



Post Office Box 9010 Addison, Texas
75001-9010
5300 Belt Line Road
(972) 450-7000 Fax: (972) 450-7043

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

AND / OR

WORK SESSION OF THE CITY COUNCIL

6:00 PM

September 23, 2014

ADDISON TOWN HALL

5300 BELT LINE RD., DALLAS, TX 75254

6:00PM WORK SESSION

7:30PM REGULAR MEETING

WORK SESSION

WS1 Discussion regarding the Vision Statement for the Town of Addison.

Attachments

Draft Vision Statement

WS2 Update and discussion regarding the Addison Conference and Theatre Centre catering policies.

REGULAR MEETING

Pledge of Allegiance

R1 Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

R2 Consent Agenda.

R2a Approval of the Minutes for the September 9, 2014 City Council Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Attachments

09-09-2014 Minutes

R2b Approval of an Ordinance amending Chapter 38 (Fire Prevention and Protection) of the Code of Ordinances by amending various sections thereof regarding the International Fire Code, and adopting the International Fire Code (IFC) 2012 Edition (and certain appendices thereto) and making such other changes and providing for other provision regarding and relating to the International Fire Code as set forth in the Ordinance.

RECOMMENDATION:

Administration recommends approval.

Attachments

Fire Code Amendments Ordinance

2012 IFC Changes

R2c Approval of Ordinances amending Chapter 18 (Buildings and Building Regulations) of the Code of Ordinances by amending various sections thereof regarding:

1. The International Building Code, and adopting the International Building Code, 2012 Edition (and certain appendices thereto) and making other changes to the International Building Code as

- set forth in the Ordinance.
2. The International Residential Code, and adopting the International Residential Code, 2012 Edition (and certain appendices thereto) and making other changes to the International Residential Code as set forth in the Ordinance.
 3. The International Energy Conservation Code, and adopting the International Energy Conservation Code, 2012 Edition and making other changes to the International Energy Conservation Code as set forth in the Ordinance.
 4. The International Property Maintenance Code, and adopting the International Property Maintenance Code, 2012 Edition and making other changes to the International Property Maintenance Code as set forth in the Ordinance.
 5. The Electrical Code, and the National Electrical Code, and adopting the National Electrical Code, 2014 Edition and making other changes to the Electrical Code and National Electrical Code as set forth in the Ordinance.
 6. The International Plumbing Code, and adopting the International Plumbing Code, 2012 Edition and making other changes to the International Plumbing Code as set forth in the Ordinance.
 7. The International Mechanical Code, and adopting the International Mechanical Code, 2012 Edition and making other changes to the International Mechanical Code as set forth in the Ordinance.

RECOMMENDATION:

Administration recommends approval.

Attachments

2012 IBC MEMO

2012 IBC ORD

2012 IRC MEMO

2012 IRC ORD

2012 IPMC MEMO

2012 IPMC ORD

2014 NEC MEMO

2014 NEC ORD

2012 IPC MEMO

2012 IPC ORD

2012 IMC MEMO

2012 IMC ORD

R2d Approval of an Ordinance amending the Code of Ordinances of the Town by amending Chapter 66 (Solid Waste) Article II (Collection and Disposal), Division 2 (Service Charge) by amending Section 66-52 increasing from \$12.56 to \$12.77 the monthly fee for single family residential garbage collection.

RECOMMENDATION:

Administration recommends approval.

Attachments

Solid Waste Fee Ordinance

R2e Approval of and authorizing the City Manager to enter into an interlocal agreement with Dallas County in an amount not to exceed \$10,000 for the disposal of Household Hazardous Waste.

RECOMMENDATION:

Administration recommends approval.

Attachments

HHW ILA

R2f Approval of and authorizing the City Manager to execute a renewal contract with Cobb Fendley & Associates, Inc., to provide professional engineering services; to authorize additional renewals; and to approve a not to exceed amount of \$100,000.

RECOMMENDATION:

Administration recommends approval.

R2g Approval of and authorizing the City Manager to execute a contract with Elite Tree Service for annual city-wide tree trimming services in an amount not to exceed \$65,000.

RECOMMENDATION:

Administration recommends approval.

Attachments

Bid Tabulation Form

- R2h Approval of and authorizing the City Manager to enter into a license agreement with Kennington Surveyor Ltd.(or appropriate property owner) for the use of the property located adjacent to and along the southwest corner of the intersection of Arapaho Road and Surveyor Boulevard for the Redding Trail Expansion.

RECOMMENDATION:

Administration recommends approval.

Attachments

KJA Subdivision, Part 2 - Location Map

KJA Subdivision, Part 2 - Property Survey

KJA Subdivision, Part 2 - Proposed Trail Exhibit

KJA Subdivision, Part 2 - Trail Map with Property Identified

Pedestrian Connectivity Project Map

Regular Items

- R3 Discussion, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.
-

- R4 Discussion and update regarding Oncor service reliability efforts in the Town of Addison.
-

- R5 Presentation, discussion, consider and take action regarding the approval of an Ordinance amending the Code of Ordinances of the City by amending Chapter 82(Utilities), Article I (In General), Division 5 (Rates and Charges) by amending Section 82-76 and Section 82-77 increasing sewer and water rates for all customer classifications.

RECOMMENDATION:

Administration recommends approval.

Attachments

Utility Rate Ordinance (Marked)

R6 Presentation and discussion regarding an update on the Finance Department Work Plan.

Attachments

Finance Work Plan Memo
Work Plan

R7 Discussion, consider and take action regarding approval of and authorizing the City Manager to execute a contract with Artistic Painting Company for city-wide painting services in an amount not to exceed \$200,000 for painting of the Wheeler Bridge, Blueprints sculpture, interior Athletic Club areas and park structures, and discussion regarding traffic control during periods of painting.

RECOMMENDATION:

Administration recommends approval.

Attachments

2-Part Coating System

R8 Discussion, consider and take action regarding approval of and authorizing the City Manager to execute a Project Specific Agreement with Dallas County for the Redding Trail Expansion.

RECOMMENDATION:

Administration recommends approval.

Attachments

Dallas County PSA
Pedestrian Connectivity Project Map
Proposition 6 CIP Funds

R9 Discussion, consider and take action regarding the Vision Statement for the Town of Addison.

Executive Session

ES1 Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Regular Items Continued

R10 Discussion, consider and take action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

RECOMMENDATION:

Administration recommends approval.

Adjourn Meeting

Posted:
Matthew McCombs, September 19, 2014, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES.
PLEASE CALL (972) 450-7090 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

Combined Meeting

WS2

Meeting Date: 09/23/2014

Council Goals: Create raving fans of the Addison Experience.
Maintain and enhance our unique culture of creativity and innovation.
Brand Protection and Enhancement
Look for Operational Efficiencies without cutting services
Explore new/other revenue sources

AGENDA CAPTION:

Update and discussion regarding the Addison Conference and Theatre Centre catering policies.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The purpose of this item is to update the City Council on the in-house caterer and current catering policies at the Addison Conference and Theatre Centre.

With a desire and direction to generate more revenue and operate to compete with private event venues, the catering policy changed in September of 2012 when the City Council approved an amendment to the Code of Ordinances. The idea was to become more competitive by being more of a one-stop-shop for event venue needs by offering more competitive pricing, total catering solutions, and the Addison Way customer experience. Specifically, the City Council approved Section 67-15A, which provided for 1) the ACTC and Visit Addison take a commission from licensed food and beverage caterers, and 2) select an in-house private label caterer to provide packages and an overall food and beverage total solution for clients. Implementation immediately followed resulting in several changes:

1. Any caterer of the client's choosing was allowed to operate, provided the caterer signed an agreement that included having the proper insurance requirements and paying the venue a commission based on gross sales. The commission structure was 10% for Addison hotels, 15% for Addison restaurants and caterers, and 20% for non-Addison caterers. Once the requirements were met and the agreement was signed, the vendor was approved. The idea of allowing the client to choose any caterer was to satisfy the diverse needs of clients where a particular meal offering or preparation was required.

2. Once approved, the caterer was added to an Approved Caterer List and clients chose from any number of vendors on this list.
3. If a client wished to utilize a caterer that was not or could not be approved, or was considered a fast-casual food service, i.e. Jason's Deli, Pizza Hut, the client would be charged a "Buy-out Fee". These fees are standard in the event venue industry and are a way to encourage the client to use the approved or exclusive caterer(s) for the venue and collect revenue absent a commission. Buy-out fees differ amongst venues; for example, fees can be flat and wide-ranging, or based on group sizes or charged per attendee.

The ACTC operated with the above structure as a means to ease into the process and also make things more palatable for repeat clients, although most expect there to be a charge for catering or buy-out fee to utilize outside caterers. However, this also resulted in more time being spent administering the various contracts, collecting payments, and also was less turn-key for the clients.

After reviewing the cost-benefit of the above structure, it became evident that the process needed to be streamlined and turn-key for both the ACTC and clients by instituting the in-house caterer. That process began on July 1st of this year with a Request for Proposal being placed on Bidsync (web-based government e-procurement/bidding solution) and with an email notification sent to local caterers on July 7th encouraging them to apply. When bidding closed on July 17th, we received proposals from the following: Blue Mesa, Chef Pete Catering, Spice of Life Catering, My House Catering, and Culinary Art Catering.

The selection process involved three steps. The first step was an evaluation of the proposals, including the following on a weighted scale: Completeness of Proposed Solution, Food Tasting and Presentation, Commission Percentage, Reference Checks. The second evaluation was a tasting and presentation held at the Conference Centre on August 6-8. The final evaluation was a supplemental of menus and answers to questions regarding marketing and processes, which were due on August 18th.

A final decision was made on August 20th to move forward with Culinary Art Catering as the exclusive in-house caterer for the ACTC. The final decision was based on the following criteria:

- quality of food & presentation
- level of customer/client service
- price point for the client
- commission offered to ACTC and Visit Addison
- current and future marketing capabilities to target markets
- menu flexibility & creativity

- timeliness/punctuality
- reference checks

As of today, the catering policy is as follows:

1. Clients have the option to utilize the exclusive caterer of the ACTC
2. Clients have the option to utilize any caterer of their choice, outside of the exclusive caterer, with a charge of \$8.00 per head on the day of the event. A survey was done in May of 2014 and found that several competitors within a 10 mile radius charge different buy-out fees:
 1. Crown Plaza (Addison): \$25 per attendee
 2. Marriot (Addison): \$40 per attendee
 3. Intercontinental (Addison): \$40 per attendee
 4. Richardson Civic Center: \$300 flat fee
 5. Plano Centre: exclusive, no outside catering allowed

The current structure and policy is a more efficient and effective approach, offering a total catering solution for the client and the ACTC operations. The client now has a wide variety of meals and packages to select from with a proven, reputable caterer, historically serving the targeted corporate and social markets of the ACTC. The ACTC benefits by primarily coordinating with one caterer, significantly reducing administration time, and collecting a favorable commission of all food and beverage sales. Clients who wish to use any outside caterer of their choosing may do so with the buy-out fee.

RECOMMENDATION:

Combined Meeting

WS1

Meeting Date: 09/23/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion regarding the Vision Statement for the Town of Addison.

FINANCIAL IMPACT:

N/A

BACKGROUND:

During the June 27 and 28 Strategic Planning retreat, Council discussed a series of statements and goals that would ultimately be used to formulate this Council's vision statement for the Town. That vision statement would serve as the guiding principal for Council's future policy discussions and decisions. Based on those discussions, a draft vision statement was developed for Council review and discussion at the July 8 work session.

Modifications were made during the work session on September 15, 2014 and attached is the draft vision statement for further review.

RECOMMENDATION:

Attachments

Draft Vision Statement

Council's Vision

To be an attractive, thriving community that delivers the "Addison Way" with superior services, , and a safe high quality experience for residents, businesses, visitors and all other stakeholders. Addison will lead the way in creativity, innovation and fiscal responsibility within a culture of excellence, kindness and an enhanced sense of community.

Council's Role

The role of the Council is to develop a long-term vision for the Town, to develop policies necessary to achieve that vision, and to communicate with, and seek input from, stakeholders. This includes;

- Providing the direction, trust, and support necessary for the City Manager to implement the operational aspects of our vision.
- Making difficult and sometimes unpopular decisions that preserve our unique culture, safeguard our assets into the future, and effect the positive change necessary to achieve our goals.
- Identifying future trends, challenges, and opportunities.
- Being a positive and resourceful representative for the Town.
- Promoting transparency in communicating with residents, businesses, and regional partners.
- Being good financial stewards and creating an environment that nurtures a strong, diverse business ecosystem

Council's Goals

Like most cities, Addison is confronted with a number of issues that demand time and attention of elected officials and the Town's management team. In order to best apply the Town's limited resources, the City Council has established the following goals to guide the organizations efforts.

- Create raving fans of the "Addison Experience"
- Practice Mindful Stewardship of Town Resources
- Maintain and enhance our unique culture of creativity and innovation.
- Continue to find ways to celebrate our diversity

Council's Values

The Council will at all times seek to enact policies that will promote, and to personally exemplify, the values of the Town of Addison. The Council values;

- Integrity
- Respectfulness
- Fun

- Innovation/ Creativity
- Accountability
- Efficiency
- Kindness
- Openness

“Addison Way”

It is a philosophy that serves as the cornerstone of our service delivery model to our stakeholders. The heart of the “Addison Way” is staff’s charge to find a way to say “yes” to service requests rather than responding that they cannot do something. The staff searches out all options to try and meet expectations during each customer service interaction.

Combined Meeting

R2a

Meeting Date: 09/23/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the September 9, 2014 City Council Meeting and Work Session.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

09-09-2014 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

September 9, 2014

7:30 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

7:30 PM Regular Meeting

Present: Arfsten; Carpenter; Clemens; DeFrancisco; Heape; Meier; Moore

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

September 9, 2014

7:30 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

7:30 PM Regular Agenda

Posted by: Matthew McCombs, September 5, 2014, 5:00pm

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

R2a Approval of the Minutes for the August 26, 2014 City Council Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Motion made by DeFrancisco to approve, as submitted,

Seconded by Clemens

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

R2b Approval of the Minutes for the September 2, 2014 City Council Special Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Motion made by DeFrancisco to approve, as submitted,

Seconded by Clemens

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

Regular Items

R3 Presentation and proclamation honoring Blood Cancer Awareness Month.

Tiffany Grimes, representative from the Leukemia & Lymphoma Society, spoke and received the proclamation.

There was no action taken on this item.

R4 Presentation, discussion, consider and take action regarding an ordinance of the Town of Addison, Texas approving and adopting the Town's annual budget for the fiscal year commencing October 1, 2014 and ending September 30, 2015.

RECOMMENDATION:

Administration recommends approval.

Eric Cannon, Chief Financial Officer, spoke regarding this item.

Motion made by Clemens to approve, as submitted,
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

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- R5 Presentation, discussion and consider and take action regarding an ordinance levying taxes for the Town of Addison, Texas and fixing and adopting the tax rate for the Town on all taxable property for the fiscal year beginning October 1, 2014 and ending September 30, 2015; providing for a penalty and interest for delinquent taxes; declaring an emergency and providing an effective date.

RECOMMENDATION:

It is recommended that the Council approve the property tax rate ordinance for the 2014-15 fiscal year. This year's proposed tax rate exceeds the effective tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote. Per Dallas County Tax Assessor, a motion to adopt the ordinance, resolution, or order must be made in the following form:

"I move that the property tax rate be increased by the adoption of a tax rate of \$0.5618 on each One Hundred Dollars (\$100.00) of assessed valuation, which is effectively a 4.75 percent increase in the tax rate. Accordingly, I further move adoption of Ordinance No. 014-35 that adopts the tax rate of \$0.5618, and move to approve separately a tax rate of \$.3437 that will impose the amount of taxes needed to fund maintenance and operations expenses for the next year, and a tax rate of \$0.2181 that will be used to pay debt service."

Motion made by DeFrancisco "I move that the property tax rate be increased by the adoption of a tax rate of \$0.5618 on each One Hundred Dollars (\$100.00) of assessed valuation, which is effectively a 4.75 percent increase in the tax rate. Accordingly, I further move adoption of Ordinance No. 014-35 that adopts the tax rate of \$0.5618, and move to approve separately a tax rate of \$0.3437 that will impose the amount of taxes needed to fund maintenance and operations expenses for the next year, and a tax rate of \$0.2181 that will be used to pay debt service."

Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

The vote on the ordinance was a unanimous record vote, each member of the council voting affirmatively in favor of the ordinance.

-
- R6 Presentation, discussion, consider and take action regarding an Ordinance ratifying the property tax increase reflected in the Town's annual budget for the fiscal year commencing October 1, 2014, and ending September 30, 2015.

RECOMMENDATION:

Administration recommends approval.

Motion made by Carpenter to approve, as submitted,

Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

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- R7 Presentation, discussion, consider and take action approving and authorizing the City Manager to execute a contract with Teague, Nall and Perkins to provide engineering design services for the Revitalization of Midway Road for an amount not to exceed \$1,998,859.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure and Development Services, spoke regarding this item.

Motion made by DeFrancisco to approve, as submitted,

Seconded by Heape

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

- R8 Presentation, discussion, consider and take action approving and authorizing the City Manager to execute the Third Amendment to Lease Agreement, by and between the Town and Concourse Plaza II, Ltd., which is due to expire September 30, 2014, regarding the lease by the Town, as tenant, of certain premises located within the Town and generally described as Suite 220, 16051 Addison Road.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure and Development Services, and Bill Dyer, Airport Real Estate Manager, spoke regarding this item.

Motion made by Clemens to approve, as submitted,
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Clemens, DeFrancisco, Heape,
Meier, Moore

Passed

- R9 Presentation and discussion of Belt Line Road Utility Undergrounding Communication Plan.

Lisa Pyles, Director of Infrastructure and Development Services, and Carrie Rice, Director of Marketing and Communications, spoke regarding this item.

There was no action taken on this item.

- R10 Discussion, consider and take action regarding the Vision Statement for the Town of Addison.

Lea Dunn, City Manager, and Carrie Rice, Director of Marketing and Communications, spoke regarding this item.

There was no action taken on this item.

Executive Session

ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to the ponds or lakes at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

RECOMMENDATION:

City Council entered into Executive Session at 9:11 pm.
City Council closed Executive Session at 9:48 pm.

Regular Items Continued

R11 Discussion, consider and take action regarding the ponds or lakes within the City at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek.

RECOMMENDATION:

There was no action taken on this item.

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs

Combined Meeting

R2b

Meeting Date: 09/23/2014

Council Goals: Brand Protection and Enhancement
Enhance Public Safety

AGENDA CAPTION:

Approval of an Ordinance amending Chapter 38 (Fire Prevention and Protection) of the Code of Ordinances by amending various sections thereof regarding the International Fire Code, and adopting the International Fire Code (IFC) 2012 Edition (and certain appendices thereto) and making such other changes and providing for other provision regarding and relating to the International Fire Code as set forth in the Ordinance.

FINANCIAL IMPACT:

N/A

BACKGROUND:

New code editions are published every three years by the International Code Council. The codes and local amendments are reviewed by staff and recommended to Council for adoption.

The 2012 IFC is arranged and organized to follow sequential steps that generally occur in the plan review and inspection process. The 2012 IFC has been reorganized into seven parts as illustrated in the attachment, to represent a broad subject matter and include chapters that logically fit together. The 2012 IFC includes reserved areas for foreseeable future growth of the Code.

The 2012 IFC and local amendments are recommended for approval by staff to stay current with industry best practices and to be compatible with our neighboring cities.

RECOMMENDATION:

Administration recommends approval.

Attachments

Fire Code Amendments Ordinance

2012 IFC Changes

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE II (FIRE CODE) THEREOF, INCLUDING SECTIONS 38-31 (ADOPTION) (AND ADOPTING THE INTERNATIONAL FIRE CODE, 2012 EDITION, INCLUDING APPENDICES B, C, D, E, F, AND G THERETO), 38-32 (DEFINITIONS), 38-51 (GENERALLY), AND 38-53 (PROVISIONS FOR FIRE SAFETY), AND THEREBY PRESCRIBING REGULATIONS GOVERNING THE SAFETY OF LIFE AND PROPERTY FROM FIRE AND RELATED CONDITIONS; AMENDING THE SAID 2012 INTERNATIONAL FIRE CODE AS SET FORTH HEREIN; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF \$2,000 FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 38 of the Code of Ordinances of the Town of Addison, Texas (“City”) are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives of, and to promote, the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, among other things, this Ordinance continues in effect the provisions of Section 903.2 of the International Fire Code, 2006 Edition, as amended to read as set forth in Section 38-53(i) of the Code of Ordinances of the City, for the purpose of the application, interpretation, and/or enforcement of the said Section 903.2 (together with any other provisions of the said International Fire Code (including, without limitation, any appendices) that are deemed by the Fire Chief of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 903.2), and the City Council hereby finds that the requirements included in and provisions of the said Section 903.2 and such other provisions of the International Fire Code, 2006 Edition have been in effect prior to January 1, 2009, and that the continuation of those requirements and provisions by this Ordinance is not and does not constitute the enactment of an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling after January 1, 2009; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Amendments; Repeal.

A. 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, verified, approved and affirmed.

1. Chapter 38 (Fire Prevention and Protection) is amended as set forth in Exhibit A attached hereto and incorporated herein.

Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting fire prevention, protection, and safety 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 complaint, liability, action, cause of action, or claim which, prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to any ordinance or portion of the Code of Ordinances repealed hereby, shall continue to be governed by the provisions of those repealed ordinances or portions of the Code, and for that purposes such ordinances or portions of the Code shall be deemed to remain and shall continue in full force and effect.

Section 3. Penalty; Injunctive Relief. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues. In addition to and cumulative to all other penalties, the Town of Addison shall have the right to seek injunctive relief for any and all violations of this Ordinance.

Section 4. 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 5. Effective Date. This Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this _____ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

Chapter 38, Fire Prevention and Protection, of the Code of Ordinances (the "Code") of the Town of Addison, Texas is hereby amended in various sections of Article II (Fire Code) thereof as set forth below and as follows (additions are underlined; deletions are ~~struck through~~):

1. Section 38-31 of the Code is amended to read as follows:

Sec. 38-31. Adoption.

There is hereby adopted by the Town of Addison, for the purpose of prescribing regulations governing the safety of life and property from fire and related conditions, that certain code known as the International Fire Code (for purposes of this Chapter 38, "Code"), including appendices B, C, D, E, F, and G thereto, in particular the ~~2012~~2009 edition thereof, published by the International Code Council, Inc., hereinafter known as the "Fire Code" or the "Code", and the whole thereof except for such portions as are modified herein, and the same are incorporated as fully as if set out at length herein. From the date on which the adoption of the said International Fire Code, ~~2012~~2009 Edition shall take effect, the provisions thereof and herein shall be controlling within the corporate limits of the Town of Addison, Texas.

Notwithstanding the adoption of the ~~2012~~2009 International Fire Code, Section 903.2 of the International Fire Code, 2006 Edition ("2006 International Fire Code"), as amended by Section 38-53(i) of this Code below, is, together with any other provision of the 2006 International Fire Code (including, without limitation, any appendices) that are deemed by the Fire Chief of the Town of Addison, or the Fire Chief's designee, to be necessary for or useful to the application, interpretation, and/or enforcement of said Section 38-53(i), continued in full force and effect for the purpose of the application, interpretation, and/or enforcement of the said Section 903.2. For purposes of the said Section 38-53(i), references to "the code" and the "Fire Code" means the 2006 International Fire Code. In the event of any conflict between the provisions of the 2006 International Fire Code and the provisions of the International Fire Code, ~~2012~~2009 Edition, the provisions of the 2006 International Fire Code shall control for purposes of (and only for purposes of) the application, interpretation, and/or enforcement of the said Section 903.2 and any other provisions of the 2006 International Fire Code (including, without limitation, any appendices) that are deemed by the Fire Chief, or the Fire Chief's designee, or the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 903.2.

2. Section 38-51 of the Code is amended to read as follows:

Sec. 38-51. – Generally.

The ~~2012~~2009 edition of the International Fire Code is modified by the deletions, amendments and modifications provided for in this division.

3. Section 38-53 is amended to read as follows:

Sec. 38-53. Provisions for fire safety.

(a) Section 304.1 of the Code shall be amended to read:

Waste Material. Accumulations of any type of waste or scrap material shall not be allowed to remain in any location where, in the opinion of the Fire Chief or the Fire Chief's designee, they may constitute a fire and life-safety hazard or impede fire department operations.

(b) Section 307.1 of the Code shall be amended to read:

General. Open burning, including recreational or ceremonial, fires shall not be permitted in the Town of Addison.

Exception: Outdoor cooking is permitted and shall be in accordance with Section 308.1.4.

(c) Section ~~401.5~~~~401.3-4~~ shall be amended to read:

False Alarms and Reports. It shall be unlawful for a person, device or system to give, signal or transmit a false fire or medical alarm.

(d) Section 503.1 shall be amended to read:

Where required. Fire lanes and other emergency access routes shall be provided in accordance with sections 503.1.1 through 503.1.3 or as approved by the Fire Chief or the Fire Chief's designee.

(e) Section 503.2.1 of the code shall be amended to read:

Dimensions. Fire lanes and other emergency access routes shall have an unobstructed width of not less than 24-feet and an unobstructed vertical clearance of not less than 14-feet. Turning radii, weight capacity, marking and all other dimensions or factors affecting fire lanes or emergency access routes shall be as specified in the code or as approved by the Fire Chief or the Fire Chief's designee.

(f) Section 901.6.1 of the code shall be amended to read:

Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the reference standards listed in Table 901.6.1 or at intervals determined by the Fire Chief or the Fire Chief's designee.

(g) Section 901.7 of the code shall be amended to read:

Systems out of service. Where a fire protection system is out of service for any reason, or in the event of an excessive number of activations, the fire department shall be notified immediately and, where required by the Fire Chief or the Fire Chief's designee, the building shall be evacuated or an approved fire watch shall be provided until the fire protection system has been repaired and returned to service.

- (h) Section 903.1.1 shall be amended to read:

Alternative protection. Alternative automatic fire extinguishing systems complying with Section 904 may be permitted as approved by the Fire Chief or the Fire Chief's designee only in addition to automatic fire sprinkler protection. In no case shall fire sprinkler protection be removed or omitted based on the presence of alternative fire extinguishing systems.

- (i) Section 903.2 of the code shall be amended to read:

Where required. An approved automatic fire sprinkler system shall be installed as follows:

- 1) In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space.

Unless otherwise required in the code, the following exceptions apply:

Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

Exception 2: Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

Exception 3: Existing, unsprinklered, single-family detached dwellings which are added to for the purpose of increasing livable area.

Exception 4: Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

Exception 5: Group S-~~1~~₂ occupancies used only for the storage or parking of aircraft. (NOTE: All aircraft hangars are subject to the provisions of NFPA 409.)

- 2) In any existing building of any size, area or occupancy (except single-family detached residences), remodeled or reconstructed after the effective date of this ordinance, where greater than 50% of either the square footage or the (DCAD assessed) dollar value is involved.
- 3) In the attic of any building required by this section to have a fire sprinkler system.

Exception: the attics of single-family dwellings on fee simple lots.

- 4) In the occupancies and locations set forth in section 903 of the Fire Code.

- (j) Section 903.3.1.1 shall be amended to read:

NFPA-13 sprinkler systems. Where the provisions of this ordinance require that a building or portion thereof be equipped with an automatic fire sprinkler system, sprinklers shall be installed in accordance with the appropriate version of NFPA-13 with any such additions or modifications as may be required by the Fire Chief or the Fire Chief's designee.

- (k) Section 903.4 of the Code shall be amended to read:

Sprinkler system monitoring and alarms. All valves controlling the water supply and all water flow alarm switches on fire sprinkler systems shall be electronically supervised and monitored by an approved fire alarm monitoring agency, regardless of the number of sprinkler heads served.

Exception. Fire sprinkler valve and alarm monitoring for single-family dwellings on fee simple lots shall be at the discretion of the property owner.

- (l) Section 905.1 of the Code shall be amended to read:

Generally. Standpipe systems shall be provided as set forth in this section or as required by the prevention chief.

- (m) Section ~~56083301.1~~ of the Code shall be amended to read:

Scope. The manufacture, possession, storage, sale, transportation, use, handling and/or presence of explosive materials of any type is prohibited in the Town of Addison except as noted below:

Exception 1. Explosive materials used by the armed forces of the United States or other governmental agencies acting in an official capacity.

Exception 2. The possession, use and storage of small arms ammunition in accordance with section ~~56063306~~ of the Code.

Exception 3. Approved construction or demolition projects for which a permit has been obtained and where all necessary safety precautions are reviewed by the fire department and observed on site.

- (n) Section 3308.1 of the Code is hereby amended to read:

Generally. The manufacture, possession, storage, sale, transportation, use, handling and/or presence of fireworks or pyrotechnic material of any type is prohibited in the Town of Addison except as noted below:

Exceptions.

- 1) Approved events organized and conducted by licensed fireworks and pyrotechnic professionals where all necessary safety precautions are reviewed by the fire department and observed on site.
- 2) Any composition or device that produces a visible or audible effect for entertainment purposes and that produces negligible heat or flame and is not activated by contact with a flame or heat producing device.

- (o) Section ~~5704.3.4~~ of the Code shall be amended by the addition of:

~~5704.1.3.4~~ *Location.* Facilities storing or handling hazardous, flammable or combustible liquids or materials in excess of the quantities listed in Table ~~5003.1.1.2~~ ~~703.1.1~~, may only be located as approved by the Fire Chief or the Fire Chief's designee.

- (p) Section ~~5703.4.8~~ ~~3404.3.8~~ of the Code is hereby amended to read:

Liquid storage warehouses. The storage of flammable liquids in the manner defined by the Code as a "liquid storage warehouse" is prohibited in the Town of Addison.

Effective Use of the International Fire Code

The *International Fire Code*® (IFC®) is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes. The IFC addresses fire prevention, fire protection, life safety and safe storage and use of hazardous materials in new and existing buildings, facilities and processes. The IFC provides a total approach of controlling hazards in all buildings and sites, regardless of the hazard being indoors or outdoors.

The IFC is a design document. For example, before one constructs a building, the site must be provided with an adequate water supply for fire-fighting operations and a means of building access for emergency responders in the event of a medical emergency, fire or natural or technological disaster. Depending on the building's occupancy and uses, the IFC regulates the various hazards that may be housed within the building, including refrigeration systems, application of flammable finishes, fueling of motor vehicles, high-piled combustible storage and the storage and use of hazardous materials. The IFC sets forth minimum requirements for these and other hazards and contains requirements for maintaining the life safety of building occupants, the protection of emergency responders, and to limit the damage to a building and its contents as the result of a fire, explosion or unauthorized hazardous material discharge.

Arrangement and Format of the 2012 IFC

Before applying the requirements of the IFC it is beneficial to understand its arrangement and format. The IFC, like other codes published by the International Code Council, is arranged and organized to follow sequential steps that generally occur during a plan review or inspection. The 2012 IFC has been reorganized into 7 Parts as illustrated in the tables below. Each Part represents a broad subject matter and includes the chapters that logically fit under the subject matter of each Part. It is also foreseeable that additional chapters will need to be added in the future as regulations for new processes or operations are developed. Accordingly, the reorganization was designed to accommodate such future chapters by providing reserved (unused) chapters in several of the Parts. This will allow the subject matter parts to be conveniently and logically expanded without requiring a major renumbering of the IFC chapters.

2012 REORGANIZATION OF THE IFC	
Parts and Chapters	Subject Matter
Part I – Chapters 1 and 2	Administrative and definitions
Part II – Chapters 3 and 4	General safety provisions
Part III – Chapters 5 through 11	Building and equipment design features
Part III - Chapters 12 through 19	Reserved for future use
Part IV – Chapters 20 through 36	Special occupancies and operations
Part IV – Chapters 37 through 49	Reserved for future use
Part V – Chapters 50 through 67	Hazardous materials
Part V – Chapters 68 through 79	Reserved for future use
Part VI – Chapter 80	Referenced standards
Part VII - Appendices A through J	Adoptable and informational appendices

2012 IFC CHAPTER REORGANIZATION		
CHAPTER NUMBER 2009	CHAPTER NUMBER 2012	CHAPTER TITLE
1	1	Scope and Administration
2	2	Definitions
3	3	General Requirements
4	4	Emergency Planning and Preparedness
5	5	Fire Service Features
6	6	Building Services and Systems
7	7	Fire-Resistance-Rated Construction
8	8	Interior Finish, Decorative Materials and Furnishings
9	9	Fire Protection Systems
10	10	Means Of Egress
11	20	Aviation Facilities
12	21	Dry Cleaning
13	22	Combustible Dust-Producing Operations
14	33	Fire Safety during Construction and Demolition
15	24	Flammable Finishes
16	25	Fruit and Crop Ripening
17	26	Fumigation and Insecticidal Fogging
18	27	Semiconductor Fabrication Facilities
19	28	Lumber Yards and Woodworking Facilities
20	29	Manufacture of Organic Coatings
21	30	Industrial Ovens
22	23	Motor Fuel-Dispensing Facilities and Repair Garages
23	32	High-Piled Combustible Storage
24	31	Tents and Other Membrane Structures
25	34	Tire Rebuilding and Tire Storage
26	35	Welding and Other Hot Work
27	50	Hazardous Materials—General Provisions
28	51	Aerosols
29	52	Combustible Fibers
30	53	Compressed Gases
31	54	Corrosive Materials
32	55	Cryogenic Fluids
33	56	Explosives and Fireworks
34	57	Flammable and Combustible Liquids
35	58	Flammable Gases and Flammable Cryogenic Fluids
36	59	Flammable Solids
37	60	Highly Toxic and Toxic Materials
38	61	Liquefied Petroleum Gases
39	62	Organic Peroxides

(continued)

2012 IFC CHAPTER REORGANIZATION—continued		
CHAPTER NUMBER 2009	CHAPTER NUMBER 2012	CHAPTER TITLE
40	63	Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids
41	64	Pyrophoric Materials
42	65	Pyroxylin (Cellulose Nitrate) Plastics
43	66	Unstable (Reactive) Materials
44	67	Water-Reactive Solids and Liquids
45	36	Marinas
46	11	Construction Requirements for Existing Buildings
47	80	Referenced Standards
Appendix A-J	Appendix A-J	No changes in reorganization

The IFC requirements for fire-resistive construction, interior finish, fire protection systems, means of egress and construction safeguards are directly correlated to the chapters containing parallel requirements in the IBC, as follows:

IFC Chapter	Subject
7	Fire-resistance-rated construction
8	Interior finish, decorative materials and furnishings
9	Fire protection systems
10	Means of egress
33	Fire safety during construction and demolition

Combined Meeting

R2c

Meeting Date: 09/23/2014

Council Goals: Brand Protection and Enhancement
Enhance Public Safety

AGENDA CAPTION:

Approval of Ordinances amending Chapter 18 (Buildings and Building Regulations) of the Code of Ordinances by amending various sections thereof regarding:

1. The International Building Code, and adopting the International Building Code, 2012 Edition (and certain appendices thereto) and making other changes to the International Building Code as set forth in the Ordinance.
2. The International Residential Code, and adopting the International Residential Code, 2012 Edition (and certain appendices thereto) and making other changes to the International Residential Code as set forth in the Ordinance.
3. The International Energy Conservation Code, and adopting the International Energy Conservation Code, 2012 Edition and making other changes to the International Energy Conservation Code as set forth in the Ordinance.
4. The International Property Maintenance Code, and adopting the International Property Maintenance Code, 2012 Edition and making other changes to the International Property Maintenance Code as set forth in the Ordinance.
5. The Electrical Code, and the National Electrical Code, and adopting the National Electrical Code, 2014 Edition and making other changes to the Electrical Code and National Electrical Code as set forth in the Ordinance.
6. The International Plumbing Code, and adopting the International Plumbing Code, 2012 Edition and making other changes to the International Plumbing Code as set forth in the Ordinance.
7. The International Mechanical Code, and adopting the International Mechanical Code, 2012 Edition and making other changes to the International Mechanical Code as set forth in the Ordinance.

FINANCIAL IMPACT:

N/A

BACKGROUND:

The Town is currently operating under the 2008 and 2009 codes. New code editions are published every three years. The codes are then submitted to the Council with amendments recommended by the staff and NCTCOG for adoption. Addison's approach has always been to wait couple years before adopting new codes to observe how they have been applied in other locations and identify potential areas that may need to be adjusted before the Town adopts them.

These codes are recommended for adoption by the staff to keep abreast of State law and to be compatible with our neighboring cites. The proposed language makes various adjustments to the Code which is mostly administrative in nature to reflect the revised code edition and account for the renumbering of code sections.

RECOMMENDATION:

Administration recommends approval.

Attachments

2012 IBC MEMO

2012 IBC ORD

2012 IRC MEMO

2012 IRC ORD

2012 IPMC MEMO

2012 IPMC ORD

2014 NEC MEMO

2014 NEC ORD

2012 IPC MEMO

2012 IPC ORD

2012 IMC MEMO

2012 IMC ORD

To: Charles Goff , Assistant Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2014

Subject: 2012 IBC

The following changes were made to the Code of Ordinance:

Sec. 18-31. Adopted. Changed text to read 2012 codes.

Sec. 18-57. Separation and Sec. 1-58 Table 602. These amendments were deleted because staff feels the base code is sufficient to accommodate the required separation.

Sec. 18-56. Atrium. Changed text to read section 202.

Sec. 18-62 Alternative protection. Change recommended by the Fire Department.

Sec. 18-63. Automatic fire-extinguishing system. Changed text to delete S-2 occupancies to conform to new code.

Sec. 18-63.1 NFPA 13 Sprinkler systems. Changed recommended by the Fire Department.

Sec. 18-63.1.1 Group A-2. This amendment was deleted to correspond with the Fire Code ordinance and base text of the new code.

Sec. 63.5 High rise buildings. This amendment is no longer needed because the definition of a high rise building is covered in Section 202 of the building code.

Sec. 66.6 Accessible means of egress. Amendment recommended by NCTCOG.

Sec. 18-67. Corridor construction. Changed text to correspond to new building code..

Sec. 18-67.1. Smokeproof enclosures. Changed text to read section 403.5.4.

Sec. 18-67.2 Luminous egress path markings. Amendment is no longer needed because the definition of a high rise building is covered in Section 202 of the building code.

Sec. 18-67.3. Emergency escape and rescue. Amendment recommended by NCTCOG.

Sec. 18-74 Disposal of construction waste. Changed text to read Section 3314.

Sec. 18-75. Excavation, construction or demolition. Changed text to read 3315.

Sec. 18-76. Storm water runoff. Changed text to read 3316.

Sec. 18-79. Amendments to the International Energy Conservation Code. Amendment recommended by NCTCOG to satisfy the “not less restrictive” requirement when adopting subsequent editions of energy codes in accordance with Texas SB 5, 77th Legislature.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18 (BUILDING AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE I (IN GENERAL) AND ARTICLE II (BUILDING CODE) THEREOF, INCLUDING: SECTIONS 18-31 (ADOPTED) (AND ADOPTING THE INTERNATIONAL BUILDING CODE, AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION, INCLUDING CERTAIN APPENDICES THERETO), 18-56 (ATRIUM); 18-62 (ALTERNATIVE PROTECTION); 18-63 (AUTOMATIC FIRE-EXTINGUISHING SYSTEMS); 18-63.1 (NFPA-13 SPRINKLER SYSTEMS); 18-67 CORRIDOR CONSTRUCTION; 18-67.1 (SMOKEPROOF ENCLOSURES AND PRESSURIZED STAIRWAYS); 18-74 (DISPOSAL OF CONSTRUCTION WASTE); 18-75 (EXCAVATION, CONSTRUCTION OR DEMOLITION AT NIGHT PROHIBITED); 18-76 (STORMWATER RUNOFF); AND 18-79 (AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE); AND ADDING TO THE CODE OF ORDINANCES SECTION 18-67.3 (EMERGENCY ESCAPE AND RESCUE) AND SECTION 18-66 (ACCESSIBLE MEANS OF EGRESS); AND DELETING IN THEIR ENTIRETY FROM THE CODE OF ORDINANCES SECTIONS 18-57 (SEPARATION), 18-58 (TABLE 602); 18-63.1.1 (GROUP A-2), 18-63.5 (HIGH-RISE BUILDINGS), AND 18-67.2 (LUMINOUS EGRESS PATH MARKINGS); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, among other things, this Ordinance continues in effect the provisions of chapter 9 of the International Building Code, 2006 Edition for the purposes of the application, interpretation, and/or enforcement of Section 18-429 of the Code of Ordinances (together with any other provisions of the International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429), and the City Council hereby finds that the requirements included in and provisions of the said chapter 9 and other provisions of the International Building Code, 2006 Edition have been in effect prior to January 1, 2009, and that the continuation of those requirements and provisions by this

Ordinance is not and does not constitute the enactment of an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling after January 1, 2009; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18 (Building and Building Regulations), Article II (Building Code) thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity

of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this ___ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

Chapter 18, Buildings and Building Regulations, of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended in various sections of Article I (In General) and Article II (Building Code) thereof as set forth below and follows (additions are underlined; deletions are ~~struck through~~):

1. Section 18-31 of the Code is amended to read as follows:

Sec. 18-31. 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 International Building Code, 2012~~2009~~ Edition, the and the International Energy Conservation Code, 2012~~2009~~ Edition, (copies 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), are 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 Appendices E, F, G, I and J of the 2009~~2006~~ Edition of the International Building Code.

Notwithstanding the adoption of the 2012~~2009~~ International Building Code, chapter 9 of the International Building Code, 2006 Edition (“2006 International Building Code”) is continued in full force and effect for the purpose of the application, interpretation, and/or enforcement of Section 18-429 of this Chapter, together with any other provisions of the 2006 International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429. For purposes of the said Section 18-429, the reference to chapter 9 of the International Building Code means chapter 9 of the 2006 International Building Code. In the event of any conflict between the provisions of the 2006 International Building Code and the provisions of the International Residential Code, 2012 ~~2009~~ Edition, the provisions of the 2006 International Building Code shall control for purposes of (and only for purposes of) the application, interpretation, and/or enforcement of Section 18-429 of this Chapter and any other provisions of the 2006 International Building Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 18-429.

2. Section 18-56 of the Code is amended to read as follows:

18-56. Atrium.

The International Building Code is amended by changing the definition of an atrium in

Section 202 ~~second paragraph of subsection 404.1.1~~ to read as follows:

ATRIUM. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is enclosed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505.

3. Section 18-57 of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-57. Separation.~~

~~The International Building Code is amended by adding item 4 to subsection 406.1.2 as follows:~~

~~—4. A separation is not required between a Group R-2 and U carport provided that the carport is open on all sides and that the distance between the two is at least 10 feet (3048 mm).~~

4. Section 18-58 of the Code of Ordinances is deleted in its entirety:

~~Sec. 18-58. Table 602.~~

~~The International Building code is amended by changing footnote b in Table 602 to read as follows:~~

~~—b. For special requirements for Group U see section 406.1.2. Group R-3 and Group U when used as accessory to Group R-3, as applicable in 101.2 shall not be required to have a fire resistive rating where fire separation distance is three feet or more. Group R-2 and Group U carport, as applicable in 406.1.4 exception 4 shall not be required to have a fire resistance rating where the fire separation is ten feet or more.~~

5. Section 18-62 of the Code is amended to read as follows:

Sec. 18-62. Alternative protection.

The International Building Code is amended by changing 903.1.1 to read as follows:

903.1.1 Alternative protection: Alternative automatic fire-extinguishing systems complying with Section 904 may be permitted as approved by the Fire ~~Prevention~~ Chief or the Fire Chief's designee only in addition to automatic fire sprinkler protection. In no case shall fire sprinkler protection be removed or omitted based on the presence of alternative-extinguishing systems.

6. Sec. 18-63 of the Code is amended to read as follows:

Sec. 18-63. Automatic fire-extinguishing systems.

The International Building Code is amended by changing subsection 903.2 to read as follows:

903.2 Sprinklers required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space. Unless otherwise required in the code, the following exceptions apply:

Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

Exception 2: Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

Exception 3: Existing, unsprinklered, single family detached dwellings which are added to for the purpose of increasing livable area.

Exception 4: Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

Exception 5: Group ~~S-1S-2~~ occupancies used only for the storage or parking of aircraft. (NOTE: Aircraft hangars are subject to the provisions of NFPA 409.)

- (2) In any existing building of any size, area or occupancy, remodeled or reconstructed after the effective date of this ordinance where the remodel or reconstruction involves greater than 50 % of the square footage of the structure or costs in excess of 50 % of the dollar value of the structure as assessed by the Dallas Central Appraisal District.

(3) In the attic of any building REQUIRED to have a fire sprinkler system. Exception: Attics of single family residences on fee simple lots.

- (4) In the occupancies and location as set forth in this section.

For provisions on special hazards and hazardous materials, see the fire code.

7. Sec. 18-63.1 of the Code is amended to read as follows:

Sec. 18-63.1 NFPA 13 Sprinkler systems.

The International Building Code is amended by changing subsection 903.3.1.1 to read as follows:

903.3.1.1 NFPA-13 sprinkler systems. Where the provisions of this ordinance require that a building or portion thereof be equipped with an automatic fire sprinkler system, sprinklers shall be installed in accordance with the appropriate version of NFPA-13 with any such additions or modifications as may be required by the Fire Prevention Chief or the Fire Chief's designee.

8. Section 18-63.1.1, Group A-2, of the Code of Ordinances is deleted in its entirety:

Sec. 18-63.1.1. Group A-2.

~~The International Building Code is amended by changing section 903.2.1.2 1. to read as follows:~~

~~1. The fire area exceeds 1500 square feet.~~

9. Section 18-63.5, High-rise buildings, of the Code of Ordinances is deleted in its entirety:

Sec. 18-63.5 High-rise buildings.

~~—The International building code is amended by changing 75 feet to read 55 feet and 22 860 mm to read 16 764 mm in section 907.2.13.~~

10. The Code of Ordinances is amended by adding Section 18-66 Accessible Means of Egress to read as follows:

Sec. 16-66 Accessible Means of Egress.

The International Building Code is amended by adding Exception 4. To Section 1007.1 to read as follows:

4. Buildings regulated under State Law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1007.

11. The Code of Ordinances is amended by changing Section 18-67 Corridor Construction to read as follows:

Sec. 18-67. Corridor Construction.

The International Building Code is amended by adding exception 65 to subsection 1018.1 to read as follows:

65. Nonrated construction within a single tenant space in the following circumstances:

- (i) Smoke detectors are installed along the path of travel per manufacturer's instructions, but in no case more than sixty (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 a system is provided.

12. The Code of Ordinances is amended by changing Section 18-67.1. to read as follows:

Sec. 18-67.1. Smokeproof enclosures and pressurized stairways.

The International Building Code is amended by changing 75 feet to read 55 feet and 22,860 mm to read 16,674 mm in section ~~403.5.41022.9~~.

13. Section 18-67.2, Luminous egress path markings, of the Code of Ordinances is deleted in its entirety:

~~**Sec.18-67.2 Luminous egress path markings.**~~

~~The International Building Code is amended by changing 75 feet to read 55 feet and 22,860 mm to read 16,674 mm in section 1024.1.~~

14. The Code of Ordinances is amended by adding Section 18-67.3 to read as follows;

Sec. 18-67.3. Emergency escape and rescue.

The International Building Code is amended by changing Section 1029.1 General in part to read as follows:

1029.1 General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue openings in Group R and I-1 occupancies. {Remainder of paragraph unchanged}

Exceptions: {Exceptions 1 through 3 unchanged; a new Exception 4 is added to Section 1039.1 to read as follows:}

4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

15. The Code of Ordinances is amended by changing Section 18-74 to read as follows:

Sec. 18-74. Disposal of construction waste.

The International Building Code is amended by adding Section ~~33143313~~ to read as follows:

Section 3314~~3313~~. Disposal of construction waste.

3314.1~~3313~~. General requirements.

- (1) Each holder of permit under this code shall be required to provide a refuse container for disposal of waste and rubbish upon construction sites. The size of such container shall be approved by the building official and shall be sufficiently large to hold the rubbish and waste in such manner that it will not blow out or spill over. The location of such refuse container shall be approved by the building official.
- (2) If the proposed improvement for which the permit has been issued is less than five thousand dollar (\$5,000.00), the building official may, in his sole discretion, waive the requirement of a refuse container if he deems it not necessary and other means of disposal have been approved by him.
- (3) In this section:
 - a. Waste means garbage and other decayable, nondecayable, used up, broken, rejected or worthless materials.
 - b. Rubbish means trash, debris, rubble, stone, useless fragments of building materials and other miscellaneous useless wastes or rejected matter.
 - c. Public right-of-way means the entire width between property lines of road, streets, ways, thoroughfares, bridges or parks in this city, not privately owned or controlled, if any part of the road, street, way, thoroughfare, bridge or park is opened to the public for vehicular traffic.
- (4) Upon determination by the building official that a permit holder has failed to maintain or use an approved refuse container, in violation of the provisions of this ordinance, an order to correct the offending condition will be issued to the permit holder. Such order shall be telephoned to the permit holder and confirmed by mailing a copy of the order by certified mail, return receipt requested. The order shall specifically describe the offending condition and suggest actions necessary to correct the condition. Failure to properly correct the offending condition within three (3) days (excluding Saturdays, Sundays, and legal holidays) after the mailing date of the order shall subject the permit holder to the issuance of a citation.
- (5) In addition to the enforcement procedures provided in this ordinance, it shall be within the power and discretion of the building official to suspend or revoke the permit for violation of any provision of this ordinance. Suspension or revocation

shall be mandatory for the third offense under this ordinance.

16. Section 18-75 of the Code is amended to read as follows:

Sec. 18-75. Excavation, construction or demolition at night prohibited.

The International Building Code is amended by adding Section ~~3315~~~~3314~~ to read as follows:

Section ~~3315~~~~3314~~. Excavation, construction or demolition at night prohibited.

~~3315.1~~~~3314.1~~. General requirements.

(1) *Intent and purpose.* The City Council of the Town of Addison finds and declares that:

- (a) The uncontrolled excavation, erection, construction or demolition at night upon buildings or structures presents an inconvenience or danger to the welfare and safety of those persons residing within or near the buildings or structures worked upon.
- (b) Such nocturnal activity causes inconvenience or danger to those persons residing within or near the buildings or structures worked upon so as to constitute a public nuisance.
- (c) It is a matter of public necessity that the Town of Addison protect those persons residing within or near the buildings or structures worked upon from the danger posed by such nocturnal activity.
- (d) The provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the morals and general welfare of persons in the Town of Addison.
- (e) There is an immediate and present danger presented by the above described uncontrolled nocturnal activity, creating an emergency.

(2) *Unlawful activity.* It shall be unlawful for a person, firm or corporation to excavate, erect, build, construct, alter, repair or demolish any building or structure which has been issued or which is required to be issued a building permit by the Town of Addison between the hours of 7:00 P.M. and 7:00 A.M. Monday through Friday, and between the hours of 7:00 P.M. and 8:00 A.M. on Saturday and Sunday, if such activity is performed within a residential, apartment or townhouse zoned area, or within three hundred (300) feet of an occupied residence, except in cases of urgent necessity or in the interest of public safety and convenience, and then only by permission of the city manager.

(3) *Exception.* The provisions of this section shall not apply to the city and utility companies when engaged in the installation or repair of utility lines situated within such

buildings or structures.

(4) *Posting of sign.* The owner of the property upon which activity is carried on or the general contractor shall be responsible for the posting of a sign in a clearly visible area at all entrances to construction sites that will state the hours during which construction is allowed.

17. Section 18-76 of the Code is amended to read as follows;

Sec. 18-76. Storm water runoff.

The International Building Code is amended by adding Section ~~33163315~~ to read as follows:

Section ~~33163315~~. Storm water runoff.

3316.13315.1. General requirements. It shall be unlawful for any person on any construction site to allow excessive storm water runoff to be discharged directly into any public street, alley or private street so as to create a nuisance. Should surface runoff be declared a nuisance by the city, the owner, builder and/or developer of the site may be required to construct dikes or dams on site to form detention areas such that storm water may be temporarily detained until such storm abates at which point the trapped water may be slowly released. It shall be the responsibility of the owner, builder and/or developer at a construction site to remove any dirt or mud deposit on adjacent public streets, alleys or private streets as a result of storm water runoff.

18. Section 18-79 of the Code is amended to read as follows:

Sec.18-79. Amendments to the International Energy Conservation Code.

The International Energy Conservation Code is amended to read as follows:

Section C101.4.2 and R101.4.2; change to read as follows:

C101.4.2/R101.4.2 Historic Buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer of the Keeper of the National Register of Historic Places, shall comply with all of the provisions of this code.

Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.

Section C102/R102; add Section C102.1.2 and R102.1.2 to read as follows:

C102.1.2/R102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

Section C202 and R202; add the following definition:

GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

Section R402.2.2; amend the section to read as follows:

R402.2.2 Ceilings without attic spaces. Where Section R402.1.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section R402.1.1 shall be limited to 500 square feet (46 m²). This reduction shall not apply to the U -factor alternative approach in Section R402.1.3 and the total UA alternative in Section R402.1.4.

R402.4.1.2 Testing; Add a last paragraph to read as follows:

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

R403.2.2 Sealing (Mandatory); Add a last paragraph to read as follows:

Testing may only be performed by individuals that are certified HERS Raters or Rating Field Inspectors by RESNET or Performance Verification Technicians certified by Texas HERO, or other certifications as may be approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that installed the duct system.

Section R403.2.3; Amend to read as follows:

R403.2.3 Building cavities (Mandatory). Building framing cavities shall not be used as supply ducts. Building framing wall cavities in the exterior thermal envelope shall not be used as return ducts.

Section C402.2.9/R402.2; Add Section C402.2.9 and R402.2.13 to read as follows:

Section C402.2.9/R402.2 Insulation installed in walls. To insure that insulation remains in place, insulation batts installed in walls shall be totally secured by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

R405.6.2; add the following sentence to the end of paragraph:

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

Amend Section 101.4.2 Historic Buildings to read as follows:

~~101.4.2 Historic Buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, shall comply with all the provisions of this code.~~

~~Exception: Whenever a provision or provisions shall invalidate or jeopardize the historical designation or listing, that provision or provisions may be exempted.~~

Amend Section 103.1.1 Above code programs to read as follows:

~~103.1.1 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.~~

Amend SECTION 202 GENERAL DEFINITIONS by adding the following definition:

~~GLAZING AREA. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose the conditioned space. Glazing area includes the area of the glazed fenestration assemblies in walls bounding conditioned basements. For doors where daylight opening is less than 50 percent of the door area, that glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.~~

Amend Section 401.2 Compliance, Item #1 to read as follows:

1. Sections 402.1 through 402.3, 403.2.1 and 404.1 (prescriptive) and the use of Tables 402.1.1 and 402.1.3 are limited to a maximum glazing area of 15% window area to floor area or ratio; or

Amend Section 402 by adding Section 402.2.12 to read as follows:

402.2.12 Insulation installed in walls. Insulation installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

Amend Section 405.4.1 by adding a sentence to the end of the paragraph to read as follows:

RemRateTM, Energy GaugeTM, and IC3 are deemed acceptable performance programs.

To: Charles Goff, Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2014

Subject: 2012 IRC

The following changes were made to the 2012 IRC ordinance:

Sec. 18-401. Adopted. Text changed to read 2012 IRC.

Sections 18-421, 18-422, 18-423, 18-424, 18-425, 18-426, 18-427, 18-428, 18-430, 18-431, 18-432, 18-433, 18-434, 18-435, 18-436, 18-436.1, 18-436.2, 18-437, 18-438, 18-439, 18-441 are amended to read 2012.

Sec. 18-431, Excavation, Construction and Demolition at night prohibited. Section 3314 changed to read 3315 because section numbers changed in 2012 IBC.

Sec. 18-432. Storm Runoff. Section 3315 changed to read 3316 because numbers changed in 2012 IBC.

Sec. 18-428.1 Other Penetrations. Section deleted. No longer required, 2012 IRC was corrected.

Sec. 18-441. Amendments to Chapter 11 Energy Efficiency. Amendment recommended by NCTCOG to satisfy the “not less restrictive” requirement when adopting subsequent editions of energy codes in accordance with Texas SB 5, 77th Legislature.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18 (BUILDING AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE VII (HOUSING CODE) THEREOF, INCLUDING: SECTIONS 18-401 (ADOPTED), AND ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION, INCLUDING CERTAIN APPENDICES THERETO (BUT CONTINUING IN EFFECT PORTIONS OF THE INTERNATIONAL RESIDENTIAL CODE, 2006), 18-421 (DELETIONS, AMENDMENTS AND ADDITIONS GENERALLY), 18-422 (PERMIT EXPIRATION), 18-423 (EXEMPTED WORK), 18-424 (CERTIFICATE OF OCCUPANCY), 18-425 (BUILDING/FIRE CODE BOARD OF APPEALS), 18-426 (VIOLATION PENALTIES), 18-426.1 (DEFINITIONS), 18-427 (EXTERIOR WALLS), 18-428 (UNITY AGREEMENTS), SECTION 18-428.3 (WHERE REQUIRED IN EXISTING DWELLINGS), 18-430 (DISPOSAL OF CONSTRUCTION WASTE), 18-431 (EXCAVATION, CONSTRUCTION AND DEMOLITION AT NIGHT PROHIBITED), 18-432 (STORMWATER RUNOFF), 18-433 (BUILDING SECURITY), 18-434 (AIRPORT NOISE), 18-435 (EXTERIOR PLASTER), 18-436 (EXTERIOR INSULATION AND FINISH SYSTEM (EIFS)), 18-436.1 (SEWER DEPTH), 436.2 (ROOF EXTENSION), 18-437 (ADMINISTRATIVE APPROVAL), 18-438 (LOCATION OF CLEAR SPACES), 18-439 (MINIMUM SIZE OF CONDUCTORS), 18-440 (SERVICE DISCONNECT LOCATION), AND 18-441 (AMENDMENTS TO CHAPTER 11 ENERGY EFFICIENCY); DELETING SECTION 18-428.1 (OTHER PENETRATIONS) TO THE CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 of the Code of Ordinances of the Town of Addison, Texas (the “City”) are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, among other things, this Ordinance continues in effect the provisions of the International Residential Code, 2006 Edition for purposes of the amendment thereto set forth in Section 18-429 of the Code of Ordinances, and the City Council hereby finds that the requirements included in and provisions of the said Section 18-429 have been in effect prior to January 1, 2009, and that the continuation of those requirements and provisions by this

Ordinance is not and does not constitute the enactment of an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling after January 1, 2009; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18 (Building and Building Regulations), Article VII (Housing Code) thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity

of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this ___ day of _____, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

Chapter 18 (Building and Building Regulations), of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended by amending various sections of Article VII (Housing Code) thereof as set forth below and as follows (additions are underlined; deletions are ~~struck through~~):

1. Section 18-401 of the Code is amended to read as follows:

Sec. 18-401. 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 International Residential Code, 20122009 Edition (for purposes of this Article, the “20122009 International Residential Code,” 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 to provided in this article. Also, adopted are Appendices **E, F, G, H, I, J and K** of the 20122009 International Residential Code.

Notwithstanding the adoption of the 20122009 International Residential Code, Section R325 of the International Residential Code, 2006 Edition (for purposes of this Article, the “International Residential Code”), as added by an amendment to the International Residential Code as set forth in Section 18-429, below, and any provisions of the International Residential Code (including, without limitation, any appendices) that are deemed by the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section R325, are continued in full force and effect. To the extent of any conflict between the provisions of the International Residential Code as continued hereby and the provisions of the 20122009 International Residential Code, the provisions of the International Residential Code shall control.

Section R313 of the 20122009 International Residential Code is not adopted hereby and is excluded from the adoption of the 20122009 International Residential Code.

2. All references to the “2009 International Residential Code” included in Sections 18-421 through 18-428, and in Sections 18-430 through 18-441, shall mean and are amended to read “20122009 International Residential Code”.

3. Section 18-421of the Code is amended to read as follows:

Sec. 18-421. Deletions, amendments and additions generally.

The ~~2012~~2009 International Residential Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

4. Section 18-422 of the Code is amended to read as follows:

Sec. 18-422 Permit Expiration.

The ~~2012~~2009 International Residential Code is amended by changing subsection R105.5 and adding subsection R105.5.1 to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time work is commenced. All work commenced under a building permit shall be completed within 18 months. The building official is authorized to grant, in writing, an extension of time, for a period of not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated. No permit shall be extended more than once.

R105.5.1 New permits required. A new permit must be obtained for any construction which is not completed within the allowable time period or extended as provided above. A new fee shall be required in connection with the issuance of a new permit. The new fee shall be the amount required for the original permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work. A new permit must be obtained for any construction which has been suspended or abandoned for a period of more than 180 days. The permittee shall make new application, resubmit plans for review, and pay a new full permit fee to resume work.

5. Section 18-423 of the Code is amended to read as follows:

Sec. 18-423. Exempted work.

The ~~2012~~2009 International Residential Code is amended by deleting items 1 and 2 from subsection R105.2.

6. Section 18- 424 of the Code is amended to read as follows:

Sec. 18-424. Certificate of Occupancy.

The ~~2012~~2009 International Residential Code is amended by deleting section R110.

7. Section 18-425 of the Code is amended to read as follows;

Sec. 18-425. Building/Fire Code Board of Appeals.

The ~~2012~~2009–International Residential Code is amended by amending Section R112 in its entirety as follows:

R112. Building/Fire Code Board of Appeals. For purposes of this code, appeals shall be to the board of appeals, being denominated as the Building/Fire Code Board of Appeals, which shall consist of the members of the board of adjustment appointed by the city council pursuant to Appendix A, Article XXIV of the Code of Ordinances of the Town of Addison. The provisions applicable to the board of appeals as set forth in Section 112.1 and 112.2 below and described in Section 113 of the International Building Code adopted by the town, including, without limitation, general provisions, limitations of power, powers of the board, and appeal process, shall be applicable to and govern appeals and the said board of appeals for purposes of this code.

112.1 Determination of substantial improvement in areas prone to flooding. When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:
 - 2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
 - 2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
 - 2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of

Interior.

112.2 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R322 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

8. Section 18-426 of the Code is amended to read as follows:

Sec. 18-426. Violation penalties.

The ~~2012~~2009 International Residential Code is amended by changing subsection R113.4 to read as follows:

R113.4 Violation penalties. See subsection 114.4 of the International Building Code.

9. Section 18-426.1 of the Code is amended to read as follows:

Sec. 18-426.1. Definitions.

The ~~2012~~2009 International Residential Code is amended by changing the definition of Townhouse in Section 202 to read as follows:

Townhouse. A single family dwelling unit constructed in a group of attached units separated by property lines in which each unit extends from the foundation to roof and with open space on at least two sides.

10. Section 18-427 of the Code is amended in its entirety to read as follows:

Sec. 18-427. Exterior Walls.

The ~~2012~~2009 International Residential Code is amended by changing exception 3 in subsection R302.1 to read as follows:

Exception 3. Detached tool sheds and storage sheds, playhouses and similar structures where the floor areas does not exceed 200 square feet are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.

11. Section 18-428 of the Code is amended to read as follows:

Sec. 18-428. Unity Agreements.

The ~~2012~~2009 International Residential code is amended by adding Exception 6 to section R302.1 to read as follows:

Exception 6 Unity agreement. See Section 705.15 of the International Building Code.

12. The Code of Ordinances is amended by deleting Section 18-428.1 in its entirety;

~~Sec. 18-428.1 Other penetrations.~~

~~—The 2009 International Residential Code is amended by changing Section R302.5.3 to read as follows:~~

~~*R302.5.3 Other penetrations.* Penetrations through the separation required in Section R302, shall be protected as required by Section R302.11, Item 11.~~

13. Section 18-428.3 is amended to read as follows:

Sec. 18-428.3. Where required in existing dwellings.

The 2012 International Residential Code is amended by changing Section ~~R315.3~~R315.2 to read as follows:

R315.3~~R315.2~~ Where required in existing dwellings. Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.
2. Installation, alteration or repairs of electrical, or plumbing and mechanical systems inside the dwelling that does not involve the installation, alteration or repairs of gas lines or gas appliances are exempt from the requirements of this section.

14. Section 18-430 of the Code is amended to read as follows:

Sec. 18-430. Disposal of Construction Waste.

The ~~2012~~~~2009~~ International Residential Code is amended by adding Section R324 to read as follows:

SECTION R324

DISPOSAL OF CONSTRUCTION WASTE

R324.1 General. See Section ~~3314~~~~3313~~ of the International Building Code.

15. Section 18-431 of the Code is amended to read as follows:

Sec. 18-431. Excavation, Construction or Demolition at night prohibited.

The ~~2012~~~~2009~~ International Residential Code is amended by adding Section R325 to read as follows:

SECTION R325

EXCAVATION, CONSTRUCTION OR DEMOLITION AT NIGHT PROHIBITED

R325.1 General. See Section ~~3315~~~~3314~~ of the International Building Code.

16. Section 18-432 of the Code is amended to read as follows:

Sec. 18-432. Stormwater Runoff.

The ~~2012~~~~2009~~ International Residential Code is amended by adding Section R326 to read as follows:

SECTION R326
STORMWATER RUNOFF

R326.1 General. See Section ~~3316~~~~3315~~ of the International Building Code.

17. Section 18-433 of the Code is amended to read as follows:

Sec. 18-433. Building Security.

The ~~2012~~2009 International Residential Code is amended by adding Section R327 to read as follows:

SECTION R327

BUILDING SECURITY

R327.1 General. See Chapter 36 of the International Building Code.

18. Section 18-434 of the Code is amended to read as follows:

Sec. 18-434. Airport Noise.

The ~~2012~~2009 International Residential Code is amended by adding Section ~~R329~~R328 to read as follows:

SECTION R328

AIRPORT NOISE

R329.1 General. See Chapter 37 of the International Building Code.

19. Section 18-435 of the Code is amended to read as follows:

Sec. 18-435. Exterior Plaster.

The ~~2012~~2009 International Residential Code is amended by adding subsection R703.6.6 to read as follows:

R703.6 3/8" One-coat stucco system. See subsection 2512.10 of the International Building Code.

20. Section 18-436 of the Code is amended to read as follows:

Sec. 18-436. Exterior insulation and finish system (EIFS).

The ~~2012~~2009 International Residential Code is amended by adding subsection R703.9.5 to read as follows:

R703.9.5 Requirements: In addition to the above requirements the exterior insulation and finish system shall comply with subsection 1408.6 of the International Building Code.

21. Section 18-436.1 of the Code is amended to read as follows:

Sec. 18-436.1. Sewer depth.

The ~~2012~~2009 International Residential Code is amended by changing Section P2603.6.1 to read as follows:

P2603.6.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

22. Section 18-436.2. of the Code is amended to read as follows:

P3103.1 Roof extension.

The ~~2012~~2009 International Residential Code is amended by changing ~~Sections~~subsection P3103.1 to read as follows:

P3103.1 Roof extensions. All vent pipes which extend through a roof shall be terminated at least 6 inches (152 mm) above the roof except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall run a least 7 feet (2.134 mm) above the roof.

23. Section 18-437 of the Code is amended to read as follows:

Sec. 18-437. Administrative approval.

The ~~2012~~2009 International Residential Code is amended by adding subsection P3114.9 to read as follows:

P3114.9 Administrative approval. The administration shall have final approval of all location of air admittance valves.

24. Section 18-438 of the Code is amended to read as follows:

Sec. 18-438. Location of clear spaces.

The ~~2012~~2009 International Residential Code is amended by adding a sentence to subsection E3405.4 to read as follows:

Overcurrent devices shall be permitted in clothes closets if the working clearances required in subsection E3305.2 are maintained.

25. Section 18-439 of the Code is amended to read as follows:

Sec. 18-439. Minimum size of conductors.

The ~~2012~~2009 International Residential Code is amended by changing the first sentence

of subsection E3406.3 to read as follows:

The minimum size of conductors for feeders and branch circuits shall be No. 14 copper and aluminum conductors shall be No. 8 or larger and shall not be used on branch circuits.

26. Section 18-440 of the Code is amended to read as follows:

Sec. 18-440. Service disconnect location.

The ~~2012~~2009 International Residential Code is amended by adding sentences to subsection E3601.6.2 to read as follows:

Unfused service entrance conductors entering buildings shall be enclosed in rigid metal conduit, wireways, auxiliary gutters, or as busways. Unfused service conductors extending within the building above the third floor shall be enclosed in at least two inches of concrete, except in meter rooms.

27. Section 18-441 of the Code is amended to read as follows:

Sec. 18-441. Amendments to Chapter 11 Energy Efficiency.

Part IV – Energy Conservation - Chapter 11 [RE] Insert text to read as follows:

Residential Provisions for Energy Efficiency~~The 2009 International Residential Code is amended by changing Section N1101.2.1, N1102.1 and N1102.2.12 to read as follows:~~

~~*N1101.2.1. Compliance software tools.* Software tools used to demonstrate energy code compliance utilizing the UA alternate approach shall be approved by the building official. The PNL program REScheck™ is not acceptable for residential compliance.~~

~~——— Exception: When REScheck™ “UA Trade-off” compliance approach or the UA Alternative compliance approach is used, the compliance certificate must demonstrate that the maximum glazed area does not exceed 15% of the conditioned floor area.~~

~~*N1102.1. Insulation and fenestration criteria.* The building thermal envelope shall meet the requirements of table N1102.1 based on the climate zone specified in Table N1101.2. The use of Tables N1102.1 and N1102.2.2 are limited to a maximum glazing area of 15% window to floor area ratio.~~

~~*N1102.12. Insulation installed in walls.* Insulation batts installed in walls shall be totally surrounded by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.~~

To: Charles Goff , Assistant Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2012

Subject: 2012 IPC, IFGC, IPSDC

The following changes were made to the Code of Ordinance:

Sec. 18-341. Adopted. Text was changed to read 2012 Editions.

Sec. 18-364. Licensing and registration of contractors. Changed homeowner to read homesteader because homeowner could use home as rental property.

Sec. 18-366. Fee refunds. Changed subsection 106.5.3 to read 106.6.2.

Sec. 18-367. Changed subsection 305.6.1 to read 305.4.1 and rewrote section on recommendation from NCTCOG.

Sec. 18-368. Partitions. Changed section 310.4 and 310.5 to read 405.3.4 and 405.3.5.

Sec. 18-371. Grease traps and grease interceptors. Changed section to be consistent with the Health Department requirements.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18 BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE III (PROPERTY MAINTENANCE CODE) THEREOF, INCLUDING: SECTIONS 18-101 (ADOPTED); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this.

Todd Meier , Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

1. Section 18-101 of the Code is amended to read as follows:

Sec. 18-101. Adopted.

The rules and regulations of the International Property Maintenance Code, 2012 ~~2009~~ Edition, a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, 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 International Building Code, 2012 ~~2009~~ Edition, or otherwise available at law, whereby buildings or health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired. The International Property Maintenance Code, 2012 ~~2009~~ 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.

To: Charles Goff, Assistant Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2014

Subject: 2014 NEC

The following changes were made to the Code of Ordinance:

Sec. 18-241. Supervision of electrical work was changed that an electrician of the proper grade will be physically on site to insure the proper supervision. Homeowner was changed to read homesteader because homeowner could use home as rental property.

Sec. 18-246. Adopted. Text changed to read 2014 NEC.

Sec. 18-268 Unfused service entrance conductors was deleted to conform to basic requirements of the NEC.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE IV (ELECTRICAL CODE) THEREOF, INCLUDING: SECTIONS 18-141 (SUPERVISION OF ELECTRICAL WORK); AND 18-241 (ADOPTED); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the "City") is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this day of 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

EXHIBIT A

TO ORDINANCE NO. _____

Chapter 18, Building and Building Regulations, of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended by amending various sections of the said Code as set forth below and as follows (additions are underlined; deletions are):

Section 1. Section 18-141 of the Code is amended to read as follows;

Sec. 18-141. Supervision of electrical work.

- (a) In the actual work of installing, maintaining, altering, or repairing any electrical conductor or equipment for which a permit or voucher is required, apprentice electricians shall be directly supervised (physically on site) by a higher grade classification, as defined by the State of Texas in Title 8, Occupational Code Chapter 1305 administrated by the Texas Department of Licensing and Regulation for proper grade classification of electrical license when electrical work is being done ~~there shall be present and in direct supervision a qualified electrician of the proper classification.~~ Should it come to the notice of the building official that proper supervision and control are not being maintained, the building official may order work to be discontinued, and the person to whom the permit or voucher has been issued shall discontinue further work until proper supervision has been employed or supplied; provided, that this requirement does not prohibit the employment of apprentices or unskilled laborers assisting a person duly registered and qualified under the provisions of Article IV Chapter 18 of the Addison Code.
- (b) A homesteader ~~homeowner~~ may perform electrical work without the above mentioned supervision under the following conditions;
 - (1) A homesteader ~~homeowner~~ may personally install electrical conductors or equipment within his own home if the homesteader ~~owner~~ files with the building official approved plans and specifications, satisfies the building official as to his ability to install electrical wiring, applies and secures a permit., pays required fees, does work in accordance with Article IV of Chapter 18 of the Addison Code, and applies for inspections.
 - (2) Work performed by a homesteader ~~homeowner~~ under the provisions of this section must be done by himself on homestead premises owned and occupied by him, without compensation. A homeowner shall not employ another person to assist him in any way on the work.

Section 2. . Section 18-246 of the Code is amended in its entirety to read as follows:

Sec. 18-246. Adopted

(a) The rules and regulations of the International Fire Protection Association embodied in the National Electrical Code, ~~2014~~ 2008 edition, are hereby adopted as the rules and regulations to govern and be observed and followed in all the construction, installation, repair, alteration, operation and maintenance of electrical wiring, apparatus and fixtures in the town.

(c) The National Electrical Code, ~~2014~~ 2008 edition (a copy of which authenticated by the signature of the mayor and city secretary, and made a public record by ordinance, is on file in the city secretary's office) is hereby adopted as the National Electrical Code of the town as fully as if copied at length in this article, but with the changes therein and additions in this article.

Section 3. The Code of Ordinances is amended by deleting Sec. 18-268. Unfused service entrance conductors.

~~Section 230.70(A) (1) of the National Electrical Code is amended by adding the following:~~

~~Unfused service entrance conductors entering buildings shall be enclosed in rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, wireways, auxiliary gutters, or as busways. Unfused service entrance conductors extending within buildings above the third floor shall be enclosed in at least two inches of concrete, except in meter rooms.~~

To: Charles Goff , Assistant Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2012

Subject: 2012 IPC, IFGC, IPSDC

The following changes were made to the Code of Ordinance:

Sec. 18-341. Adopted. Text was changed to read 2012 Editions.

Sec. 18-364. Licensing and registration of contractors. Changed homeowner to read homesteader because homeowner could use home as rental property.

Sec. 18-366. Fee refunds. Changed subsection 106.5.3 to read 106.6.2.

Sec. 18-367. Changed subsection 305.6.1 to read 305.4.1 and rewrote section on recommendation from NCTCOG.

Sec. 18-368. Partitions. Changed section 310.4 and 310.5 to read 405.3.4 and 405.3.5.

Sec. 18-371. Grease traps and grease interceptors. Changed section to be consistent with the Health Department requirements.

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE VI (PLUMBING CODE) THEREOF INCLUDING; SECTIONS 18-341 (ADPOTED) (AND ADOPTING THE INTERNATIONAL PLUMBING CODE, 2012 EDITION, 18-364 (LICENSING AND REGISTRATION OF CONTRACTORS); 18-366 FEE REFUNDS; 18-368 PARTITIONS; 18-370 ADMINISTRATIVE APPROVAL; AND 18-371 GREASE TRAPS AND GREASE INTERCEPTORS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity

of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

1. Section 18-341 of the Code is amended to read as follows:

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, 2012 ~~2009~~ 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, 2012 ~~2009~~ 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.

2. Section 18-364 of the Code is amended to read as follows:

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,

and filed with the building official. This application shall contain a copy of the person's state plumbing or irrigation licenses. The contractor registration fees shall be as follows:

1.

Plumbing contractorNo fee

2.

Irrigation contractor\$75.00

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

(c)

The plumbing or irrigation 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.

3. Section 18-366 of the Code is amended to read as follows:

Sec. 18-366. Fee refunds. 

The International Gas Code is amended to read as follows:

Subsection 106.6.3 of the International Plumbing Code, subsection 106.6.2 ~~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."

4. Section 18-367 of the Code is amended to read as follows:

Sec. 18-367 Sewer depth.

The International Plumbing Code is amended by changing subsection 305.4.1 ~~305.6.1~~ to read as follows:

~~305.4.1 –305.6.1. Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (152 mm) below the frost line and not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches (152 mm) below the frost line and shall not be less than 12 inches (305 mm) below grade.~~

5. Section 18-368 of the Code is amended to read as follows:

Sec. 18-368. Partitions. 

The International Plumbing Code is amended by deleting sections ~~405.3.4~~ 310.4 and ~~405.3.5~~ 310.5.

5. Section 18-370 of the Code is amended to read as follows:

Sec. 18-370. Administration approval. 

The International Plumbing Code is amended by adding subsection ~~918.9~~ 917.9 to read as follows:

~~918.9~~ 917.9 *Administrative approval.* The administration shall have final approval of all locations of air admittance valves.

6. Section 18-371 of the Code is amended to read as follows:

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:

Description of use	Minimum Size (In Pounds)
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	250 150

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.

All reference to automatic grease removal devices and food waste grinders shall be deleted from Section 1003.

To: Charles Goff, Assistant Director Development Services and Planning

From: Lynn Chandler, Building Official

Date: September 8, 2014

Subject: 2012 IMC

The following changes were made to the Code of Ordinances:

Sec.18-291. Adopted. Text changed to read 2012 IMC.

Sec. 18-314. Licensing and registration of contractors. Changed homeowner to read homesteader because homeowner could use home as rental property.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE V (MECHANICAL CODE) THEREOF, INCLUDING : SECTIONS 18-291 (ADOPTED) (AND ADOPTING THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION); AND 18-314 (LICENSING AND REGISTRATION OF CONTRACTORS); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for and in the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the “City”) is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this day of _____, 2014

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

OFFICE OF THE CITY SECRETARY
Page 2 of 3

ORDINANCE NO.

By: _____
John Hill, City Attorney

EXHIBIT A
TO ORDINANCE NO. _____

1. Section 18-291 of the Code is amended to read as follows:

Sec. 18-291. Adopted.

(a) The rules and regulations of the International Mechanical Code, 2012 ~~2009~~ Edition, are hereby adopted as the rules and regulations regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat producing appliances in the city.

(b) The International Mechanical Code, 2012 ~~2009~~ 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 mechanical 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.

2. Section 18-314 of the Code is amended to read as follows:

Sec. 18-314. Licensing and registration of contractors.

The International Mechanical Code is amended by adding subsection 106.6 to read as follows:

106.6. 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 of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems or ventilation, without first obtaining an air conditioning and refrigeration contractor's license.

(b) To register with the town as a mechanical contractor, an application shall be made in writing on forms furnished for that purpose along with a seventy-five dollar (\$75.00) registration fee, and filed with the building official. This application shall contain a copy of the person's state air conditioning and refrigeration license.

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

(c) The air conditioning and refrigeration 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

environmental air conditioning, commercial refrigeration, or process cooling or heating systems or ventilation shall be licensed by the State of Texas to perform such work.

Combined Meeting

R2d

Meeting Date: 09/23/2014

Council Goals: Promote Sustainability

AGENDA CAPTION:

Approval of an Ordinance amending the Code of Ordinances of the Town by amending Chapter 66 (Solid Waste) Article II (Collection and Disposal), Division 2 (Service Charge) by amending Section 66-52 increasing from \$12.56 to \$12.77 the monthly fee for single family residential garbage collection.

FINANCIAL IMPACT:

There is no impact to the Street division operations budget.

BACKGROUND:

The Town has a contract with Waste Management to provide residential garbage collection to all single-family homes. This contract started October 1, 2000 and automatically renews for additional five-year periods if neither party requests termination.

Our contract rate adjusts up or down each year based on the Producer Price Index (PPI). This increase or reduction, tied to the PPI, has proven to be a fair method of establishing the collection rate while eliminating the need for the Town Council to hear an annual rate increase request.

The current PPI increased by 1.7%. A 1.7% increase will increase the monthly garbage rate from its current \$12.56 per home, per month, to \$12.77. This increase will take effect October 1, 2014 and be reflected on the November water bill.

RECOMMENDATION:

Administration recommends approval.

Attachments

Solid Waste Fee Ordinance

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 66 (SOLID WASTE), ARTICLE II (COLLECTION AND DISPOSAL), DIVISION 2 (SERVICE CHARGE) BY AMENDING SECTION 66-52 THEREOF BY ADJUSTING THE MANDATORY MONTHLY FEE FOR GARBAGE COLLECTION, HAULING AND DISPOSAL (CURBSIDE PICKUP) FROM EACH SINGLE DWELLING UNIT WITHIN THE CITY FROM \$12.30 TO \$12.56; PROVIDING THAT SUCH INCREASED RATE SHALL TAKE EFFECT ON OCTOBER 1, 2013; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amendment. Chapter 66 (Solid Waste), Article II (Collection and Disposal), Division 2 (Service Charge) of the Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is hereby amended as set forth below, and all other chapters, articles, sections, subsections, paragraphs, sentences, phrases and words of the Code are not amended but are hereby ratified and affirmed.

A. Section 66-52 (Single dwelling units) of Chapter 66, Article II, Division 2 of the Code is hereby amended to read as follows (additions are underlined, deletions are ~~struck through~~):

All owners, lessees or persons in possession of residential property shall be charged a mandatory monthly fee for garbage collection, hauling and disposal from residences situated within the corporate limits of the town as follows:

Curbside pickup for each single dwelling unit, exclusive of sales tax and applicable state fees . . . \$12.56~~\$12.30~~.

Section 2. Effective Date of Increase. The change in the mandatory monthly fee for garbage collection, hauling and disposal from residences as set forth in Section 1 above shall be effective as of October 1, 2013.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City 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.

Section 4. 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 portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this _____ day of September, 2013.

Todd Meier, Mayor

ATTEST:

By: _____
Chris Terry, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

Combined Meeting

R2e

Meeting Date: 09/23/2014

Council Goals: Promote Sustainability

AGENDA CAPTION:

Approval of and authorizing the City Manager to enter into an interlocal agreement with Dallas County in an amount not to exceed \$10,000 for the disposal of Household Hazardous Waste.

FINANCIAL IMPACT:

This item is budgeted in the FY2015 Streets operations budget.

BACKGROUND:

This item would continue our current partnership with Dallas County to properly dispose of Household Hazardous Waste (HHW). The Town provides curbside collection of HHW for single-family residents and disposes of that waste through the Dallas County Home Chemical Collection Center. Multi-family customers drop HHW off directly at the Collection Center for disposal.

RECOMMENDATION:

Administration recommends approval.

Attachments

HHW ILA

STATE OF TEXAS §
 §
 COUNTY OF DALLAS §

**AMENDMENT NO. 2
 TO THE HOUSEHOLD HAZARDOUS WASTE INTERLOCAL AGREEMENT
 (The "Agreement")
 BETWEEN
 DALLAS COUNTY
 AND
 TOWN OF ADDISON
 (The "City")
 A MEMBER CITY OF
 THE DALLAS AREA HOUSEHOLD HAZARDOUS WASTE NETWORK**

WHEREAS, on July 7, 2014 the Dallas County Commissioners Court was briefed on a request from the cities of the Dallas Area Household Hazardous Waste Network to renew and revise the effective term and specify new fiscal year budgets for the Household Hazardous Waste Program Interlocal Agreement ("Agreement") that permits four additional one-year renewals for a five-year total contract term and was authorized by Court Order 2012-1223; and

WHEREAS, Amendment 1, which was authorized by Court Order 2013-1248 to renew and extended the FY2013 agreement through FY2014, will expire on September 30, 2014; and

WHEREAS, the proposed Amendment No. 2, along with the attachment, will serve to continue the Household Hazardous Waste Program through fiscal year 2015, while updating overall program budget amounts and individual city budget limits for the new fiscal year; and

WHEREAS, proposed Amendment No. 2 contains no other changes in the basic terms and conditions of the Agreement and incurs no cost to Dallas County;

NOW THEREFORE, by execution of this Amendment No. 2, the Agreement is amended hereby with respect to the items and features described in the Articles below.

**I.
 PURPOSE**

The purpose of this Amendment is to amend the effective term and fiscal year budget of the Agreement without change to the basic terms and provisions. No other sections, provisions, clauses or conditions of the Agreement are waived, deleted or changed hereby, and they shall remain in full force and effect throughout the term of the Agreement and any duly authorized amendments.

**II.
 AMENDED PROVISIONS**

A. The new term of the Agreement shall be October 1, 2014, through September 30, 2015.

B. The language contained in Paragraph 1, *Section IV. City Responsibilities* shall be deleted in its entirety and replaced with the following language:

- 1. "A sum not to exceed \$_____ for disposal, setup, operational, capital and transportation costs for HHW collection for residents of the City during the period from October 1, 2014 through September 30, 2015.
 - a. Collection, setup, and disposal costs will be paid after-the-fact, based on actual usage by the City at events and at the collection center.
 - b. Operational and capital costs shall be paid quarterly in advance.
 - c. In the event of early withdrawal, the operational and capital costs will not be pro-rated for partial quarter participation but will become immediately due and payable in full."

C. The language contained in Exhibit C2014 of the Agreement entitled *FY2014 HHW Program Budget Summary* shall be deleted in its entirety and shall be replaced with the attached Exhibit C2015 entitled *FY2015 HHW Program Budget Summary*.

IN WITNESS WHEREOF, by their signatures below, the duly authorized representatives of **Dallas County** and **Town of Addison**, a member city of the Dallas Area Household Hazardous Waste Network, do hereby agree and append this Amendment No. 2 to the Agreement.

EXECUTED THIS the _____ day of _____, 2014.

DALLAS COUNTY:

TOWN OF ADDISON:

BY: Clay Lewis Jenkins
County Judge

BY:
TITLE:

APPROVED AS TO FORM:*
Craig Watkins
District Attorney

Theresa Guerra Snelson
Chief, Civil Division

BY: Frank Waite
Assistant District Attorney

* By law, the Dallas County District Attorney’s Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s)

Exhibit C2015

FY2015 HHW PROGRAM BUDGET SUMMARY

This exhibit summarizes the total program funding for FY2015 as approved by the Dallas Area Household Hazardous Waste Network at its regular meeting on April 17, 2014, and replaces the language contained in Amendment 1, Exhibit C2014 of the Household Hazardous Waste Program Interlocal Agreement that was authorized by Court Order 2012-1223.

Fixed Costs include personnel expense, operating costs, and capital budget, which are shared by the Network cities based on single-family household projections published by North Central Texas Council of Governments.

- Personnel Expense includes all HHW staff salaries and fringe.
- Operating Expense includes supplies, equipment, advertising, public education, volunteer support, staff development, printing, postage, facility maintenance, utilities, and all other direct programming costs.
- Capital Expense includes building repairs, equipment repair or replacement, mechanical upgrades, and expansion projects.

Variable costs include estimated direct costs for collection and disposal of hazardous household wastes, which vary according to actual usage and are indicated in the budget summary for planning purposes only. ***Funding for actual collection, contract labor, and disposal costs will be collected from the cities after the fact, on an as-used basis.***

- Collection/Mobilization/Disposal Budget includes estimated costs for staging of events, recycling services, waste containers, waste transportation, and disposal.
- Contract Labor Expense is for part-time, seasonal labor provided by the disposal vendor.

Budget adjustments made to the Operational Budget during the term of the agreement shall not result in a City Funding amount that exceeds the approved budget total shown herein. The County may make line item transfers within the operating budget when these transfers do not exceed \$5,000. Budget adjustments in excess of \$5,000 must be approved by the HHW Network.

BUDGET SECTION	CITY FUNDING
FIXED COSTS (OPERATIONAL BUDGET)	
Personnel Costs	\$ 403,093
Operating Costs	\$ 225,475
Capital Expense	\$ 20,000
Sub-Total	\$ 625,568
ESTIMATED VARIABLE COSTS (COLLECTION / LABOR / DISPOSAL BUDGET)	
	\$ 869,000
TOTAL PROGRAM BUDGET	\$1,517,568

Combined Meeting

R2f

Meeting Date: 09/23/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of and authorizing the City Manager to execute a renewal contract with Cobb Fendley & Associates, Inc., to provide professional engineering services; to authorize additional renewals; and to approve a not to exceed amount of \$100,000.

FINANCIAL IMPACT:

Funds are available in the Utility and Stormwater Funds and the Street's Division operating budget.

BACKGROUND:

In November 2012, the Council approved a master service agreement with Cobb Fendley & Associates to perform professional engineering services in connection with engineering review for development submittals of plans for private development as they interface with or connect to the public infrastructure. On September 24, 2013, the Council renewed that contract for an additional year. Cobb Fendley has been providing those services on an as-needed basis and staff has been very pleased with their service and their responsiveness.

The term of the renewal agreement is for the initial year and shall then automatically renew for a one year period upon its expiration each year unless either party notifies the other of its decision not to renew the agreement. The automatic renewals shall occur for up to three additional years following the expiration of the first renewal term and shall continue and end on August 26, 2018.

Staff recommends that the agreement be renewed for an amount not to exceed \$100,000.

The contract is subject to the final review and approval of the City Attorney and the City Manager.

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R2g

Meeting Date: 09/23/2014

Council Goals: Mindful stewardship of Town Resources.
Look for Operational Efficiencies without cutting services

AGENDA CAPTION:

Approval of and authorizing the City Manager to execute a contract with Elite Tree Service for annual city-wide tree trimming services in an amount not to exceed \$65,000.

FINANCIAL IMPACT:

The work under this contract will be funded out of the FY2014-2015 parks operations budget. A bid tabulation form is attached summarizing the six bids received by the City of Coppell.

BACKGROUND:

Last year the Town entered into a cooperative purchasing agreement with the City of Coppell, Texas for the purpose of allowing the Town to engage the services of Elite Tree Service to provide labor and equipment for performing tree trimming, tree removal and stump grinding. Elite submitted the lowest total unit cost bid to the City of Coppell for a one-year annual contract, which is renewable for four additional years if both parties agree to the terms and conditions of the contract.

Elite Tree Service has successfully completed tree work for the Town over the last 9 years. They responded quickly this year after the ice storm, which helped the parks department expedite the clean up around town.

RECOMMENDATION:

Administration recommends approval.

Attachments

Bid Tabulation Form

Bid #Q-0112-01 Tree Maintenance Annual Contract

Item #	Item	Qty	Unit	Somerset Landscape and Maintenance Inc.		Elite Tree Service		Golden Tree Maintenance		Chippers Tree Service			
				Price	Total	Price	Total	Price	Total	Price	Total	Notes	Emerg
Q-0112-01	Pruning - 2 man crew (1) tree climber- (1) ground man	1	hour	\$78.00	\$78.00	\$78.00	\$78.00	\$85.00	\$85.00	\$90.00	\$90.00		
Q-0112-01	Pruning - 3 man crew (2) tree climbers-(1) ground man	1	hour	\$119.00	\$119.00	\$117.00	\$117.00	\$150.00	\$150.00	\$140.00	\$140.00		
Q-0112-01	Tree Removal - (2) man crew (1) tree climber - (1) ground man	1	hour	\$78.00	\$78.00	\$78.00	\$78.00	\$85.00	\$85.00	\$95.00	\$95.00		\$120.00
Q-0112-01	Tree Removal - (3) man crew (2) tree climber (1) ground man	1	hour	\$119.00	\$119.00	\$117.00	\$117.00	\$150.00	\$150.00	\$145.00	\$145.00		\$175.00
Q-0112-01	Stump Grinding	1	inch	\$2.85	\$2.85	\$2.00	\$2.00	\$2.00	\$2.00	\$7.00	\$7.00		
						\$0 if only chips \$30 if mixed							
Q-0112-01	Disposal Fee	1	Cyd	\$9.25	\$9.25	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	\$45.00		
Q-0112-01	Emergency Response for Tree Removal	1	hour	\$84.00	\$84.00	\$86.00	\$86.00	\$109.37	\$109.37	\$125.00	\$125.00	2 men cr	\$125.00
Q-0112-01	Emergency Response for Tree Removal	1	hour	\$124.00	\$124.00	\$129.00	\$129.00	\$195.00	\$195.00	\$175.00	\$175.00	3 men cr	\$175.00
					Total: \$614		Total: \$607		Total: \$776		Total: \$822		
Item #	Item	Qty	Unit	Tree Systems Inc.		Preservation Tree							
				Price	Total	Price	Total						
Q-0112-01	Pruning - 2 man crew (1) tree climber- (1) ground man	1	hour	\$130.00	\$130.00	\$120.00	\$120.00						
Q-0112-01	Pruning - 3 man crew (2) tree climbers-(1) ground man	1	hour	\$150.00	\$150.00	\$180.00	\$180.00						
Q-0112-01	Tree Removal - (2) man crew (1) tree climber - (1) ground man	1	hour	\$130.00	\$130.00	\$110.00	\$110.00						
Q-0112-01	Tree Removal - (3) man crew (2) tree climber (1) ground man	1	hour	\$150.00	\$150.00	\$165.00	\$165.00						
Q-0112-01	Stump Grinding	1	inch	\$4.50	\$4.50	\$6.00	\$6.00						
Q-0112-01	Disposal Fee	1	Cyd	\$5.00	\$5.00	\$0.00	\$0.00						
Q-0112-01	Emergency Response for Tree Removal	1	hour	\$145.00	\$145.00	\$130.00	\$130.00						
Q-0112-01	Emergency Response for Tree Removal	1	hour	\$175.00	\$175.00	\$195.00	\$195.00						
					Total: \$889.50		Total: \$906						

Combined Meeting

R2h

Meeting Date: 09/23/2014

Council Goals: Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison
Brand Protection and Enhancement
Infrastructure improvement and maintenance
Fully integrate the Arts as part of our brand
Implement bond propositions
Promote Sustainability
Enhance Public Safety

AGENDA CAPTION:

Approval of and authorizing the City Manager to enter into a license agreement with Kennington Surveyor Ltd.(or appropriate property owner) for the use of the property located adjacent to and along the southwest corner of the intersection of Arapaho Road and Surveyor Boulevard for the Redding Trail Expansion.

FINANCIAL IMPACT:

The Town of Addison will pay ten dollar (\$10.00) to Kennington Surveyor Ltd. and agree to undertake the ongoing maintenance of the constructed Redding Trail Expansion. Funding for the Redding Trail Expansion is available in bond funds allocated by Proposition 6 of the 2012 Bond Election.

BACKGROUND:

This agreement will allow the Town of Addison to construct the Redding Trail Expansion as a part of the Town's Pedestrian Connectivity Project which is funded by Proposition 6 of the 2012 Bond Election. An attached map identifies this project as the Beltway and Proton Pedestrian Improvements (Phase 1) which is highlighted in red.

RECOMMENDATION:

Administration recommends approval.

Attachments

KJA Subdivision, Part 2 - Location Map

KJA Subdivision, Part 2 - Property Survey

KJA Subdivision, Part 2 - Proposed Trail Exhibit

KJA Subdivision, Part 2 - Trail Map with Property Identified

Pedestrian Connectivity Project Map

Exhibit "A"
METES AND BOUNDS DESCRIPTION

Part of KJA Subdivision, Part 2
0.202 Acres

Being all that certain lot, tract or parcel of land situated in the D. Meyers Survey, Abstract Number 923, Town of Addison, Dallas County, Texas, being part of KJA Subdivision, Part 2, Addison West Industrial Park, an addition to the Town of Addison according to the plat thereof recorded in Volume 78105, Page 1111 of the Map Records of Dallas County, Texas, and being all of that certain called 0.20 acre tract of land described as Tract 2 in deed to Kennington Surveyor, LTD. recorded in Instrument Number 20080125327 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a $\frac{3}{4}$ " rebar found at the northeast corner of Lot 1, Housley Addition according to the plat thereof recorded in Volume 79173, Page 109 of the Map Records of Dallas County, Texas, being on the west right-of-way line of Surveyor Boulevard;

THENCE S00°30'41" E, 504.50 feet, along the west right-of-way line of said Surveyor Boulevard to a $\frac{1}{2}$ " capped rebar (G&A) set at the southeast corner of said KJA Subdivision, Part 2, Addison West Industrial Park, being the northeast corner of KJA Subdivision, Addison West Industrial Park according to the plat thereof recorded in Volume 77180, Page 16 of the Map Records of Dallas County, Texas, and being the POINT OF BEGINNING;

THENCE S 89°29'19" W (Grid bearing, Record bearing: S 89°55'00" W), 320.00 feet, along the north line of said KJA Subdivision, Addison West Industrial Park and the south line of said KJA Subdivision, Part 2, Addison West Industrial Park, to a $\frac{1}{2}$ " capped rebar (G&A) set at the southwest corner thereof, being the northwest corner of said KJA Subdivision, Addison west Industrial Park, and being on the east line of a Texas Power & Light Company tract described in deed recorded in Volume 80006, Page 489 of the Deed Records of Dallas County, Texas;

THENCE N 00°30'41" W, 12.87 feet, along the west line of said KJA Subdivision, Part 2, Addison West Industrial Park and the east line of said Texas Power & Light Company tract, to a $\frac{1}{2}$ " capped rebar (G&A) set on the southerly right-of-way line of Arapaho Road, being in a curve to the left;

THENCE Northeasterly, along the north line of said 0.20 acre tract, the southerly right-of-way line of Arapaho Road and with the arc of said curve having a radius of 890.00 feet, a central angle of 19°09'56", whose chord bears N 81°11'26" E, 296.32 feet, an arc length of 297.70 feet, to a $\frac{1}{2}$ " capped rebar (G&A) set at the north end of a corner clip;

THENCE S 54°48'15" E, 32.98 feet, along said corner clip, to a $\frac{1}{2}$ " capped rebar (G&A) set on the east line of said KJA Subdivision, Part 2, Addison West Industrial Park and the west right-of-way line of Surveyor Boulevard;

THENCE S 00°30'41" E, 36.39 feet, along said line, to the POINT OF BEGINNING and containing approximately 0.202 acres or 8820 square feet of land.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron rods set, where indicated, are $\frac{1}{2}$ inch diameter, solid iron rods, 24 inches long with a yellow plastic cap bearing the initials G&A placed on the top.

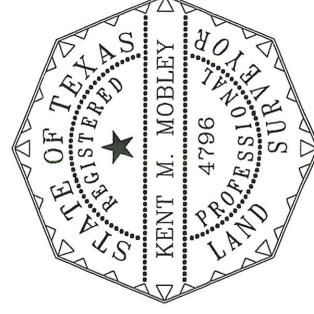
Grid bearings were derived from GPS observations using the Trimble Network RTK GPS system. All coordinates shown have been scaled to surface about the origin (0,0) using the TXDOT Combined Factor of 1.000136506. All distances are reported as horizontal surface measurements. To convert reported distances to the projection plane, multiply the surface distance by the inverse of the combined factor as follows: GRID DIST. = SURFACE DIST x 0.999863513.

A drawing of even date accompanies this description.


Kent M. Mobley, RPLS No. 4796
Grantham and Associates, Inc.

8-19-14

Date



NOTE:
 THE BEARINGS SHOWN ON THIS PLAT
 ARE BASED ON THE TEXAS STATE
 PLANE COORDINATE SYSTEM, NORTH
 CENTRAL ZONE NO. 4202, AS PER
 NAD 83.

TP&L CO.
 D.R.D.C.T.
 VOL. 80006, PG. 489

LEGEND
 ○ = IRON ROD SET. IRON RODS, WHERE INDICATED, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE IRON RODS. ONE HALF INCH IN DIAMETER, TWENTY FOUR (24) INCHES LONG WITH A YELLOW PLASTIC CAP PLACED ON THE TOP BEARING THE INITIALS G&A.
 ● = IRON ROD FOUND
 D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY TEXAS
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT

KENT M. MOBLEY
 R.P.L.S. NO. 4796



1188ESMT01

8/19/14

TOWN OF ADDISON

**PART OF KJA SUBDIVISION,
 PART 2
 EXHIBIT "B"**

G
Gratham & Associates, Inc.
 Civil Engineering & Surveying
 Serving with Integrity
 6570 NAAAMAN FOREST BLVD., SUITE 200, L.B. 2
 GARLAND, TEXAS 75044
 (972) 864-2334 (TEL)
 (972) 864-2334 (FAX)

(SURFACE COORDINATES)
 N = 7035365.79
 E = 2475843.50

P.O.B.

S 00°30'41" E
 36.39'

S 54°48'15" E
 32.98'

SURVEYOR BLVD.

N 00°30'41" W
 504.50'

P.O.C.

3/4" I.R.F.

ARAPAHO ROAD

EXIST.
 ROW

D. MEYERS SURVEY
 NO. 9233
 ABSTRACT

KJA SUBDIVISION PART 2
 VOL. 78105, PG. 1111
 D.R.D.C.T.

KJA SUBDIVISION
 ADDISON WEST INDUSTRIAL PARK
 VOL. 77180, PG. 16
 D.R.D.C.T.

S 89°29'19" W (MEASURED BEARING) 320.00'

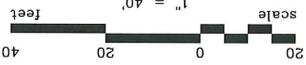
S 89°55'00" W (RECORD BEARING)

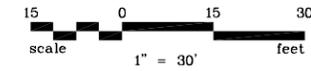
0.202 ACRES
 8,820 SQ. FT.

RADIUS = 890.00'
 DELTA = 19°09'56"
 LENGTH = 297.71'
 BEARING = N 81°11'26" E
 CHORD = 296.32'

N 00°30'41" W
 12.87'

DRAINAGE CHANNEL
 EASEMENT





HIGH VOLTAGE TOWER

TP&L CO.
VOL. 80006, PG. 489
D.R.D.C.T.

DRAINAGE CHANNEL
EASEMENT

KJA SUBDIVISION PART 2
ADDISON WEST INDUSTRIAL PARK
VOL. 78105, PG. 1111
D.R.D.C.T.

KJA SUBDIVISION PART 2
ADDISON WEST INDUSTRIAL PARK
VOL. 78105, PG. 1111
D.R.D.C.T.

ARAPAHO ROAD

EXIST.
R.O.W.

12" OAK

12" OAK

12" OAK

10" OAK

10" OAK

6" OAK

6" OAK

6" OAK

6" OAK

PROP. 8'
TRAIL

HEDGE ROW

SIGNAL BOX

SIGNAL POLE

LIGHT

SIGN

SIGN

EXIST.
R.O.W.

KJA SUBDIVISION
ADDISON WEST INDUSTRIAL PARK
VOL. 77180, PG. 16
D.R.D.C.T.

PROPOSED TRAIL EXHIBIT

 **Grantham & Associates, Inc.**
Civil Engineering & Surveying

6570 NAAMAN FOREST BLVD., SUITE 200, L.B. 2
GARLAND, TEXAS 75044

{972} 864-2333 {TEL}
{972} 864-2334 {FAX}

GRAVEL DRIVE

WALL

WALL

CONC. SLOPE

CONC. SLOPE

CONC. PWMT.

CONC. PWMT.

CONC. PWMT.

CONC. PWMT.

CONC. PWMT.

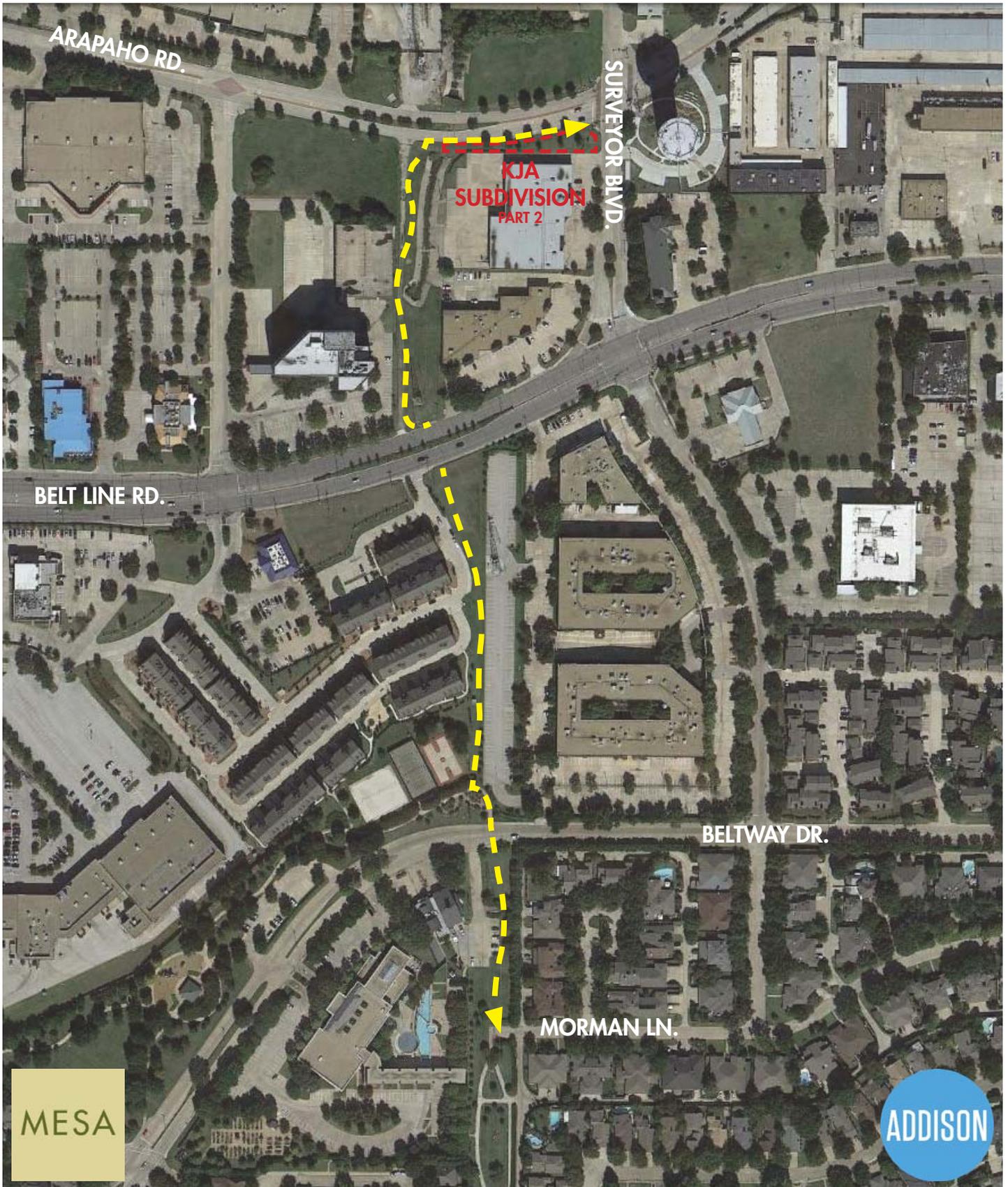
10'x7' B.C.

10'x7' B.C.

WALL

PP

REDDING TRAIL EXPANSION



Carrollton

Addison

*Beltway and Proton
Pedestrian Improvements
(Phase 1)*

*South Quorum
Lighting*

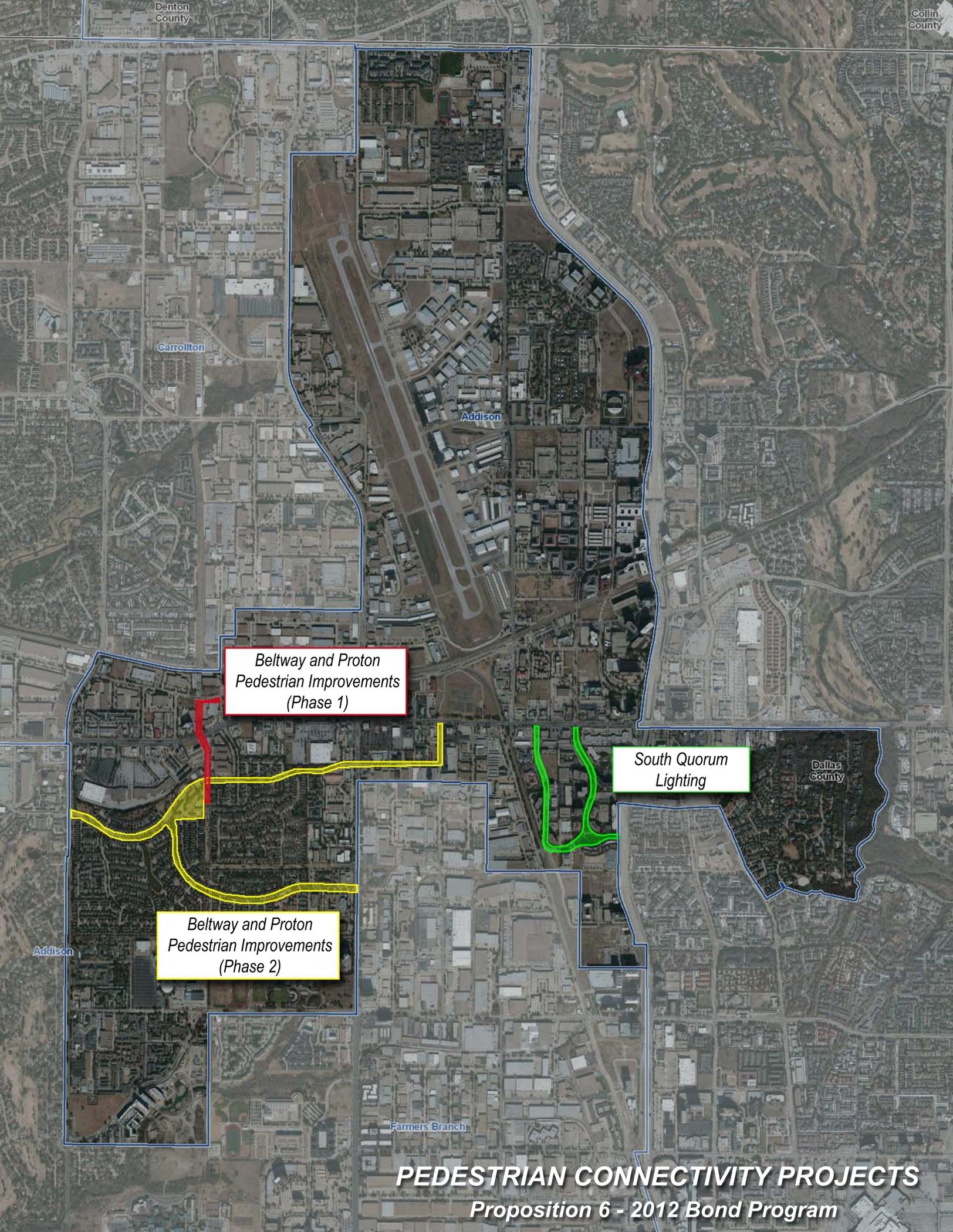
Dallas County

*Beltway and Proton
Pedestrian Improvements
(Phase 2)*

Addison

Farmers Branch

PEDESTRIAN CONNECTIVITY PROJECTS
Proposition 6 - 2012 Bond Program



Combined Meeting

R3

Meeting Date: 09/23/2014

Council Goals: Create and Implement a strategy for Town Owned Real Estate

AGENDA CAPTION:

Discussion, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

FINANCIAL IMPACT:

N/A

BACKGROUND:

Historically, each council member recommends an individual to appoint to a seat on the Planning and Zoning Commission, which is considered and voted on by the rest of Council.

The recommendation for the seat belongs to Council Member Clemens.

RECOMMENDATION:

Combined Meeting

R4

Meeting Date: 09/23/2014

Council Goals: Create raving fans of the Addison Experience.

AGENDA CAPTION:

Discussion and update regarding Oncor service reliability efforts in the Town of Addison.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R5

Meeting Date: 09/23/2014

Council Goals: Mindful stewardship of Town Resources.
Infrastructure improvement and maintenance

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding the approval of an Ordinance amending the Code of Ordinances of the City by amending Chapter 82(Uilities), Article I (In General), Division 5 (Rates and Charges) by amending Section 82-76 and Section 82-77 increasing sewer and water rates for all customer classifications.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

Utility Rate Ordinance (Marked)

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING SEWER RATES AND WATER RATES FOR ALL CUSTOMER CLASSIFICATIONS; PROVIDING THAT THE CHANGES TO THE SEWER RATES AND THE WATER RATES MADE HEREIN SHALL BE APPLIED TO MONTHLY CUSTOMER BILLS BEGINNING WITH THE NOVEMBER 2014 BILLING CYCLE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "City") is a home rule municipality having full power of local self government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, the City Council is authorized by Section 2.08.p. of the City Charter to provide for a sanitary sewer and water system, and the City is authorized by law (including, without limitation, Sections 552.001 and 552.017, Tex. Loc. Gov. Code) to own, construct and operate a water and sewer system and to prescribe rates therefor; and

WHEREAS, adjustments to the City's water and sewer utility rates have been proposed by Dallas Water Utilities and Trinity River Authority, respectively; and

WHEREAS, the City has conducted a review and evaluation of the City's water and sewer utility rates and has determined therefrom that the rates need to be adjusted as set forth herein to support the operating, maintenance, and capital needs of the City's water and sewer utility system.

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

Section 1. The Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is hereby amended as follows (additions are underlined, deletions are ~~struck through~~):

A. Chapter 82 (Utilities), Article I (In General), Division 5 (Rates and Charges) of the Code is hereby amended in part as follows:

1. Section 82-76 (Sewage rates) of the Code is amended by amending subsections (1) (Sewer minimum bills) and (2) (Sewer volume rate) thereof to hereafter read as follows:

(1) *Sewer minimum bills*. Minimum monthly bill shall be applied to all customers based upon customer classification and shall include an allowance for volume based upon water consumed as follows:

Customer Classification:	Minimum Monthly Bill	Volume Included (Gallons)
Single-Family Residential	\$ <u>13.35</u> 13.34	2,000
Multifamily Residential Large (meter size greater than or equal to two inches)	<u>166.52</u> 166.28	37,000
Multifamily Residential Small (meter size less than two inches)	<u>70.25</u> 70.15	15,000
Schools	<u>92.13</u> 92.00	20,000
Municipal	<u>48.36</u> 48.30	10,000
Commercial Large (meter size greater than or equal to two inches)	<u>166.52</u> 166.28	37,000
Commercial Small (meter size less than two inches)	<u>26.48</u> 26.45	5,000
Industrial Large (meter size greater than or equal to two inches)	<u>166.52</u> 166.28	37,000
Industrial Small (meter size less than two inches)	<u>17.73</u> 17.71	3,000
Hotel/Motel	<u>442.23</u> 441.58	100,000

(2) *Sewer volume rate.* All volume which exceeds the amount allowed in the minimum bill shall be charged at a rate of \$4.38 ~~4.37~~ per 1,000 gallons of water consumed for all customer classifications.

2. Section 82-77 (Water rates) of the Code is amended to hereafter read as follows:

(1) *Water minimum bills.* Minimum monthly bill shall be applied to all customers based upon customer classification and shall include an allowance for volume based upon water consumed as follows:

Customer Classification:	Minimum Monthly Bill	Volume Included (Gallons)
Single-Family Residential	\$ <u>10.74</u> 10.66	2,000
Multifamily Residential Large (meter size greater than or equal to two inches)	<u>93.63</u> 92.13	37,000
Multifamily Residential Small (meter size less than two inches)	<u>41.53</u> 40.92	15,000
Schools	<u>53.37</u> 52.55	20,000
Municipal	<u>29.68</u> 29.28	10,000
Commercial Large (meter size greater than or equal to two inches)	<u>93.63</u> 92.13	37,000

Commercial Small (meter size less than two inches)	<u>17.84</u> 17.64	5,000
Industrial Large (meter size greater than or equal to two inches)	<u>93.63</u> 92.13	37,000
Industrial Small (meter size less than two inches)	<u>13.11</u> 12.98	3,000
Hotel/Motel	<u>242.84</u> 238.77	100,000
Irrigation Large (meter size greater than or equal to two inches)	<u>192.34</u> 190.71	40,000
Irrigation Small (meter size less than two inches)	<u>75.88</u> 75.27	15,000
Fire Meters	<u>24.95</u> 24.62	8,000

(2) *Water volume rate.* All volume which exceeds the amount allowed in the minimum bill shall be charged at a rate of \$2.37 ~~2.33~~ per 1,000 gallons of water consumed for all customer classifications, with the exceptions as noted in subsection (3) below.

(3) *Water conservation volume rate.* Single-family residential customers shall be charged a rate of \$4.66 ~~4.62~~ per 1,000 gallons of water for all water consumed in excess of 15,000 gallons. Irrigation (large and small) customers shall be charged for all volume, which exceeds the amount allowed in the minimum bill, at a rate of \$4.66 ~~4.62~~ per 1,000 gallons of water consumed.

Section 2. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City 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 the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, 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 affect 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, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and 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. Incorporation of Recitals. The above and foregoing recitals to this Ordinance are true and correct and are incorporated herein and made a part of this Ordinance for all purposes.

Section 5. Effective Date. This Ordinance shall become effective October 1, 2014 and be applied to monthly customer bills beginning with the November 2014 billing cycle.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the ____ day of September, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

Combined Meeting

R6

Meeting Date: 09/23/2014

Council Goals: Mindful stewardship of Town Resources.
Identify opportunities for improved governance

AGENDA CAPTION:

Presentation and discussion regarding an update on the Finance Department Work Plan.

FINANCIAL IMPACT:

N/A

BACKGROUND:

Staff will brief Council on the Finance Department Work Plan.

RECOMMENDATION:

Attachments

Finance Work Plan Memo
Work Plan



MEMO

To: Lea Dunn, City Manager
From: Eric Cannon, CPA, Chief Financial Officer
Re: Financial work plan for operations, policies, procedures and internal controls
Date: September 18, 2014

Accounts Payable:

Vendor Master File – The process has been modified. All vendor maintenance is processed by the Purchasing Agent (Caitlan Smelley). System Administrative rights have been updated to ensure that only the Purchasing Agent has access to modify vendor information.

Training – Finance is having its first training on September 25th. The goal for this meeting is to continue to train Finance employees on policy and procedures. All new hires will be responsible for learning the policies and ensuring they are in compliance. Additionally, Finance plans to implement an annual town-wide training to focus on best practices, problem areas, and new requirements.

Receipt Slip/Form – Going forward, it is required that when an individual is receiving and taking possession of goods, they must verify the following: quantity, price, and quality of such goods. If a receipting slip is not provided for the goods, a Standard Form created by Finance must be completed in place of a receipt. This document must be attached to the purchase order before processing.

Purchasing:

Policy – As Council may recall, Finance completely revamped the purchasing policy in 2013 with the help of purchasing consultant Carol Cooper. Finance continues to work on the implementation of this policy and believes that the newly authorized positions will help to ensure compliance. Management is also reviewing technology options that would better assist staff in adhering to the policy. (Technology being reviewed includes BidSync and ERP.)

Purchase Orders - The Finance Department has communicated with all departments about the new initiative to reduce the reliance on the payment authorization memo (PAM). Finance will be working with all departments on implementing this in a way that will not impede workflow, but will ensure compliance with our policies.

Purchase Cards – Finance has scheduled training to educate all p-card users on acceptable practices and their responsibilities as cardholders. The Town is also working with Gradient Solutions to provide continuous monitoring alerts; this will provide staff with the ability to identify any transactions that seem to be circumventing the policy.

Banking:

Frost Bank – Finance has updated all of our signature card information to reflect the current appropriate individuals. Additionally, Finance closed or cancelled all other access points or features, excluding Cash Manager, a secure online program. Using Cash Manager for all banking processes provides a detailed and secure audit trail.

RFP for Banking Services – A bid was awarded to Valley View Consulting to provide consulting services for Finance's upcoming bid process. Finance has made contact with several local banks in order to encourage their participation for the upcoming request for proposals (RFP). In addition, Finance is ensuring that the selected provider will deliver provisional credit for our Loomis cash management systems throughout the Town.

Loomis – Finance is in the process of adding a cash management system in various locations throughout the Town; this will provide a secure location for the town's cash receipting process and increase the control environment.

Payroll:

Outsourcing Payroll – Finance recently meet with ADP to learn more about the services they could provide regarding payroll outsourcing. Further, Finance is scheduled to have a business process review later this month with the intention of receiving projected costs to use in the evaluation. After this process, if Finance determines that outsourcing the payroll function has the ability to provide the Town with the same or greater level of service for an acceptable cost, Finance will then begin the RFP process to identify the most capable vendor.

Move Payroll to Finance – Lisa Khaleghipour has been transferred from the Human Resources Department to the Finance Department. This change took place in mid-August 2014. Since that time, Finance has worked with HR to ensure the appropriate training is received to complete the necessary items that are associated with the payroll process.

Segregate Duties – Finance has had several meetings with Human Resources to identify what processes/steps must remain in the HR department. Currently, only HR (not Finance) has the ability to modify an employee's master file.

Cash Handling/Receipting:

Cash – As mentioned earlier, the Town is in the process of installing and implementing Loomis cash management systems at appropriate locations. This will remove the risk assumed by General Services personnel, who are currently responsible for providing cash carrier services between locations.

A/R – The Town is currently working with a local depository (Frost Bank) to forward all recurring payments received to a Town lockbox. Another function that Finance is looking to implement is the use of remote capture at all locations.

Fixed Assets:

Inventory – Our intention is to hire a vendor to complete a Town-wide inventory of all listed assets. Although Finance is only in the beginning stages of this process, this will be one of the Assistant Finance Director's priorities.

Tracking in Enterprise Resource Planning (ERP) – After the completion of our 3rd party inventory count, Finance will begin adding the individual assets to the current ERP system. This will be a time-consuming process, but it will be a major accomplishment once completed. Going forward, Finance will import this updated ledger into the new ERP system and utilize the new technology to track this information on a continual basis.

Segregation of Duties:

Staffing – The Town is currently accepting applications for the Accounting Manager position. This position will be responsible for maintaining the general ledger and internal control environment. This individual will also be instrumental in implementing the Fixed Asset Module as well as continuously reviewing system access within the ERP.

Assistant Finance Director (AFD) – Finance has recently filled this position. His arrival will greatly reduce the reliance on the Chief Financial Officer (CFO) and will allow the delegation of some responsibilities and increase the internal control environment.

Information Technology:

Review User Privileges – Finance and Information Technology have already updated the most critical areas as identified by Mr. Kanter and staff. This process is still in progress and will be completed by the recently hired AFD.

System Changes – All system administrative changes have to be approved by the CFO and Information Technology Director. This approval is documented and filed for safe keeping.

Area	Task	Rationale	Owner	Schedule	Status	Continuous Monitoring
Accounts Payable	Remove vendor setup Training	Segregation of Duties Compliance	Eric Cannon Caitlan Smelley	October 1, 2014 Immediately and On-going	Completed In progress	
	Receiving Slip/Approval form	Validation of goods received	Eric Cannon	October 1, 2014	Implementation set for October 1, 2014, training scheduled for September 25, 2014	
Purchasing	Vendor Master File maintenance	Segregation of Duties	Caitlan Smelley	October 1, 2014	Completed	X
	Purchase Orders	Increased control of budget appropriation	Caitlan Smelley	May 1, 2015	Currently reviewing and identifying vendors that are appropriate purchase orders.	X
	Purchase Cards	Increase Accountability/Compliance	Caitlan Smelley	January 1, 2015	Developing system to for monthly review/compliance audit	X
	Interlocal Agreements	Ensure best price	Caitlan Smelley	October 1, 2014	The step has been added to the purchasing process	
Banking	Update Signature information	Mitigate Risk/Control Environment	Eric Cannon	July, 2014	Completed	
	Cancel call-in wire feature	Mitigate Risk/Control Environment	Eric Cannon	July, 2014	Completed	
	Cancel EFT services	Mitigate Risk/Control Environment	Eric Cannon	July, 2014	Completed	
	RFP for banking services	Up for renewal and increase service	Eric Cannon	July, 2015	In progress, vendor has been selected and work is scheduled to begin October 1, 2014	
Payroll	Outsourcing Payroll	Increase controls	Eric Cannon/Passion Hayes	July, 2015	In progress, meeting with qualified vendors for business process review and feasibility	
	Move Lisa Khaleghipour to Finance	Increase controls	Eric Cannon	August, 2014	Completed	
	Remove all HR duties from Payroll Specialist	Segregation of Duties	Steven Glickman/Passion Hayes	October 1, 2014	Training HR personal to assume these duties.	X
Cash Handling/Receipting	Secure Cash Receipts	Increase control environment	Eric Cannon	January 1, 2015	Working through the contract process. Also, working with Loomis for installation requirements/certification.	
	Add all reoccurring payments to Lockbox	Mitigate Risk/Efficiency	Eric Cannon	January 1, 2015	Working with Frost Bank	
Fixed Assets	Select 3rd party to perform fixed assets count	Verify current fixed asset ledger	Steven Glickman (AFD)	Spring 2015	Starting the process October 1, 2014	
	Implement Fixed Asset Module within GEMS	Improve tracking process/financial reporting	Steven Glickman (AFD)	Spring 2015	Will begin when inventory of current fixed assets have	
Organizational Design and Segregation of Duties:	Hire Assistant Finance Director	Segregation of Duties	Eric Cannon	Start Date September 18th	Scheduling final interview next week	
	Hire Accounting Manager	Segregation of Duties	Eric Cannon/AFD	As soon as possible	Waiting approval from Council	
Municipal Court	Separate reconciliations from money handling functions	Segregation of Duties	Paula Dale	October 1, 2014	Process has been identified and will take affect at the start of the fiscal year.	
	Secure Cash Receipts	Increase control environment	Eric Cannon	In progress: Hopeful that units will be installed and operational by January 1, 2015	Analyzing Cost/Benefit per location, reviewing contract with Loomis.	
Information Technology	Review & update employee access to GEMS	Segregation of Duties	Steven Glickman/Sheryl Donihoo	Immediate and On-going	Completed most critical items, other items are in progress	X

Combined Meeting

R7

Meeting Date: 09/23/2014

Council Goals: Mindful stewardship of Town Resources.

Raise property values

Brand Protection and Enhancement

Infrastructure improvement and maintenance

AGENDA CAPTION:

Discussion, consider and take action regarding approval of and authorizing the City Manager to execute a contract with Artistic Painting Company for city-wide painting services in an amount not to exceed \$200,000 for painting of the Wheeler Bridge, Blueprints sculpture, interior Athletic Club areas and park structures, and discussion regarding traffic control during periods of painting.

FINANCIAL IMPACT:

This is a budgeted project in the Parks and Recreation FY 2015 operations budget.

The projects consist of:

- 1. Wheeler Bridge and Guard Rails - \$105,000**
- 2. Blueprints Sculpture - \$29,000**
- 3. Park Structures - \$30,000**
- 4. Athletic Club Interior Areas - \$20,000**
- 5. Contingency - \$14,000**

BACKGROUND:

The Town entered into a one year contract this year with Artistic Painting Company for painting various structures in town, including light poles, traffic signal poles and buildings. This is a one year contract, which is eligible for renewal for 4 additional years if the terms and conditions of the contract are agreeable to both parties.

When the Council approved the contract with Artistic, staff was asked to look into alternatives for painting the bridge and sculpture, to see if there is a coating system that will retain its color for a longer period of time to avoid the "chalking" appearance that occurs three to four years after painting.

Extensive research by the National Highway Administration for steel bridge coating systems concluded that 2-part polyurethane coating systems are one of the best for steel load bearing bridges. The product that was specified by HNTB engineers for both structures when originally constructed is a Sherwin Williams 2-part protective & marine polycoating system, which is ranked as one of the best available. Artistic Painting Company also highly recommends this product. The Artistic Painting Company representative recommends that from a structural perspective, the bridge should be painted at least every 5 years to prevent rust and corrosion.

Artistic has done excellent work for the town this year on other related painting projects.

RECOMMENDATION:

Administration recommends approval.

Attachments

2-Part Coating System



Protective & Marine Coatings

ACROLON™ 218 HS ACRYLIC POLYURETHANE

PART A	B65-600	GLOSS SERIES
PART A	B65-650	SEMI-GLOSS SERIES
PART B	B65V600	HARDENER

Revised: September 5, 2014

PRODUCT INFORMATION

5.22

PRODUCT DESCRIPTION

ACROLON 218 HS is a low VOC, polyester modified, aliphatic, acrylic polyurethane formulated specifically for in-shop applications. Also suitable for industrial applications. A fast drying, urethane that provides color and gloss retention for exterior exposure.

- Can be used directly over organic zinc rich primers (epoxy zinc primer and moisture cure urethane zinc primer)
- Color and gloss retention for exterior exposure
- Fast dry
- Outstanding application properties

PRODUCT CHARACTERISTICS

Finish:	Gloss or Semi-Gloss
Color:	Wide range of colors available
Volume Solids:	65% ± 2%, mixed, may vary by color
Weight Solids:	78% ± 2%, mixed, may vary by color
VOC (EPA Method 24):	Unreduced: <300 g/L; 2.5 lb/gal mixed Reduced 10% with R7K15: <340 g/L; 2.8 lb/gal mixed Reduced 9% with MEK, R6K10: <340 g/L; 2.8 lb/gal
Mix Ratio:	6:1 by volume, 1 gallon or 5 gallon mixes premeasured components

Recommended Spreading Rate per coat:

	Minimum	Maximum
Wet mils (microns)	4.5 (112.5)	9.0 (225)
Dry mils (microns)	3.0 (75)	6.0 (150)
~Coverage sq ft/gal (m²/L)	175 (4.3)	346 (8.5)
Theoretical coverage sq ft/gal (m²/L) @ 1 mil / 25 microns dft	1040 (25.5)	

NOTE: Brush or roll application may require multiple coats to achieve maximum film thickness and uniformity of appearance.

Drying Schedule @ 6.0 mils wet (150 microns):

	@ 35°F/1.7°C	@ 77°F/25°C 50% RH	@ 120°F/49°C
To touch:	4 hours	30 minutes	20 minutes
To handle:	18 hours	6 hours	4 hours
To recoat:			
minimum:	18 hours	8 hours	6 hours
maximum:	3 months	3 months	3 months
To cure:	14 days	7 days	5 days
Pot Life:	4 hours	2 hours	45 minutes
<i>(reduced 5% with Reducer R7K15)</i>			
Sweat-in-Time:	None		

If maximum recoat time is exceeded, abrade surface before recoating. Drying time is temperature, humidity, and film thickness dependent. Paint temperature must be at least 40°F (4.5°C) minimum.

Shelf Life: Part A* - 36 months, unopened
Part B - 24 months, unopened
Store indoors at 40°F (4.5°C) to 100°F (38°C).

*Aluminum (Part A, Rex # B65SW655) has a shelf life of 24 months.

Flash Point: 55°F (13°C), Seta, mixed

Reducer/Clean Up:

Spray: Reducer R7K15, MEK R6K10, or R7K111

Brush / Roll: Reducer #132, R7K132 or R7K111

RECOMMENDED USES

Specifically formulated for in-shop applications. For use over prepared metal and masonry surfaces in industrial environments such as:

- Structural steel
- Rail cars and locomotives
- Conveyors
- Bridges
- Wind Towers - onshore and offshore
- Offshore platforms - exploration and production
- Suitable for use in USDA inspected facilities
- Conforms to AWWAD102 Outside Coating Systems #4 (OCS-4), #5 (OCS-5) & #6 (OCS-6)
- Acceptable for use in high performance architectural applications
- Acceptable for use over Stamped 1 and Stampede 1H Caulking
- A component of INFINITANK
- Over FIRETEX hydrocarbon systems
- Suitable for use in the Mining & Minerals Industry

PERFORMANCE CHARACTERISTICS

Substrate*: Steel

Surface Preparation*: SSPC-SP10/NACE 2

System Tested*:

1 ct. Macropoxy 646 @ 6.0 mils (150 microns) dft

1 ct. Acrolon 218 HS Gloss @ 4.0 mils (100 microns) dft

*unless otherwise noted below

Test Name	Test Method	Results
Abrasion Resistance¹	ASTM D4060, CS17 wheel, 1000 cycles, 1 kg load	43 mg loss
Adhesion³	ASTM D4541	1976 psi
Corrosion Weathering³	ASTM D5894, 27 cycles, 9072 hours	Rating 10 per ASTM D610, for rusting; Rating 10 per ASTM D714, for blistering
Direct Impact Resistance¹	ASTM D2794	50 in. lb.
Dry Heat Resistance¹	ASTM D2485, Method A	200°F (93°C)
Flexibility¹	ASTM D522, 180° bend, 1/8" mandrel	Passes
Humidity Resistance²	ASTM D4585, 100°F (38°C), 1500 hours	Rating 10 per ASTM D610, for rusting; Rating 10 per ASTM D714, for blistering
Pencil Hardness	ASTM D3363	3H
Salt Fog Resistance³	ASTM B117, 15,000 hours	Rating 10 per ASTM D610, for rusting; Rating 10 per ASTM D714, for blistering

Meets the requirements of SSPC Paint No. 36, Level 3 for white and light colors. Dark colors may require a clear coat.

Complies with ISO 12944-5 C5I and C5M requirements.

Footnotes:

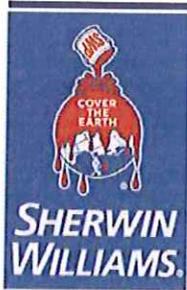
¹ Finish coat only tested

² Primer Zinc-Clad II Plus

Intermediate Macropoxy 646

Finish Acrolon 218 HS

³ Primer Zinc-Clad III HS



Protective & Marine Coatings

DIAMOND-CLAD® CLEAR COAT URETHANE

PART A	CLEAR - GLOSS	B65T105
PART A	CLEAR - SEMI-GLOSS	B65T115
PART B	HARDENER	B65V105
PART C	CATALYST	B65C105
(OPTIONAL)	FADE-A-WAY DYE ADDITIVE	B65X105

Revised 2/12

PRODUCT INFORMATION

5.40

PRODUCT DESCRIPTION

DIAMOND-CLAD CLEAR COAT URETHANE is a three component, graffiti resistant, low VOC, acrylic polyurethane clear coat that enhances the finish and weathering properties of newly applied aliphatic urethane coatings. It exhibits excellent graffiti resistance and ease of application by brush or roller. Designed to be applied within the recoat window of the respective Sherwin-Williams aliphatic urethane.

- Extends the service life and exterior weathering properties of urethane coatings.
- Optional Fade-A-Way Dye Additive available
- Enhances the color and gloss of urethane coatings.
- Outstanding application properties

PRODUCT CHARACTERISTICS

Finish:	Gloss or Semi-Gloss
Color:	Clear
Volume Solids:	67% ± 2%, mixed, Gloss 66% ± 2%, mixed, Semi-Gloss
Weight Solids:	73% ± 2%, mixed
VOC (EPA Method 24): (mixed)	Unreduced: <300 g/L; 2.34 lb/gal Reduced 10%: 340 g/L; 2.8 lb/gal
Mix Ratio:	8:4:1; 3 premeasured components 0.81 gallons (3.06L) mixed

Recommended Spreading Rate per coat:

	Minimum	Maximum
Wet mils (microns)	1.5 40	3.0 75
Dry mils (microns)	1.0 25	2.0 50
~Coverage sq ft/gal (m ² /L)	545 13.3	1090 26.6
Theoretical coverage sq ft/gal (m ² /L) @ 1 mil / 25 microns dft	1088 26.0	

NOTE: Brush or roll application may require multiple coats to achieve maximum film thickness and uniformity of appearance.

Drying Schedule @ 2.0 mils wet (50 microns):

	@ 40°F/4.5°C	@ 77°F/25°C 50% RH	@ 100°F/38°C
To touch:	2 hours	30 minutes	20 minutes
To handle:	12 hours	3 hours	1.5 hours
To recoat with itself, if required:			
minimum:	12 hours	3 hours	1.5 hours
maximum:	7 days	7 days	7 days
To cure:	7 days	7 days	7 days
Pot Life:	2 hours	1 hour	30 minutes
Sweat-in-Time:		None	

If maximum recoat time is exceeded, abrade surface before recoating.
Drying time is temperature, humidity, and film thickness dependent.

Shelf Life:	Part A - 24 months, unopened Part B - 12 months, unopened Part C - 6 months, unopened Store indoors at 40°F (4.5°C) to 100°F (38°C).
Flash Point:	98°F (37°C) PMCC, mixed
Reducer/Clean Up:	R7K216 or R6K30

RECOMMENDED USES

- For exterior use over newly applied aliphatic urethane coatings in industrial environments
- To enhance urethane coatings by providing extended weathering properties
- Use where graffiti resistance is important
- Use on:
 - Water tanks
 - Pipelines
 - Refineries
 - Amusement parks
 - Corporate logos/signs
 - Storage tank exteriors
 - Bridges
 - Wastewater facilities
 - Commercial buildings
- Acceptable for use in high performance architectural applications.
- Suitable for use in USDA inspected facilities

PERFORMANCE CHARACTERISTICS

Substrate*: Steel

Surface Preparation*: SSPC-SP10/NACE 2

System Tested*:

- 1st ct: Epolon II Multi-Mil Epoxy @ 2-4 mils (50-100 microns) dft
- 2nd ct: Poly-Lon HP @ 2-4 mils (50-100 microns) dft
- 3rd ct: Diamond-Clad Clear Coat @ 1-2 mils (25-50 microns) dft

*unless otherwise noted below

Test Name	Test Method	Results
Abrasion Resistance (semi-gloss)	ASTM D4060, CS17 wheel, 1000 cycles, 1 kg load	55 mg loss
Accelerated Weathering (gloss)	ASTM D4587, QUV-A, 10,000 hours	100% gloss retention
Adhesion (gloss)	ASTM D4541	1250 psi
Corrosion Weathering (gloss)	ASTM D5894, 9 cycles, 3000 hours	Passes, no blistering, cracking, rusting, or delamination
Direct Impact Resistance (semi-gloss)	ASTM D2794	120 in lb
Dry Heat Resistance	ASTM D2485	200°F (93°C)
Exterior Exposure	5 years at 45° South	No blistering, cracking, or chalking; 85% gloss retention, <4 MacAdam unit color change
Flexibility	ASTM D522, 180° bend, 1/8" mandrel	Passes
Graffiti Resistance	Graffiti materials applied - epoxy ester spray, acrylic spray, alkyd spray, ballpoint pen ink, crayon, lipstick	All materials were removed easily and completely with either xylene or MEK
Pencil Hardness (gloss)	ASTM D3363	HB
Salt Fog Resistance (gloss)	ASTM B117, 3000 hours	Passes, no blistering or rusting

Combined Meeting

R8

Meeting Date: 09/23/2014

Council Goals: Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison
Brand Protection and Enhancement
Infrastructure improvement and maintenance
Fully integrate the Arts as part of our brand
Implement bond propositions
Promote Sustainability
Enhance Public Safety

AGENDA CAPTION:

Discussion, consider and take action regarding approval of and authorizing the City Manager to execute a Project Specific Agreement with Dallas County for the Redding Trail Expansion.

FINANCIAL IMPACT:

The Redding Trail Expansion is funded by Proposition 6 of the 2012 Bond Election. The Project Specific Agreement with Dallas County will provide the Town of Addison with matching funds (not to exceed \$237,000.00 or 50% of the project total) to construct the trail.

Based on the awarded bid of \$228,836.56, it is anticipated that the amount of matching funds will be \$114,418.28 from Dallas County.

BACKGROUND:

The Redding Trail Expansion is a part of the Pedestrian Connectivity Project (Phase 1) which is funded by Proposition 6 of the 2012 Bond Election.

RECOMMENDATION:

Administration recommends approval.

Attachments

Dallas County PSA

Pedestrian Connectivity Project Map

Proposition 6 CIP Funds



**DALLAS COUNTY
PUBLIC WORKS**

September 08, 2014

Mr. Michael J. Kashuba
Landscape Architect
Town of Addison
16801 Westgrove Drive
Addison, Texas 75001

Re: Addison Redding Trail Expansion Phase I – MCIP 10304_2
(From Morman Lane to Arapaho Road)
Transmittal of the Project Specific Agreement

Dear Mr. Kashuba,

Enclosed please find four (4) originals of the Project Specific Agreement for your execution. We request that you sign in blue ink and return all four documents for processing. An original will be returned for your records upon full execution.

Should you have any questions or comments, please do not hesitate to contact me at 214-653-6458.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tushar Solanki".

Tushar Solanki, P. E.
Project Manager

TS/ang

Enclosure

**DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM
PROJECT SPECIFIC AGREEMENT
TO THE MASTER AGREEMENT GOVERNING
MAJOR CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS**

This Project Specific Agreement hereinafter called "PSA" to the Master Agreement Governing Transportation Major Capital Improvement Projects ("Master Agreement") is made by and between the Town of Addison, Texas, hereinafter "City", and the County of Dallas, Texas, hereinafter "County", acting by and through its duly authorized officials, for the purpose of Transportation Improvements on the Addison Redding Trail Expansion Phase 1 MCIP Project 10304_2 from Morman Lane to Arapaho Road, hereinafter called "Project".

WHEREAS, the City has requested that it be designated as the Lead Agency for the project and will provide the Project Manager; and

WHEREAS, The City and County entered into a Master Agreement Governing Transportation Major Capital Improvement Projects on November 13, 2012 by Commissioner Court order 2012-1932 for the purpose of transportation improvements on roads inside Dallas County.

WHEREAS, Chapter 791 of The Texas Government Code and Texas Transportation Code Section 472.001 provides authorization for local governments to contract with each other for the performance of governmental functions and services, as well as joint funding of road construction or improvements of road or street projects.

NOW THEREFORE THIS PSA is made by and entered into by the City and the County, for the mutual consideration stated herein.

Witnesseth

Article I.

Project Specific Agreement

This PSA is to specifically identify the project, changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement and additions thereto as incorporated herein. This PSA will be an addition to the Master Agreement and incorporate each of its terms and conditions. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control.

Article II

Incorporated Documents

This PSA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by County Commissioners Court Order 2012-1932; dated November 13, 2012, and additions thereto as incorporated herein.
2. Describing the Project Scoping Sheets as shown in Attachment "A".
3. Current Cost Estimates and Funding Sources, as shown in Attachment "B".

Article III

Term of Agreement

This PSA becomes effective when signed by the last party whose signature makes the respective agreement fully executed and shall terminate upon the completion and acceptance of the Project by Dallas County Commissioners Court or upon the terms and conditions in the Master Agreement, Article IV.

Article IV

Project Description

This PSA is entered into by the parties for public transportation improvements within the Town of Addison, Texas. The project is defined as the Addison Redding Trail Expansion Phase 1 MCIP Project 10304_2 from Morman Lane to Arapaho Road and further south a regional connection to Vitruvian Development. The Trail Expansion will tie into Arapaho Road, Beltline Road and Beltway Road as well as Easement Park and Le Lacs Park and hereinafter referred to as the "Project" and as more fully described in Attachment "A". This project will facilitate the movement of public transportation to benefit both the City and County.

Article V.

Fiscal Funding

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this **PSA**, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this **PSA** as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this **PSA** or failure of any funding party to budget or authorize funding for this **PSA** during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this **PSA**. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this **PSA** is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this **PSA**, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this **PSA** as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this **PSA** or failure of any funding party to budget or authorize funding for this **PSA** during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this **PSA**. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI

Agreements

I. County and City Responsibilities:

1. City will be the Lead Agency for the Project.
2. City and County have mutually agreed that the Project limits are from Morman Lane to Arapaho Road.
3. The agreed upon Standard Basic Project Design for the project is as defined in the Project Scoping Sheets, Attachment "A". Such design shall be the Standard Basic Project Design for the Project and specifically does not include Paving and Drainage Amenities or Utility Betterments as defined in the Master Agreement. If the City adds relocation or adjustment of City Utilities or Utility Betterments, the City agrees that it will pay 100% of the costs of these additions.
4. The City agrees that County may include any such item as an optional item to the construction bidding. City further agrees to review the bids submitted, the bid specifications, quantities, bid amount and any other item the City shall choose to review and furnish a written acceptance or rejection of the bid within ten (10) days. In the event the bid is accepted, City agrees to encumber an amount adequate for the total estimated project costs as indicated in Attachment "B" or same as amended to conform to the bid amounts.
5. The Project will require the acquisition of road right-of-way which is specifically all real property needed or convenient for roadway and/or drainage purposes as shown in the Project design or right-of-way plans and specifically includes all real property outside of the designed right-of-way needed, if applicable, or convenient to the construction, drainage, interface with adjoining streets or alleys, driveways or other access ways or other Project permanent or temporary easements which is approved by City and County. Such right-of-way acquisition shall be the responsibility of the City as Lead Agency.
6. In order to certify compliance with the expenditure of the Project funding for this Agreement, the City agrees to furnish to the County, its Auditor, or its designated representative(s) the unrestricted right to audit any and all accounting and other records regarding any funds paid or claimed under this agreement, including, but not limited to all books, records, reports, tickets, deposits, expenditure, budget or any item therein, supporting data, computer records and programs, and all items of hardware, software or firmware, or any other item utilized by the City regarding this Agreement (records). City contracts and agrees that all records shall be kept and maintained for a period of time not less than four (4) years from the date of the termination of this Agreement. Such records shall be provided to the County in Dallas County, Texas and available for any audit at any time upon request.
7. The results of any audit may be furnished to City for comment. In the event that any audit shall determine that moneys are owed to County such sums are deemed to be due and payable to Dallas County, Texas, within thirty (30) days of the date of an invoice for such cost being deposited in the US Mail, certified mail, return receipt requested.

II. City Responsibilities:

1. City shall be the Lead Agency for the Project and will provide project management for the Project from commencement of planning to completion of construction.
2. City shall execute the necessary agreements for the implantation of design and construction of the Project mutually agreed upon and incorporated herein by this PSA.
3. This PSA is City approval of the preferred alignment and the proposed estimated budget.
4. City shall provide City Council Resolution commitment to meet the Project funding.
5. City shall coordinate any necessary utility adjustments for construction of the Project.
6. City shall be responsible for maintaining the Trail after the Project is complete.
7. City agrees that it shall be responsible for contractual requirements with each party utilized or related to the completion of the Project. City further agrees that it will include in its contractual or procurement specification all items necessary for full compliance with the rules, regulations and requirements of all City, State and Federal law.
8. City shall allow the County a reasonable opportunity to review design plans, change orders and amendments.

III. County Responsibilities:

1. County agrees to participate in the City led project as a funding participant.
2. The County will attend task force meetings, field construction meetings and will retain right during construction to confirm progress through inspection and to review plans, change orders and amendments.
3. The review of, comments to, and approval or acceptance of work performed by City, its contractors or subcontractors, by the County shall not constitute nor be deemed either controlling or a release of the responsibility, and liability of City regarding its consultant, employees, subcontractors, agents and consultants for the accuracy and competency of their work. Nor shall such approval and acceptance be deemed to be an assumption of such responsibility by the County for any defect, error or omission in the work prepared.

IV. Funding:

County and City mutually agree to proportionately fund the Direct Project and Program cost as follows:

1. Notwithstanding any provision in the Master Agreement, this PSA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated at Four Hundred Seventy Four Thousand, Two Hundred Dollars and no cents (\$474,200.00). The County's total obligation to this Project is to provide funding in the amount not to exceed Two Hundred, Thirty Seven Thousand, One hundred dollars and no cents (\$237,100.00), reduced by County's actual in- house delivery costs of the total Project cost. The County in-house delivery cost is estimated at Twenty Four Thousand, Five Hundred and Six Dollars and no cents (\$24,506.00) to be reduced from County's participation.

2. Project costs may include all County project delivery costs including but not limited to preliminary scoping and research, preliminary design services, special services, primary design services, inspection, laboratory services and construction.
3. The City agrees to provide funding for the Project as indicated in the amount of, Two Hundred Thirty Seven Thousand, One Hundred Dollars and no cents (\$237,100.00).
4. City agrees to encumber an amount adequate for total estimated project costs as determined prior to the commencement of each Project milestone as determined by County within 30 days of notification by County. The City will pay Project costs as invoiced by the County.
5. If the total project costs excluding paving and drainage amenities or utility betterments should exceed the total Project cost, the City and County agree to amend the project's scope to remain within the current estimated total Project Cost.

Article VII

Miscellaneous:

- I. No Third Party Beneficiaries, The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of City and County that any entity other than City or County receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual right and responsibilities of the parties hereto.
- II. Applicable Law. This PSA is and shall be expressly subject to the Sovereign Immunity of County and Governmental Immunity of City, Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable Federal and State Law. This PSA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this PSA filed by either City or County shall be in Dallas County, Texas.
- III. Notice. Any notice provided for in this Agreement to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two (2) business days after being deposited in the United States Mail, postage prepaid, certified, returned receipt requested, or registered addressed as follows:

To County: County of Dallas
 Director of Public Works
 Dallas County Administration Building
 411 Elm Street, Fourth Floor
 Dallas County, Texas 75202-3389

To City: Town of Addison, Texas
 Parks, Recreation and Landscape Development

16801 Westgrove Drive
Addison, Texas 75001-9010

Either party may change its address for notice by giving the other party notice thereof.

- IV. Assignment. This PSA may not be assigned or transferred by either party without the prior written consent of the other party.
- V. Binding Agreement; Parties Bound. This PSA has been duly executed and delivered by both parties and constitutes a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VI. Amendment. This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
- VII. Number and Gender. Words of any gender used in this PSA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.
- VIII. Counterparts. This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. Severability. If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
- X. Entire Agreement. This PSA embodies the complete agreement of the parties, supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the PSA.
- XI. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.

The Town of Addison, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, dated the _____ day of _____, 2014.

The County of Dallas, State of Texas, has executed this agreement pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2014.

County of Dallas

Town of Addison

Clay Lewis Jenkins, County Judge

By:

Title: _____

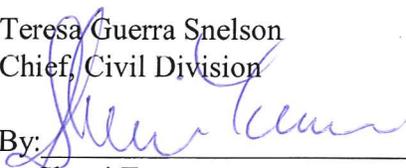
Date

Date

Approved as to Form:
Craig Watkins
District Attorney

Attest:

Teresa Guerra Snelson
Chief, Civil Division

By: _____


Sherri Turner
Assistant District Attorney

Town Secretary / Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD
MCIP PROJECT No. MCIP# is 10304_2
Project Scoping Sheets**

PAVEMENT AND ALIGNMENT TOPICS

SPECIFIC ROW ALIGNMENT DESCRIPTION:

Town Council approves of the Financing, Construction or Improvement on REDDING TRAIL EXTENSION TO ARAPAHO ROAD with an approximate width of 8' as detailed in the Construction Documents.

LEAD AGENCY: TOWN OF ADDISON

LEAD AGENCY'S PROJECT MANAGER: Michael Kashuba, R.L.A.

CONTACT INFORMATION: Michael Kashuba, RLA

Landscape Architect
Town of Addison
Parks, Recreation and Landscape
Development
16801 Westgrove Drive
Addison, Texas 75001
972-450-2831 (o)
972-450-2834 (f)
214-240-6994 (m)
mkashuba@addisontx.gov

PROJECT LENGTH: 1,972 Linear Feet

PAVEMENT SECTION

PAVING DESIGN CRITERIA City Standards, AASHTO, NCTCOG

ROW WIDTH:

Existing: N/A

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ARAPAHO ROAD
MCIP PROJECT No. MCIP# is 10304_2
Project Scoping Sheets**

Proposed: N/A

PAVEMENT WIDTH:

Existing: N/A

Proposed: 8'

No. of lanes proposed: N/A

PARKWAY:

Proposed Width N/A

Proposed Sidewalk Width N/A

Parkway cross fall slope maximum 4:1

GRADE REQUIREMENTS:

Is TC 6" below adjacent ground criteria to be followed? N/A

Any deep cuts, high fills? No

PAVEMENT CROSS FALL

PROPOSED 1.5%

MINIMUM 0.5%

MAXIMUM 2.0%

VERTICAL GRADE:

MINIMUM 0.10% Longitudinal

MAXIMUM 4.8% Longitudinal

CENTERLINE ALIGNMENT POSITION:

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Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD**

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

IN CENTER OF EXISTING ROW? Winds through Oncor Easement

OFFSET FROM CENTER N/A

ON BRAND NEW ALIGNMENT? Yes

LEFT TURN LANES: N/A

MINIMUM LENGTH: N/A

MINIMUM STORAGE: N/A

WIDTH N/A

ANY DUAL LEFT TURN LANES? N/A

ANY FREE RIGHT TURN LANES? N/A

CRASH CUSHIONS / ATTENUATORS INVOLVED N/A

RAILROAD CROSSINGS INVOLVED No

NEIGHBORHOOD MEETING, REQUIRED YES _____

NO X

IF REQUIRED WHO CONDUCTS, CITY OR COUNTY? n/a

BRIDGES/BOX CULVERTS INVOLVED? YES _____

NO _____

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD**

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

PAVEMENT STRUCTURE

DESIGN WHEEL LOAD Not specifically required. However, trail pavement section has been designed to accommodate occasional traffic from emergency (ambulance) and Parks maintenance vehicles

BUS AND HEAVY TRUCK TRAFFIC YES X (occasional Oncor repair vehicles)
NO

ROADWAY CLASSIFICATION N/A

MINIMUM PAVEMENT STRUCTURE THICKNESS: 6"

MINIMUM PAVEMENT BASE OR SUBGRADE THICKNESS: TBD

DESIGN SPEED Typically 20 mph

POSTED SPEED N/A

MEDIANS

MEDIAN WIDTH N/A

ANY MID BLOCK OPENINGS TO CONSIDER? YES X

NO

ANY SIDE STREETS TOO CLOSE FOR OPENING? YES

NO X

STANDARD TURN LANE WIDTH N/A

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD**

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

STANDARD NOSE WIDTH

N/A

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD**

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

DRIVEWAYS: N/A

MAXIMUM RESIDENTIAL GRADE N/A

MAXIMUM COMMERCIAL GRADE N/A

MINIMUM COMMERCIAL DRIVEWAY WIDTH N/A

SIDE STREET CONSIDERATIONS:

TURNING RADIUS, MINIMUM N/A

PAVEMENT THICKNESS N/A

COMMERCIAL DRIVEWAY THICKNESS N/A

COMMERCIAL DRIVE WAY STRENGTH N/A

DRAINAGE TOPICS

STORM SEWER DESIGN CRITERIA:

TxDOT _____
CITY _____
HYDRO-35 _____
TP-40 _____

INLET DEPTHS (APPROPRIATE FOR PAVEMENT THICKNESS) N/A

MINIMUM COVER LATERALS N/A

BRIDGES/BOX CULVERTS INVOLVED N/A

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD
MCIP PROJECT No. MCIP# is 10304_2
Project Scoping Sheets**

UTILITIES

LIST OF ALL KNOWN UTILITIES

Oncor overhead electric (Oncor ROW).

DOCUMENT KNOWN RISKS FOR OUR UTILITY PARTNERS: No major franchise utilities identified.

ARE UTILITIES ON EXISTING STREET R.O.W.? N/A

DO UTILITIES OWN THEIR R.O.W. OR HAVE PREVIOUS EASEMENTS? N/A
HAS WORK ORDER BEEN ISSUED FOR SUE (Subsurface Utility Engineering)? _____

ANY SPECIAL CONSIDERATIONS? _____

R-O-W ACQUISITION

RIGHT OF WAY CONSTRAINTS, IF ANY, PROVIDE A LIST AND DESCRIPTION
ALONG WITH DATA FOR RISK ASSESSMENT:

ANY NON-ROUTINE, i.e., CEMETARY, JUNK YARD, OLD CHURCHES, SERVICE
STATIONS, CONTAMINATED SOILS, LANDFILLS, NOISE WALL CONSIDERATIONS,
TRAILER PARKS, TREE ORDINANCES? YES _____ NO X

ANY NON-CONFORMING ISSUES ? YES _____
NO X

R-O-W MAP NEEDED YES _____

NO X

FIELD NOTES NEEDED YES _____

ATTACHMENT A

**Project Specific Agreement to Master Agreement Governing
Transportation Major Capital Improvement Projects**

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD**

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

	NO <u> X </u>
R-O-W PLATS NEEDED	YES _____
	NO <u> X </u>
RELOCATION ASSISTANCE INVOLVED	YES _____
	NO <u> X </u>
PARKING/LOSS OF PARKING CONSIDERATIONS	YES _____
	NO <u> X </u>
HISTORICAL SITE CONSIDERATION	YES _____
	NO <u> X </u>

USUAL CITY TOPICS OF CONCERN

DESIGN STANDARDS TO BE USED:	Town of Addison, Oncor, NCTCOG
ORDER OF PRECEDENCE OF STANDARDS:	Oncor, Town of Addison, NCTCOG
AUXILARY LANES?	N/A
PROVISIONS FOR FUTURE WIDENING?	N/A
LANDSCAPING?	No
IRRIGATION?	No
STAMPED/COLORED CONCRETE?	No
BRICK PAVERS?	No

ATTACHMENT A

Project Specific Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects

PROJECT NAME: REDDING TRAIL EXTENSION TO ARAPAHO ROAD

MCIP PROJECT No. MCIP# is 10304_2

Project Scoping Sheets

STREET LIGHTING?	No
TRAFFIC SIGNALS?	No
PAVEMENT MARKINGS?	No
BIKE LANES (EXTRA WIDTH)?	No
NEW SIDEWALKS?	Yes
DART BUS TURNOUTS?	No
BUS STOPS OR BUS SHELTERS?	No
WATER UTILITY BETTERMENTS?	No
WATER UTILITY RELOC?	No
SAN. SEWER BETTERMENTS?	No
SAN. SEWER RELOC.?	No
RETAINING WALLS?	No
SOD, SEEDING, TOPSOIL?	Yes
RR CROSSING IMPROVEMENTS?	No

ATTACHMENT A

Project Specific Agreement to Master Agreement Governing Transportation Major Capital Improvement Projects

**PROJECT NAME: REDDING TRAIL EXTENSION TO
ARAPAHO ROAD
MCIP PROJECT No. MCIP# is 10304_2
Project Scoping Sheets**

SPECIAL SCHOOL OR EMERGENCY VEHICLE CONSIDERATIONS

ANY NEARBY OR ADJACENT SCHOOLS, CITY HALL, FIRE OR POLICE
DEPARTMENT REQUIRING SPECIAL CONSIDERATION?

Adjacent to Fire Station 2 on Beltway Drive.

CONSTRUCTIBILITY REPORT

FROM INSPECTION STAFF, DOCUMENT ANY AND ALL ISSUES THAT MAY AFFECT
PROJECT SCOPE, BUDGET, CONSTRUCTIBILITY, THE PROJECT SCHEDULE AND/OR
THE SAFETY OF PROJECT ?

- Feedback and comments from Oncor during review of Bid Documents.
-

ATTACHMENT B

Encumber

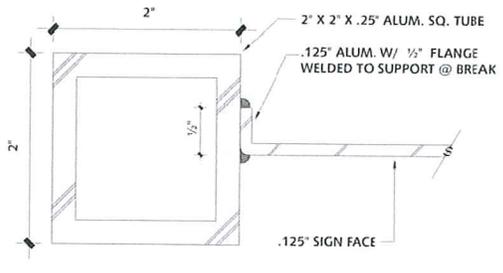
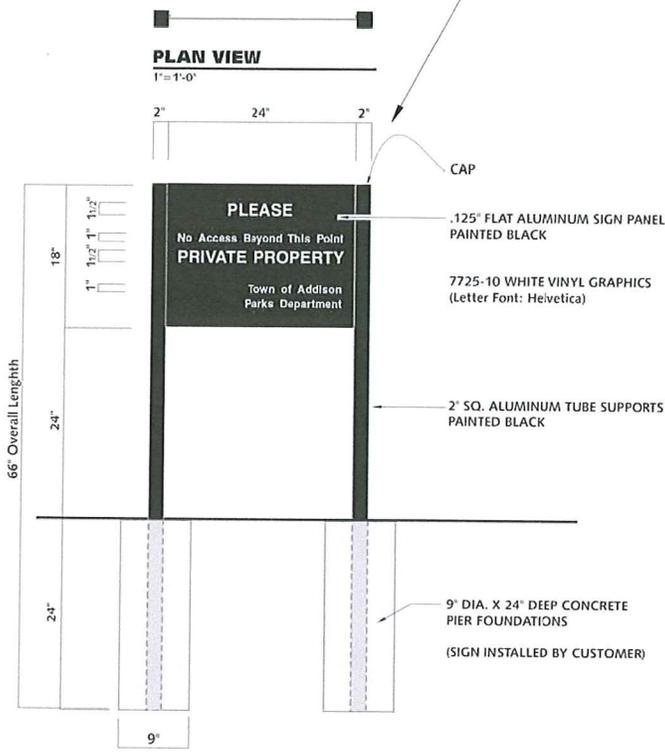
Arapaho Rd. to Le Lacs Trail Extension
MCIP PROJECTS 10304_2

Phase 1:

PARTICIPATION	*PHASE 1
DALLAS COUNTY	\$237,100 - * \$24,506 <u>\$212,594</u>
TOWN OF ADDISON	\$237,100
TOTAL	\$474,200

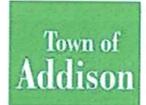
*(Note: to be reduced by Dallas County In-House Project Delivery at a cost of **(\$24,506)**)

SIGN TO READ "CAUTION: TRAIL ENDS"



SECTION - CONSTRUCTION DETAIL

A S/F NON-ILLUMINATED SIGN
TWO (2) SIGNS REQUIRED -
MANUFACTURE BY C.S.L.R.
& INSTALL BY CUSTOMER



Design #	04-2386
Sheet	1 of 5
Client	City of Addison
Address	Addison, TX
Various Locations	Addison, TX
Account Rep.	R. Brown/Jamie
Designer	J. Eush
Date	8-24-02

Approval / Date	
Client	
Sub	
Estimating	
Asst.	
Engineering	
Landfill	

Revision / Date	

Chandler Signs
www.chandleresigns.com

3201 Meador Way Dallas, TX 75215
214-903-2000 Fax 214-903-2044

2206 Wilbourn St. Denton, TX 76206
214-349-3804 Fax 214-349-8274

2420 Villa Way Ste. 200
Owensboro, KY 40301
765-947-7001 Fax 765-947-7033

750 E. Hwy 24 - Bldg. 2 Ste. 200
Woodland Park, CO 80863
719-487-2557 Fax 719-487-2556

P.O. Box 43323 Knoxville, KY 40213
502-499-3660 Fax 502-251-3881

The drawing is the property of Chandler Signs, LLC and all rights are reserved. No reproduction is allowed without the written consent of Chandler Signs, LLC.

FINAL ELECTRICAL CONNECTION BY CUSTOMER

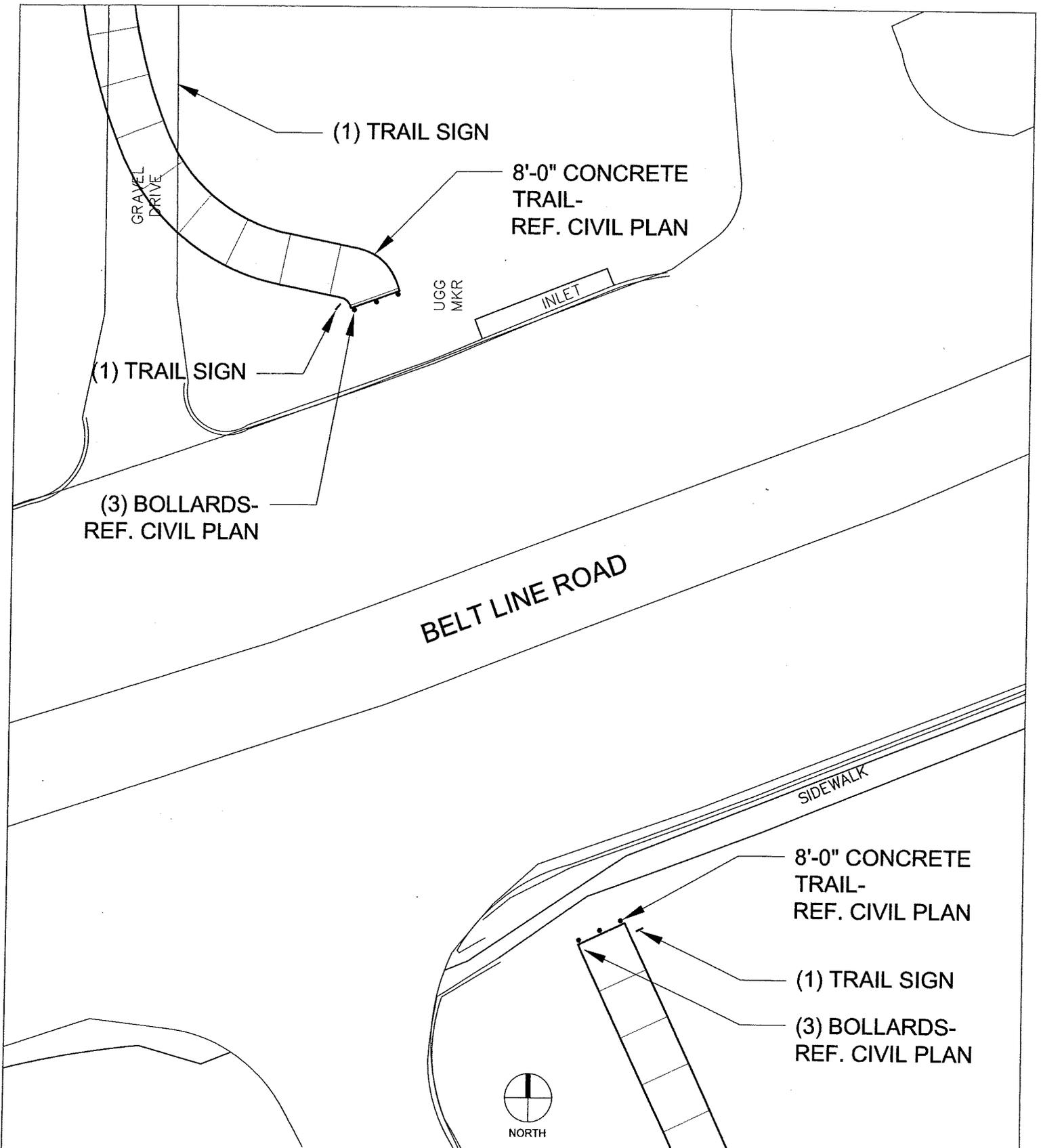
UL LISTED TO BE MANUFACTURED TO THE STANDARD SPECIFICATIONS OF THE NATIONAL ELECTRICAL CODE

Trail Signage at Belt Line Road Detail

MESA

1807 Ross Avenue Suite 333
Dallas, Texas 75201
214.871.0568 tel
214.871.1507 fax

Date	07.07.2014
Revision	0000
Job No.	14002
Scale	6" = 1'-0"



Trail Signage at Belt Line Road



Addison Redding Trail Expansion Phase 1

1807 Ross Avenue Suite 333
 Dallas, Texas 75201
 214.871.0568 tel
 214.871.1507 fax

Date 09.03.2014
 Revision 00000
 Job No. 14002
 Scale 1" = 20'-0"

Carrollton

Addison

Beltway and Proton
Pedestrian Improvements
(Phase 1)

South Quorum
Lighting

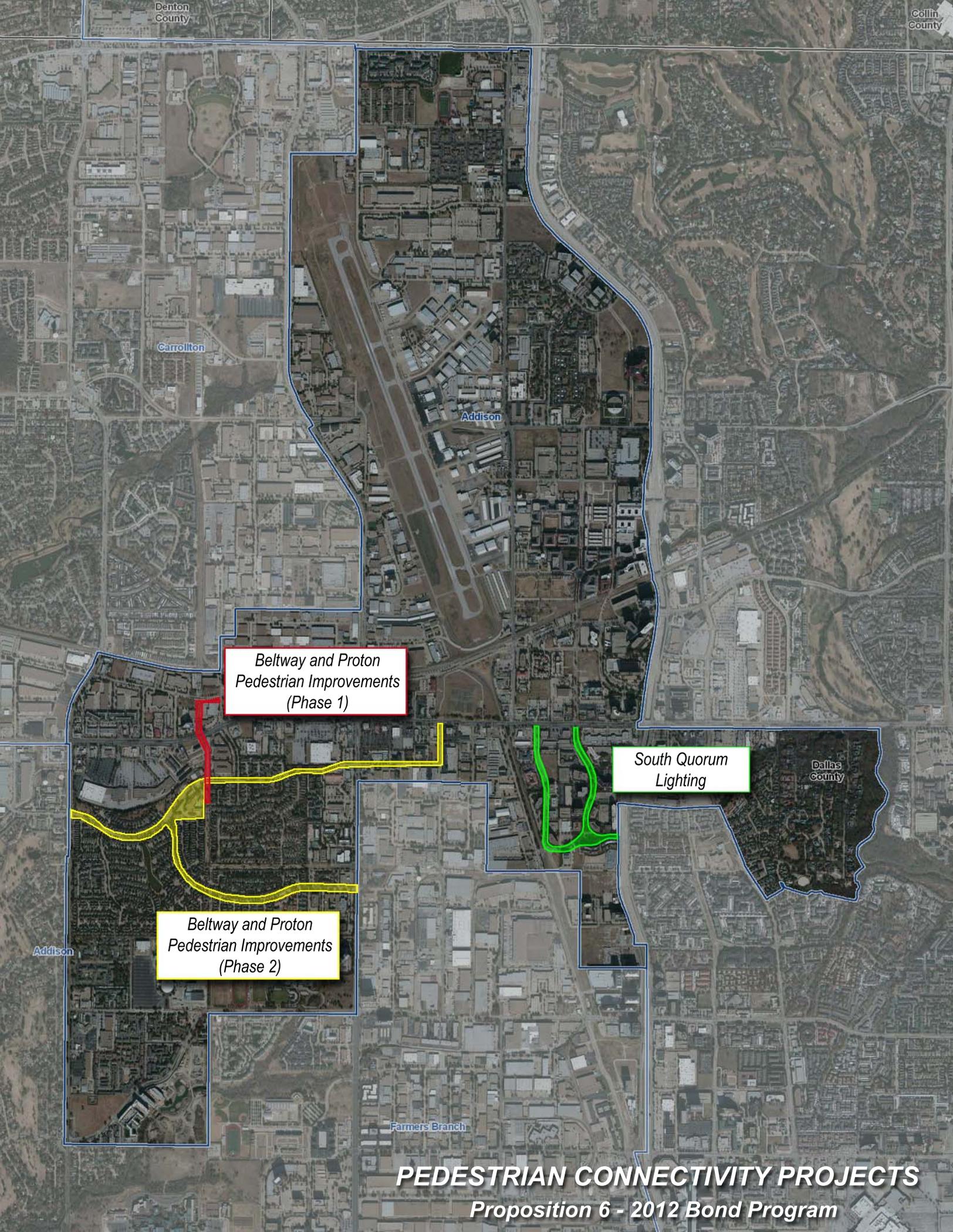
Dallas County

Beltway and Proton
Pedestrian Improvements
(Phase 2)

Addison

Farmers Branch

PEDESTRIAN CONNECTIVITY PROJECTS
Proposition 6 - 2012 Bond Program



Pedestrian Connectivity Project

8/20/2014

Proposition 6 - 2012 Bond Election

Pedestrian Connectivity Funding Sources

	<u>Amount</u>	<u>Status</u>
Proposition 6 - 2012 Bond Election	3,500,000.00	
Matching Trail Funding - Dallas County	114,418.28	Matching not to exceed \$237,100
Pedestrian Connectivity CIP Funding - Beltway, Proton and South Quorum	440,900.00	Street and Lighting Improvements
Total Pedestrian Connectivity Funding	4,055,318.28	

Design Charrette

Design Workshop	-\$24,500.00	Complete
Talley Associates	-\$20,000.00	Complete
Mesa Design Group	-\$24,500.00	Complete

North and South Quorum Design

Talley Associates - Survey	-\$87,120.00	Complete
Talley Associates - Schematic Design	-\$70,964.00	Complete
Talley Associates - Construction Documents	-\$72,072.00	Under Design; Project Bidding to begin November 2014

Beltway/Proton Design

Mesa Design Group - Survey	-\$25,000.00	Complete
Mesa Design Group - Schematic Design	-\$50,670.00	Complete
Mesa Design Group - Construction Documents	-\$231,640.00	Under Design; Project Bidding to begin November 2014

Construction

Redding Trail Expansion	-\$228,836.56	Bids received; Grand Opening in Jan. 2015
Beltway and Proton Enhancements	-\$2,000,000.00	Under Design; Construction to begin Jan. 2015
South Quorum Lighting	-\$910,000.00	Under Design; Construction to begin Jan. 2015
Total Pedestrian Connectivity Balance	310,015.72	Unallocated funds

Combined Meeting

R9

Meeting Date: 09/23/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the Vision Statement for the Town of Addison.

FINANCIAL IMPACT:

N/A

BACKGROUND:

During the June 27 and 28 Strategic Planning retreat, the July 8 work session, the Sept 15 work session, and the Sept 18 work session, Council discussed a series of statements and goals that would ultimately be used to formulate this Council's vision statement for the Town. The final vision statement will serve as the guiding principal for Council's future policy discussions and decisions.

RECOMMENDATION:

Combined Meeting

ES1

Meeting Date: 09/23/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in our near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R10

Meeting Date: 09/23/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Mindful stewardship of Town Resources.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

Discussion, consider and take action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.
