

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “ BUILDINGS AND BUILDING REGULATIONS,” ARTICLE II “BUILDING CODE,” OF THE ADDISON CODE OF ORDINANCES, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE WITH AMENDMENTS, SAVE AND EXCEPT FOR SECTION 18-63 AUTOMATIC FIRE-EXTINGUISHING SYSTEMS” WHICH SHALL BE RENUMBERED TO SECTION 18-22; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Building Code, save and except the deletions and amendments set forth below.

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

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” Article II – “Building Code” is hereby repealed and replaced with a new Article II “Building Code” which shall read in its entirety as follows:

Article II. – Building Code

Division I - Adopted.

Sec. 18-20. - 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, 2018 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 Town 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, J and K of the 2018 Edition of the International Building Code.

Also, adopted are Appendices: -

1. Appendix-E, Supplementary Accessibility Requirements.
2. Appendix-F, Rodent proofing.
3. Appendix-G, Flood-Resistant Construction.
4. Appendix-J, Grading.
5. Appendix-K, Electrical Administrative Provisions as amended in the Electrical Code.

Division II - Deletions, Amendments and Additions.

Sec. 18-21. - Deletions, amendments and additions.

The International Building Code as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein to read as follows:

Section [A] 101.1 Title; the International Building Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Building Code* of the Town of Addison, Texas, hereinafter referred to as "this code."

Section [A] 101.4.8 Electrical; the International Building Code has been amended by adding the following section 101.4.8 Electrical to read as follows:

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted by the Town.

Section [A] 105.2 Work exempt from permit; the International Building Code is amended by deleting items 1, 2, 3, 5, 6, 9, and 12 and renumbering permit exemptions to read as follows:

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids. Retaining walls over 4 feet (1219 mm) in height shall be designed by a licensed design professional.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.
5. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

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

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

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

Section [A] 105.5; Expiration, the International Building Code has been amended to read as follows:

[A] 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A] 109.2 Schedule of permit fees; the International Building Code has been amended by adding a final sentence to read as follows:

[A] 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 109.6 Refunds; the International Building Code has been amended by changing it to read as follows:

Section [A]109.6 Refunds. The building official shall authorize the refunding of permit fees as

established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 111.1 Change of occupancy; the International Building Code has been amended to read as follows:

[A] 111.1 Change of occupancy. A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall be obtained for a building, structure, tenant space or business where there is a change in occupancy use as found in the zoning ordinance of the Town of Addison, where there is a change in occupancy classification as found in the International Building Code, or where there is a change in ownership, tenants or occupants of the building, individual lease space, individual suite or structure. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

Section [A] 111.2 Certificate issued; the International Building Code has been amended to read as follows:

[A] 111.2 Certificate issued. After all necessary inspections are conducted by the building inspection division and the fire department, and when it is determined that the building, individual lease space, individual suite, structure, or land complies with all applicable provisions of the ordinances of the Town of Addison, the Building Official shall issue a certificate of occupancy which may contain the following:

1. The address of the building, structure or land.
2. The name of the tenant or occupant who is occupying or using the building, individual lease space, individual suite, structure or land.
3. A statement concerning the approved use of the building, structure or land.
4. The maximum allowed occupancy load for assembly uses.
5. Other information deemed necessary by the Building Official.

Section [A] 111.5 Certificate of occupancy fees; has been amended by adding section [A] 111.5 Certificate of occupancy fees to read as follows:

[A] 111.5 Certificate of occupancy fees; The fee for each certificate of occupancy will be as established in Article I “General Provisions” of this Code.

Section [A] 113 Board of appeals; the International Building Code has been changed in its entirety to read as follows:

113.1. General. There is hereby created a board of appeals (the "board of appeals"), consisting 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. Accordingly, the number of members of the board of appeals shall be equal to the number of members of the said board of adjustment.

Appointment to (including the filling of a vacancy), removal from, and the terms (including term limits) of the members of the board of appeals shall be the same as for members of the board of adjustment. Four (4) members of the board of appeals (including, in the absence of one or more regular members, alternate members) shall constitute a quorum for the conduct of business of the board of appeals, and any action of the board of appeals shall require at least four (4) affirmative votes to be adopted or passed.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Powers of the board of appeals. The board of appeals has all of the following powers and authority:

113.3.1 To hear and decide appeals of orders, decisions or determinations made by the building official to the application and interpretation of the code.

113.3.2 To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board of appeals' judgment, the material or method of construction is at least equivalent to that prescribed.

113.3.3 To hear complaints from the building official arising against any person, firm, or corporation registered by the Town under or related to chapter 18 of the Code of Ordinances of the Town and shall have the power after hearing, to revoke or suspend said registration for the following reasons:

- (a) Chronic violation of the code;
- (b) Misrepresentation of material facts in obtaining said license or renewal thereof;
- (c) Chronic failure to secure permits, inspections, or approvals as required by the code; or
- (d) Use of said registration to obtain a permit for another person, firm or corporation.

113.3.4 Rules and procedures. The board of appeals is authorized to establish policies and procedures necessary to carry out its duties.

113.3.5 Chairperson. The board of appeals shall annually select one of its members to serve as chairperson.

113.3.6 Disqualification of member. A member of the of board of appeals shall not hear an appeal in which that member has a personal interest, professional or financial interest or in any other instance which would be in violation of law.

113.3.7 Secretary. The City Manager or the City Manager's designee, including the director of development services, shall designate a qualified clerk to serve as secretary to the board of appeals. The secretary shall file a detailed record of all proceedings in the office of the City Secretary.

113.4 Appeal process.

113.4.1 Application. The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

113.4.2 Notice of meeting. The board of appeals shall meet upon notice from the chairperson or the City Manager or the City Manager's designee, including the director of development services.

113.4.3 Open hearing. Except as allowed by State law, all meetings of the board of appeals and hearings before the board of appeals shall be open to the public. At a hearing of the board of appeals pursuant to this appeal process, the appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

113.4.4 Procedure. The board of appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall provide that only relevant information be received.

113.4.5 Postponed hearing. A hearing by the board of appeals shall not be conducted when a quorum of the board of appeals is not present to hear the appeal.

113.4.6 Board decision. Any action to reverse a decision of the building official shall require a majority vote of the board.

113.4.7 Resolution. The decision of the board of appeals shall be by resolution or by motion recorded in the minutes of the board of appeals. Certified copies of the same shall be furnished to the appellant and to the building official.

113.4.8 Administration. The building official shall take immediate action in accordance with the decision of the board of appeals.

Section [A] 114.4 Violation penalties; the International Building Code has been amended by adding a second paragraph to read as follows:

[A] 111.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit*

or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section 202; the International Building Code has been changed by amending the definition of a High-Rise Building to read as follows:

[BG] High-Rise Buildings. High rise building. A building having any floor for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

- (a) Any and all references in the code to high rise buildings or portions thereof shall be assumed to have this meaning regardless of any other height specified.

Section [F] 502.1 Address identification; the International Building Code has been amended to read as follows:

[F] 502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 6 inches (102 mm) high with a minimum stroke width of 1 /2 inch (12.7 mm), unless more stringent requirements are required by the building official. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

Section [F] 903.2 Where required; the International Building Code has been amended in its entirety to read as follows:

[F] 903.2 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. (See also the provisions of *The Town of Addison Code of Ordinances, Section 18-22* which shall apply in addition to the provisions of this section). In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition of the structure or space.

- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance shall provide a sprinkler system and shall be installed when one of the following apply:
 - a) Where the reconstruction as result of structural damage involves greater than 50% of the square footage of the structure,
 - b) Where residential additions exceed five hundred (500) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - c) Where commercial additions exceed one thousand (1000) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - d) Where the costs of the residential or commercial remodel reconstruction are in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District, the most restrictive requirement shall apply.
- (3) Any change of an existing occupancy type to a more restrictive fire rated type of occupancy based on proposed use and occupant load, the more restrictive fire protection requirements of this code shall apply.
- (4) Exceptions to the requirements in this section shall be as follow:
 - a) Exception 1: Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

Section [F] 903.1.1 Alternative protection; of the *International Building Code* has been amended to read as follows:

[F] 903.1.1 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 in addition to automatic sprinkler protection. In no case shall automatic fire sprinkler protection be removed or omitted based on the presence of alternative fire extinguishing systems.

Section [F] 903.3; of the International Building Code has been amended by adding a new subsection [F] 903.1.2.4 Garages to read as follows:

[F] 903.1.2.4 Garages. Sprinkler protection is required in attached garages.

Section [F] 903.4 Sprinkler system supervision and alarms of the International Building Code has been changed by adding a second paragraph after the exceptions to read as follows:

[F] 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply and all water flow alarm switches on *automatic fire sprinkler systems* shall be electrically supervised and monitored by an approved fire alarm monitoring agency, regardless of the number of sprinkler heads served.

Exception:

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

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section [F] 903.4.2 Alarms of the International Building Code has been amended by adding a second paragraph to read as follows:

[F] 903.4.2 Alarms. An approved audible device, located on the exterior of the building in an approved location, shall be connected to each *automatic sprinkler system*. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

Section [F] 905.9 Valve supervision; of the International Building Code has been amended by adding a second paragraph after the exceptions to read as follows:

[F] 905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall be

transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section [F] 907.1. General of the International Building Code has been amended by adding a new subsection section [F] 907.1.4 Design standards to read as follows:

907.1.4 Design standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

Section [F] 907.2.12 High-rise buildings; of the International Building Code has been amended by amending exception 3 to read as follows:

[F] 907.2.12 High-rise buildings. High-rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.12.1, a fire department communication system in accordance with Section 907.2.12.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 412 and 907.2.21.
2. *Open parking garages* in accordance with Section 406.5.
3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.
4. Low-hazard special occupancies in accordance with Section 503.1.1.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.

6. In Group I-1 and I-2 occupancies, the alarm shall sound at a *constantly attended location* and occupant notification shall be broadcast by the emergency voice/alarm communication system.

Section [F] 907.6.1. Wiring; of the International Building Code has been amended by adding a new subsection section [F] 907.6.1.1 Wiring Installation to read as follows:

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

Section [F] 910.2 Where required; of the International Building Code has been amended by amending exceptions 2 and 3 to read as follows:

[F] 910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 and 910.2.2.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an *approved automatic sprinkler system*.
2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

Section [F] 910.2 Group H; of the International Building Code has been amended by adding a new subsection [F] 910.2.3 Group H to read as follows:

[F] 910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.
2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Section [F] 912.2 Location; of the International Building Code has been amended by adding a new subsection section [F] 912.2.3 Hydrant distance to read as follows:

[F] 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section [F] 913.2.1 Fire pump room access; of the International Building Code has been amended by adding a new subsection 913.2.1.1 Fire Pump Room Access to read as follows:

[F] 913.2.1.1 Fire pump room access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

Exception:

1. When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by IFC Section 506.1.

Section 1612.3; the International Building Code has been amended adding the Town's name to read as follows:

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for Town of Addison,” dated, as the effective adoption date of this ordinance, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Sec. 18-22. - Automatic fire-extinguishing systems.

The International Building Code is amended by changing section 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-1 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 locations set forth in this section.

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

Sections 18-23 through 18-32 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney