

AN ORDINANCE 2009-05-21-0427

AMENDING CHAPTER 6 OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Code of the City of San Antonio, Chapter 6 is hereby amended. Changes are delineated by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

ARTICLE XV. INTERNATIONAL ENERGY CONSERVATION CODE.

Sec. 6-658. Adoption of the International Energy Conservation Code.

The 2009 ~~[2000]~~ International Energy Conservation Code ~~[with 2001 Supplement]~~ is hereby adopted as the energy conservation code for the City of San Antonio, Texas. The 2009 ~~[2000]~~ International Energy Conservation Code ~~[with 2001 Supplement]~~ is incorporated herein as fully as if set out at length and three (3) copies of both have been and are now filed in the Office of the City Clerk of the City of San Antonio for permanent record and inspection pursuant to section 17 of the City Charter. From the date on which the Ordinance shall take effect, the provisions thereof are controlling within the limits of the City of San Antonio, Texas.

SECTION 2. Chapter 6, Article XV, of the City Code of San Antonio, Texas, is hereby amended as follows: Sec. 6-659. Reserved. Changes are delineated by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 6-659. Reserved. ~~[Local Amendments to the 2000 International Energy Conservation Code with 2001 Supplement.]~~

~~[801.2 Application.~~

~~The requirements in Section 802, 803, 804 and 805 shall each be satisfied on an individual basis. Where one or more of these sections is not satisfied, compliance for that section(s) shall be demonstrated in accordance with the applicable provisions of ASHRAE/IESNA Energy Code for Commercial and High-Rise Residential Buildings.~~

~~Exception: Buildings meeting Section 806 provided Sections 802.1.2, 802.3, 803.2.1 or 803.3.1 as applicable, 803.2.2 or 803.3.2 as applicable, 803.2.3 or 803.3.3 as applicable,~~

~~803.2.8 or 803.3.6 as applicable, 803.2.9 or 803.3.7 as applicable, 804, 805.2, 805.3, 805.5, and 805.6 are each satisfied.~~

#### **804.1 General.**

~~This section covers the minimum efficiency of, and controls for, service water heating equipment and insulation of service hot water piping.~~

~~The International Energy Conservation Code is hereby amended by adding Sections 804.7, 804.7.1 Pool heaters, and 804.7.2 Time switches as follows:~~

~~804.7. Pools shall be provided with energy conserving measures in accordance with Section 804.7.1 through 804.7.2~~

#### **804.7.1 Pool heaters.**

~~All pool heaters shall be equipped with a readily accessible on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas shall not have continuously burning pilot lights.~~

#### **804.7.2 Time switches.**

~~Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.~~

#### **Exceptions:**

- ~~1. Where public health standards require 24 hour pump operation.~~
- ~~2. Where pumps are required to operate solar and waste heat recovery pool heating systems.~~

~~Section 805.1 General of the International Energy Conservation Code is amended to read Section 805.1 General (Mandatory) as follows:~~

#### **805.1 General (Mandatory).**

~~This section covers lighting system controls, the connection of ballasts, the maximum lighting power for interior applications, and minimum acceptable lighting equipment for exterior applications.~~

~~Section 805.2.3 Exterior lighting controls of the International Energy Conservation Code is amended as follows:~~

#### **805.2.3 Exterior lighting controls.**

~~Lighting for all exterior applications shall have automatic controls capable of turning off exterior lighting when sufficient daylight is available or when the lighting is not required during night time hours. Lighting not designated for dusk to dawn operation shall be controlled by an astronomical time switch. Lighting designated for dusk to dawn operation shall be controlled by an astronomical time switch or photo sensor. Astronomical time switches shall be capable of retaining programming and the time setting during loss of power for a period of at least 10 hours.~~

**Exception:** ~~Lighting for covered vehicle entrances or exits from buildings or parking structures where required for safety, security, or eye adaptation.~~

~~The International Energy Conservation Code is amended by adding Section 805.6 Exit signs (Mandatory) as follows:~~

~~805.6 Exit signs (Mandatory). Internally illuminated exit signs shall not exceed 5 watts per side.]~~

**SECTION 3.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 4.** There is no financial impact as a result of the passage of this Ordinance.

**SECTION 5.** No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

**SECTION 6.** Penalties shall be in accordance with Chapter 1, Section 1-5 of the City Code of San Antonio, Texas. The City Clerk for the City of San Antonio is hereby directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of San Antonio, Texas.

**SECTION 7.** The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted herein, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 8.** This Ordinance shall become effective on the 1<sup>st</sup> day of January, 2010.

**PASSED AND APPROVED** this 21<sup>st</sup> day of May, 2009.

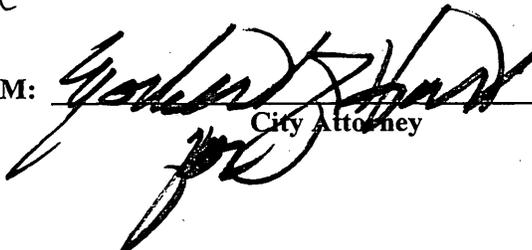
  
MAYOR

ATTEST:

  
City Clerk

PHIL HARDBERGER

APPROVED AS TO FORM:

  
City Attorney

<b>Agenda Item:</b>	30 ( in consent vote: 8, 9, 12, 15, 16, 17, 20A, 20B, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33A, 33B, 34, 36, 37 )						
<b>Date:</b>	05/21/2009						
<b>Time:</b>	04:44:39 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance amending Chapter 6 of the City Code of San Antonio, Texas, by adopting the 2009 edition of the International Energy Conservation Code (IECC) and providing for penalties, publication and an effective date. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10	x					

**AFFIDAVIT OF PUBLICATION**

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of *The Hart Beat*; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

**June 1, 2009**

Subscribed and sworn to before me this 1st day of June, 2009, to certify which witness my hand and seal of office.



*Helen I. Lutz, Publisher*

**PUBLIC NOTICE**

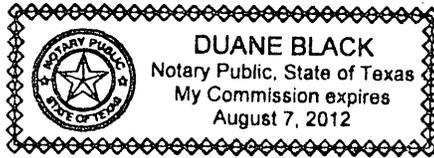
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PASSED AND APPROVED this 21st day of May, 2009.

/S/ PHIL HARDBERGER  
MAYOR

ATTEST: LETICIA VACEK  
CITY CLERK  
6/1



*Notary Public in and for the State of Texas*

Duane Black

*Name of Notary*

*My commission expires August 7, 2012*