

**CITY OF THE COLONY, TEXAS  
ORDINANCE NO. 2024-2558  
2021 INTERNATIONAL EXISTING BUILDING CODE  
WITH LOCAL AMENDMENTS**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING CHAPTER 6, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, BY REPEALING IN ITS ENTIRETY SECTION 6-9, ENTITLED “INTERNATIONAL EXISTING BUILDING CODE ADOPTED” AND REPLACING IT WITH A NEW SECTION 6-9, ENTITLED “INTERNATIONAL EXISTING BUILDING CODE ADOPTED” BY ADOPTING THE 2021 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AND LOCAL AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of The Colony, Texas, is of the opinion that the 2021 Edition of the *International Existing Building Code*, along with local amendments hereto, should be adopted as the Existing Building Code for the City of The Colony.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS:**

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Chapter 6, Article I, by repealing in its entirety Section 6-9, entitled “International Existing Building Code Adopted” and replacing it with a new Section 6-9, entitled “International Existing Building Code Adopted” which shall read as follows:

**“Sec. 6-9- International Existing Building Code Adopted.**

- (a) *Adoption.* The *International Existing Building Code* with Appendices A through D, 2021 edition, is hereby adopted and designated as the Existing Building Code for the City of The Colony, Texas. A copy of the 2021 Edition of the *International Existing Building Code* is on file in the office of the City Secretary.
- (b) *Local Amendments.* The following provisions are local amendments to the 2021 Edition of the *International Existing Building Code*. Each provision is a substitute for the identically numbered provision contained in the 2021 Edition of the *International Existing Building Code* or is a provision added to the 2021 Edition of the *International Existing Building Code*, and is attached hereto as ***Exhibit A*** of this Ordinance.”

**SECTION 3.** If any section, article paragraph, sentence, clause, phrase or word in this Ordinance, or application thereto any persons or circumstances 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 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.** That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

**SECTION 6.** This Ordinance shall become effective from and after its date of passage in accordance with law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS 19<sup>th</sup> day of MARCH, 2024.**

---

/s/Richard Boyer, Mayor

**ATTEST:**

---

/s/Tina Stewart, TRMC, CMC City Secretary

**APPROVED AS TO FORM:**

---

/s/Jeff Moore, City Attorney

***Exhibit A***

[International Existing Building Code Local Amendments]

**Section 102.4; change to read as follows:**

**102.4 Referenced codes and standards.** The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. [No change to rest of section].

**Section 110.2; delete number 11 as follows:**

~~11. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.~~

**Section 202; amend definition of Existing Structure as follows:**

**Existing Building** - A building, structure, or space with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use.

**Section 202; amend definition of Existing Structure as follows;**

**Existing Structure** – A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change in occupancy or use.

**Section 306.1; add exceptions to read as follows:**

**Exceptions**

1. Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.
2. If the cost of the project is less than \$50K, it must comply with ICC A117.1, or it shall be reviewed and inspected to the Texas Accessibility Standards by a Registered Accessibility Specialist.

**Section 306.2; add exception to read as follows:**

**305.1 Complete change of occupancy.** Where an entire building undergoes a change of occupancy, it shall comply with Section 305.4.1 and shall have all of the following accessible features:

1. Not fewer than one accessible building entrance. Not fewer than one accessible route from an accessory building entrance to primary function areas.
3. Signage complying with 1111 of the International Building Code.
4. Accessible parking, where parking is being provided.
5. Not less than one accessible passenger loading zone, where loading zones are provided.
6. Not less than one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. At least on one accessible family or assisted use toilet room shall be provided in accordance with chapter 11 of the International Building Code. Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, Items 1 through 6 shall conform to the requirements to the maximum extent technically feasible.

**Exception:** The accessible features listed in item 1 through 6 are not required for an accessible route to Type B units.

**Section 401.3 Flood Hazard Areas;** delete this section because flood hazard ordinances may be administered by other departments in the city.

**Section 405.2.6 Flood Hazard Areas;** delete this section.

**Section 406.1;** add a code reference to read as follows:

**406.1 Material.** Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

**Section 502.3 Flood Hazard Areas;** delete this section.

**Section 503.2 Flood Hazard Areas;** delete this section.

**Section 503.16;** add exception to read as follows:

**Exception:** Compliance with the Texas Accessibility Standards is not considered equivalent compliance for the purpose of enforcement of this code section.

**Section 504.1.2;** change to read as follows:

**504.1.2 Existing fire escapes.** Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

**Section 504.1.3;** delete this section.

**Section 507.3 Flood Hazard Areas;** delete this section.

**Section 701.3 Flood Hazard Areas;** delete this section.

**Section 702.4;** add exception 2 to read as follows:

**Exception 2:** Operable windows with opening that are provided with window fall prevention devices that comply with ASTM F2090.

**Section 702.7;** add a code reference to read as follows:

**702.7 Materials and methods.** All new work shall comply with the materials and methods requirements in the International Building Code, International Energy Conservation Code, International Mechanical Code, National Electrical Code, and International Plumbing Code, as applicable that specify material standards, detail of installation and connection points, penetrations, and continuity of any element, component, or system in the building.

**Section 802.5.1;** change to read as follows:

**802.5.1 Minimum requirement.** Every portion of open-sided walking surfaces, including mezzanines, equipment platforms aisles, stairs, ramps, and landings that is more than 30 inches

(762 mm) above the floor or garage below and is not provided with guards or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

**Section 803.1; change exception to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway or other exit access shall be protected its entirety on that particular floor level.

**Section 803.2.6; change exception to read as follows:**

**Exception:** Supervision is not required where the Fire Code does not require such for new construction.

**Section 803.3; change to read as follows:**

**803.3 Standpipes.** The Fire Code already requires standpipes in these buildings [greater than 50 feet] retroactively in Section 1103.6. This new section would negate/lessen those retroactive provisions already contained in the Fire Code.

**Section 804.2; delete Exception #1 as follows:**

**Exception 1:** ~~Where the work area and the means of egress serving it complies with NFPA 101.~~

**Exception 2:** [remain unchanged].

**Section 804.4.1.2; change to read as follows:**

**804.4.1.2 Fire escape access and details;**

1. [Remain unchanged]
2. Access to a new fire escape shall be through a door . . .
3. Delete exception 3.
4. [Remain unchanged]
5. In all buildings of Group E occupancy up to and including the 12<sup>th</sup> grade, buildings of Group I Occupancy, boarding houses, and child care, ladders of any type are prohibited on fire escapes used as a required means of egress.

**Section 804.6.2 Transoms; add language to read as follows:**

**804.6.2 Transoms.** In all buildings of Group B, E, I-1, I-2, and R-2 occupancies . . . [Remainder unchanged].

**Section 904.1 Transoms: add language to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other

exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

**Section 904.1.1; change to read as follows:**

**904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of high-rise buildings.

**Section 1011.2.1; change to read as follows:**

**1011.2.1 Fire sprinkler system.** Where a change in occupancy classification occurs or where there is a change of occupancy within a space where there is a different fire protection system threshold requirement in Chapter 9 of the International Building Code that requires an automatic sprinkler system to be provided based on the new occupancy in accordance with Chapter ( of the international Building Code. The installation of the automatic sprinkler system shall be required within the area of the change of occupancy and areas of the building not separated horizontally and vertically from the change of occupancy by one of the following:

5. Fire barrier, as required by Section 707 of the IBC.

6. Fire wall, as required by Section 706 of the IBC.

**Exceptions:** [Remain unchanged]

**Section 1102.2.1; add to read as follows:**

**1102.2.1 Fire Separations.** Where fire separations are utilized to allow additions without exceeding the allowable area provisions of Chapter 5 of the IBC for either the existing building or the new addition, the decreased clear space where the two buildings adjoin shall be accounted for in such calculation relative to the allowable frontage increase.

**Section 1103.3 Flood Hazard Areas; delete this section.**

**Section 1201.4 Flood Hazard Areas; delete this section.**

**Section 1301.3.2; change to read as follows:**

**1301.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the International Fire Code.

**Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section.**

**Section 1402.6 Flood Hazard Areas; delete this section.**

**Section 1509; delete Section 1509.1 through 1509.5 and Section 1509.1 to read as follows:**

**1509.1 When required.** An approved water supply for fire protection, either temporary or permanent, shall be made available as combustible material arrives on the site. The water supply design and timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.