND BY DELETING SECTION.**

**“SECTION 5-30 SAME—CONTRACTOR’S BOND; LICENSE ISSUANCE AND FEE.” AMEND BY DELETING SECTION.**

**“SECTION 5-32 PERMITS AND INSPECTIONS – REQUIRED; EXCEPTIONS; APPLICATION; ISSUANCE OF PERMIT; FEES.” AMEND THIS SECTION AS FOLLOWS:**

- (c) **<delete this section – moved to Permit Fees section “1. D” AND REPLACE WITH: “Electrical contractors registration as required by Sec. 5-2 (1) (A)” >**
- (f) **<delete this section >**

**“SECTION 5-34 SAME—EXTENSIONS; WORK FOR FUTURE USE; TEMPORARY PERMITS; ALUMINUM WIRING.” AMEND THIS SECTION AS FOLLOWS:**

- (d) **DELETE this section and replace with: Prohibited Conductors. The use of aluminum conductors of No. 2 gauge and smaller is prohibited in electrical wiring installations, except that exterior, overhead conductors are exempted from this prohibition.**

**“SECTION 5-35 WIRING AND APPARATUS STANDARDS.” AMEND THIS SECTION AS FOLLOWS:**

All wiring for light, heat and power purposes hereafter installed in the City limits of Aransas Pass shall be as respectively described in the subsection hereof.

- (a) **NATIONAL ELECTRICAL CODE OF 2011** and amendments thereto by local Ordinance, shall be the minimum acceptable standard for all construction, installation, repair, alteration and maintenance of electrical wiring, apparatus and fixture, except as otherwise specifically provided in the other sections of this article, by and for the City. The minimum of acceptable standards prescribed by the National Electrical Code of 2011 and as amended, shall control over all provisions in this article, unless this article, as amended, shall require a higher minimum standard.

**“SECTION 5-60 ADOPTION OF CODE.” AMEND THIS SECTION AS FOLLOWS:**

The **INTERNATIONAL EXISTING BUILDING CODE, being particularly the 2012 edition thereof**, and the whole thereof, save and except such portions as may hereinafter be amended, of which not less than one (1) copy has been and is now filed in the office of the City Secretary, is hereby adopted and incorporated as fully as if set forth at length herein, and from the date on which this section shall take effect, the provisions therein shall be controlling in the use, maintenance and occupancy of all dwellings dwelling units and/or structures within the area of jurisdiction of the City.

**“SECTION 5-70 SHORT TITLE; SCOPE.” AMEND THIS SECTION AS FOLLOWS:**

- (a) The provisions embraced within this article shall constitute and be known and may be cited as the **“INTERNATIONAL PROPERTY MAINTENANCE CODE 2012 EDITION”**.

**“SECTION 5-85 ADOPTION OF PLUMBING CODE.” AMEND THIS SECTION AS FOLLOWS:**

In the installation, construction, erection, repair and maintenance of all plumbing apparatus, the rules and regulations of the **INTERNATIONAL PLUMBING CODE, 2012 EDITION**, subject to such requirements, rules regulations, or amendments thereto as are contained in this Code of Ordinances or as may be passed and approved by the City Council, is hereby adopted by reference and shall be a part thereof as fully as if copied at length herein; except for the following amendments of said Code:

- (d) **<DELETE this section – moved to Permit Fees section “1. E” >**

**“SECTION 5-86 ADOPTION OF MECHANICAL CODE.” AMEND THIS SECTION AS FOLLOWS:**

In the installation, construction, erection, repair and maintenance of all apparatus, the rules and regulations of the **INTERNATIONAL MECHANICAL CODE, 2012 EDITION**, subject to such requirements, rules, regulations, or amendments thereto as are contained in this Code of

Ordinances or as may be passed and approved by the City Council, is hereby adopted by reference and shall be a part thereof as fully as if copied at length herein.

(a) <DELETE THIS SECTION – moved to Permit Fees section “1. C – AND REPLACE WITH: Mechanical contractor’s registration as required by Sec. 5-2 (1) (A).>

**“SECTION 5-87 ADOPTION OF GAS CODE.” AMEND THIS SECTION AS FOLLOWS:**

In the installation, construction, erection, repair and maintenance of all gas apparatus, the rules and regulations of the **INTERNATIONAL FUEL GAS CODE, 2012 EDITION**, subject to such requirements, rules regulations, or amendments thereto as are contained in this Code of Ordinances or as may be passed and approved by the City Council, is hereby adopted by reference and shall be a part thereof as fully as if copied at length herein.

**“SECTION 5-88 AIR CONDITIONING CONTACTOR’S LICENSES.” AMEND BY DELETING SECTION.**

**“SECTION 5-114 DEFINITIONS.” AMEND TO ADD THIS SECTION TO READ AS FOLLOWS.**

***Freeboard* means the additional height, usually expressed as a factor of safety in feet, above a flood level for purposes of floodplain management. Freeboard tends to compensate for many unknown factors, such as wave action, blockage of bridge or culvert openings, and hydrological effect of urbanization of the watershed, which could contribute to flood heights greater than the heights calculated for a selected frequency flood and floodway conditions.**

**“SECTION 5-127 SAME - SPECIFIC STANDARDS.” AMEND TO READ AS FOLLOWS:**

- 1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated **at a minimum to the base flood elevation plus one (1) foot of freeboard**. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as set forth in section 5-124 (a) (1), is satisfied.
- 2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated **at a minimum to the base flood level plus one (1) foot of freeboard** or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

**“SECTION 5-129. SAME - STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES).” AMEND TO READ AS FOLLOWS:**

- 1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM **plus one (1) foot of freeboard** (at least two (2) feet if no depth number is specified).
- 2) All new construction and substantial improvements of non-residential structures:
  - a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified on the community's FIRM **plus one (1) foot of freeboard** (at least two (2) feet if no depth number is specified); or

**“SECTION 5-130. SAME - COASTAL HIGH HAZARD AREAS.” AMEND TO READ AS FOLLOWS:**

- 3) All new construction and substantial improvements shall be elevated on pilings and columns so that:
- a. The bottom of the lowest horizontal structural members of the lowest floor (excluding the pilings or columns) is elevated **at a minimum to the base flood level plus one (1) foot of freeboard;**

**“SECTION 5-131. LOCATION OF THE LOWEST STRUCTURAL MEMBER.” AMEND TO READ AS FOLLOWS.**

The lowest horizontal structural members of the lowest floor, excluding footings, pilings, columns, pile caps, nonstructural slabs, bracing and grade beams, shall be elevated twelve (12) inches above the crown of the existing street. **When located in a coastal flood zone as determined by the community’s FIRM, the bottom of the lowest horizontal structural members of the lowest floor is elevated at a minimum to the base flood level plus one (1) foot of freeboard;**

**“SECTION 5-135 ADOPTION OF SWIMMING POOL AND SPA CODE.” AMEND TO READ AS FOLLOWS:**

The **INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION**, the whole thereof, subject to those amendments thereto as hereinafter set forth, a copy of which code, authenticated by the Mayor and City Secretary’s office, is hereby adopted and incorporated herein as fully as if set forth at length herein, and from the date on which this article shall take effect, the provisions therein shall be controlling in the design, construction or installation, repair or alternations of swimming pools, public or private, and equipment related thereto within the area of jurisdiction of the City of Aransas Pass, Texas.

**“SECTION 9-20” ADOPTION OF FIRE PREVENTION CODE.” AMEND TO READ AS FOLLOWS:**

The **INTERNATIONAL FIRE PREVENTION CODE, 2012 EDITION**, and all amendments thereto the whole thereof, save and except such portions as may hereinafter be amended, of which no less than one (1) copy has been and is now filed in the office of the City Secretary, is hereby adopted and incorporated as fully as if set forth herein and from the date on which this section shall take effect the provisions thereof shall be controlling with regard to all of the provisions contained therein pertaining to fire prevention within the area of jurisdiction of the City, subject to all amendments and modification. hereinafter set faith.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall be effective upon passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL** of the City of Aransas Pass, Texas, this the **6th** day of **January**, 2013.

CITY OF ARANSAS PASS, TEXAS

\_\_\_\_\_  
Adan Chapa, Mayor

ATTEST:

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Yvonne Stonebraker, City Secretary

APPROVED AS TO LEGAL FORM:

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Allen S. Lawrence, Jr., City Attorney