

AN ORDINANCE **2009-10-01-0777A**

**AMENDING CHAPTER 6, BUILDINGS, ARTICLE XIII, INTERNATIONAL RESIDENTIAL CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING THE 2009 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*; PROVIDING FOR LOCAL AMENDMENTS TO SAID CODE; PROVIDING FOR PENALTIES, FOR PUBLICATION AND FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the Department of Planning and Development Services currently enforces the 2006 edition of the International Residential Code published by the International Code Council, Inc. and the local amendments thereto; and

**WHEREAS**, the 2009 edition of the International Residential Code (IRC) has been published; and

**WHEREAS**, the Building and Fire Codes Board of Appeals and city staff have conducted public meetings regarding the adoption of the 2009 IRC and local amendments thereto; and

**WHEREAS**, the Building and Fire Codes Board of Appeals and the Planning and Development Services Department recommend approval and adoption of the 2009 IRC and local amendments; and

**WHEREAS**, all prerequisites required by state statute and the City Charter for adoption of this code and local amendments have been satisfied: **NOW THEREFORE**,

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

**SECTION 1.** The 2009 edition of the International Residential Code (IRC), Chapters 1 through 18, Section P2904 of Chapter 29, Chapter 44 and appendices G and K, is hereby adopted as the building, fire sprinkler and mechanical code for one- and two-family dwellings for the City of San Antonio, Texas. The 2009 *International Residential Code* is incorporated herein as fully as if set out at length. Chapter 6, Article XIII, Section 6-630 of the City Code of San Antonio, Texas is amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

**ARTICLE XIII. INTERNATIONAL RESIDENTIAL CODE.**

**Sec. 6-630. Adoption of the International Residential Code.**

The 2009 edition of the International Residential Code for One-and-Two-family Dwellings (IRC), Chapters 1 through 18, Section P2904 of Chapter 29, Chapter 44 and Appendices G and K is hereby adopted as the building, fire sprinkler and mechanical code for one- and two-

*Section R105.1. Required.* is amended to read as follows:

**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a *building* or *structure*, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this *code*, who performs site work, or causes ~~cause~~ any such work to be done, shall first make application to the *building official* and obtain the required permit.

*Section R105.2. Work exempt from permit. Building:* Items number 2 and 5 are amended and Item number 11 is added to read as follows:

2. Minor repairs to fences not over 6 feet (1829 mm) high. Up to 25% of the overall contiguous length of a fence shall constitute minor repair. ~~Fences not over 6 feet (1829 mm) high.~~
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade or not over any basement or story below.
11. Patios not more than 30 inches (762 mm) above grade or not over any basement or story below.

*Section R105.3.1. Action on application* is amended to read as follows:

**R105.3.1 Action on application.** The *building official* shall examine or cause to be examined application for *permits* and amendments thereto within a reasonable time after filing. Such applications may be reviewed by other departments of the City of San Antonio to verify compliance with any applicable laws and ordinances under their jurisdiction. If the application or the *construction documents* do not conform to the requirements of the pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefore. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, and that fees specified in Section R108 have been paid, the *building official* shall issue a permit therefore as soon as practicable. An adequate supply of water for domestic or fire protection purposes taking into consideration the intended use of the property and an all-weather road surface designed in accordance with the requirements of section 35-506 "Transportation and Street Design" of the Unified Development Code are prerequisites to the issuance of a permit.

*Section R105.3.1.1. Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.* is repealed in its entirety.

*SECTION R108. FEES,* is amended by amending *Section R108.6. Work commencing before permit issuance.* and adding new *Section R108.7. Structures being moved - inspection of*

*buildings or structures that are located outside city limits, and new Section R108.8 Reinspection fees, to read as follows:*

**R108.6 Work commencing before permit issuance.** Any person who commences work requiring a *permit* on a site, building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to double permit fees for the specified area. The payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. [a fee established by the applicable governing authority that shall be in addition to the required *permit* fees.]

**R108.7 Structures being moved - inspection of *buildings or structures that are located outside city limits.*** An inspection to determine compliance with city requirements shall be made of a *building or structure* on which an application to move same into the city is pending before the zoning board of adjustment. A fee shall be charged in accordance with the fee schedule adopted by the city.

**R108.8 Reinspection fees.** The reinspection fee charged shall be in accordance with the fee schedule adopted by the city. In instances where reinspection fees have been assessed, all fees shall be paid before release of utilities.

*SECTION R109, INSPECTIONS, Section R109.1, Types of inspections, and Section R109.1.2, Plumbing, mechanical, gas and electrical systems inspections are amended to read as follows:*

## **SECTION R109** **INSPECTIONS AND TESTING**

**R109.1 Types of inspections and tests.** For onsite construction, from time to time the *building official*, upon notification from the *permit* holder or his agent, shall make or cause to be made any necessary inspections and tests and shall approve that portion of the construction as completed or shall notify the *permit* holder or his or her agent wherein the same fails to comply with this code.

**R109.1.2 Plumbing, mechanical, gas and electrical systems inspections and tests.** Rough inspections of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

**Exception:** Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted.

All *ducts* in unconditioned spaces shall be *duct* tested prior to covering or concealment to disclose leaks and defects. Tests shall be made by an independent certified RESNET energy rater or an alternative *approved* by the *building official* using *objective, verifiable*

testing criteria and results provided to the building official. Apparatus, material and labor required for testing a mechanical system shall be furnished by the independent certified RESNET energy rater or building official approved alternate. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the building official for inspection and testing. See also Section N1103.2.2.

*SECTION R112, BOARD OF APPEALS, is amended by amending Section R112.1, General, to read as follows:*

**R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official and fire code official relative to the application and interpretation of the building and fire codes ~~{this code}~~, there shall be and is hereby created a building and fire codes board of appeals consisting of eleven persons residing in the city. The board shall consist of two structural engineers, two architects, four builders, two lay persons and one person with expertise in fire prevention. The fire code official shall be an ex-officio member. The building official shall be an ex-officio member of and shall act as secretary to said board. The building official or fire code official shall not have a vote upon any matter before the board. The board of appeals shall be appointed by the mayor and city council ~~{applicable governing authority}~~ and shall hold office at their ~~{it's}~~ pleasure. The board shall be subject to City Code Chapter 2, Article IX entitled "Boards and Commissions", to the extent not in conflict with these provisions. Members shall be limited to three (3) consecutive two-year terms but shall continue in a holdover capacity until a replacement is appointed. All vacancies shall be filled for the unexpired portion of the term only. The board shall adopt rules of procedure for conducting its business that are not in conflict with the City's Rules for Boards and Commissions and shall render all decisions and findings in writing to the appellant with copies to the building official and fire code official. Each application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the city.

Any action of the building and fire codes board of appeals may be appealed by written petition for a hearing before City Council. Such petition must be filed with such board and the City Clerk within 7 days of the board's action and accompanied by a filing fee as set forth in the fee schedule adopted by the City.

**Exception:** Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the mechanical provisions of this code shall be made to the Mechanical Appeals and Advisory Board (see Section 6-67 of the City Code).

*SECTION R112, Board of Appeals, is amended by repealing Section R112.3, Qualifications, and replacing with Section R112.3, Quorums and majority vote, and adding Sections R112.3.1 and R112.3.2 to read as follows:*

**R112.3 Quorums and majority vote.**

**112.3.1** Six (6) appointed members shall constitute a quorum.

**112.3.2** The vote of a majority of the appointed members present shall be necessary for adoption of any matter. Each member of the building and fire codes board of appeals shall have one (1) vote.

*SECTION R113, VIOLATIONS* is amended by adding *Section R113.5, Misdemeanor*, and *Section R113.6, Occupancy violations*, to read as follows:

**R113.5 Misdemeanor.** Any person violating any of the provisions of this code shall be deemed guilty of a Class C misdemeanor. Each such person shall be deemed guilty of a separate offense for each day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted. Each violation may be punishable by a fine not to exceed five hundred (\$500.00) dollars.

**R113.6 Occupancy violations.** Whenever any building, structure or equipment therein regulated by this code or other ordinances which are enforced by the code enforcement agency is being used contrary to the provisions of this code or those ordinances, the building official may order such use discontinued and the building, structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice in order to make the structure, or portion thereof, comply with the requirements of this code or other applicable ordinances.

*SECTION R115, SAN ANTONIO RESIDENTIAL BUILDING CONTRACTOR REGISTRATION*, and corresponding subsections have been added to read as follows:

**SECTION R115**

**SAN ANTONIO RESIDENTIAL BUILDING CONTRACTOR REGISTRATION**

**R115.1 Title and scope of section; definition.**

**R115.1.1** This section shall be known as the *residential building contractor registration* section and may be cited as such.

**R115.1.2** For the purposes of this section and other sections of this code pertinent to registration, the term "employee" shall not apply to consultants, contract labor, or subcontractors employed by the registered *residential building contractor*. Such individuals or entities shall be considered contractors and, as such, shall be required to obtain their own registrations or licenses as required by the *state* or the *city*.

**R115.1.3** For the purposes of this section and other sections of this code pertinent to licensing, the term “direct employee” shall mean an employee of a registered *residential building contractor* working on a residential building.

**R115.2 Registration required; exceptions; penalties.**

**R115.2.1** Any person who is required to secure a building permit to construct, structurally alter or enlarge any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by the IRC in the city shall have in his possession a valid and authenticated *residential building contractor* certificate of registration issued by the *building official* of the city. All such work shall be performed by a registered *residential building contractor* or by licensed building trade subcontractor(s), not otherwise required to be registered under this section, of the *residential building contractor* holding a valid building permit and under the direction of that registered *residential building contractor*.

**Exceptions:**

- a. Any person who will own, occupy or rent a detached single family dwelling for a period of twelve months after completion of the building permit and final inspection for the single family dwelling or accessory building thereto.
- b. Building trade subcontractors who are performing work for the residential building contractor are not required to be registered under this section (e.g. framing subcontractor, flooring subcontractor, drywall subcontractor, painting subcontractor, etc.).

**R115.2.2** A *residential building contractor* registration is authority granted to the person, company, association, or other entity to whom it is issued to engage in the business of contracting in accordance with Section R115.2.1. The registered *residential building contractor* shall be responsible for exercising such supervision and control of his construction operations as is necessary to secure full compliance with the provisions of the *IRC* and other applicable laws of the City, State and United States.

**R115.2.3 Penalties.** A violation of this section shall constitute a Class C misdemeanor offense with a fine not to exceed five hundred dollars (\$500.00) per violation. Each day or portion thereof out of compliance with the registration requirements set above shall constitute a separate offense.

**R115.3 Application procedures; requirements.**

- a. An applicant for an original certificate of registration or renewal must submit an application to the *building official* on a form established by the *department*.
- b. Each applicant must fully disclose in the application whether the applicant has:

1. Entered a plea of guilty or nolo contendere (no contest) to any felony charge or a misdemeanor involving moral turpitude;
  2. Been convicted of a felony or a misdemeanor involving moral turpitude and the time for appeal has elapsed or the conviction has been affirmed on appeal;
  3. Entered a plea of guilty or nolo contendere (no contest) or been convicted of a felony or misdemeanor arising out of a violation of the building code or local amendments thereto in the State of Texas whether or not said violation involves moral turpitude;
  4. Lost or is suspended from residential building contractor privileges in any jurisdiction in the State.
- c. A failure to disclose under Sec. R115.3(b) shall be sufficient grounds to deny the application.
- d. The building official shall have the right to investigate and examine the qualifications and fitness of an applicant. Upon receipt of an application, the building official may conduct a criminal background check on the applicant or any person responsible for the application. The building official may obtain criminal history record information maintained by the Department of Public Safety, the Federal Bureau of Investigation, or any other local, state, or national government entity.
- e. A person may not be issued a certificate of registration unless the person:
1. Is at least 18 years of age; and
  2. Is a United States citizen or a lawfully admitted alien; and
  3. The building official is satisfied with the person's honesty, integrity, and trustworthiness based on information supplied and discovered in connection with the application.

**Commentary:** Full disclosure includes an interest in or ownership of any entity engaged in the residential building contractor business that has lost or been suspended from residential building constructor privileges.

**R115.4 Certificate of insurance.** Any person applying for a residential building contractor certificate of registration shall present a certificate of insurance issued by an insurance company authorized to do business in the state of Texas, certifying that the applicant is insured with at least the minimum general liability insurance coverages at all times to satisfy proof of financial responsibility as follows:

- a. The insurance must be at least \$400,000 per occurrence (combined for property damage and bodily injury);
- b. be at least \$1,000,000 aggregate (total amount the policy will pay for property damage and bodily injury coverage); and
- c. be at least \$400,000 aggregate for products and completed operations.

**R115.5 Expiration date of certificate of registration.** All city certificates of registration for residential building contractors shall expire two (2) years after issuance. Certificates of registration shall be renewed prior to expiration date. Each person holding a valid residential building contractor certificate of registration shall renew same in sufficient time to have the certificate renewal form and insurance information returned to the department with the appropriate renewal fee prior to registration expiration date.

**R115.6 Duties and powers of building official.**

**R115.6.1** There is hereby vested in the building official the duty of examining the applications for residential building contractor certificates of registration, including the issuance, reissuance, renewal, suspension, or revocation of such certificates of registration.

**R115.6.2** The building official shall establish procedures consistent with this code for the issuance of certificates of registration for residential building contractors.

**R115.6.3** The building official shall have the duty to keep all registration application records. Such records shall be open to the public for inspection during regular business hours. The building official shall further have the power and duty to adopt, amend, or repeal rules and regulations consistent with the provisions of this section as may be necessary for the proper administration and enforcement hereof.

A decision to grant or deny an application for registration shall be made within ten (10) working days after receiving the completed application. Incomplete applications shall not be considered.

**R115.7 Appealing a Denial of Registration.**

- a. **Appeal to Board.** If either an original or renewal certificate of registration is denied, the building official shall furnish the applicant a written statement setting forth the grounds for the refusal within five (5) working days. Such statement shall be by certified mail, return receipt requested, to the mailing address provided in the application unless the applicant is present to receive and acknowledge in writing receipt of such letter. The registered residential building contractor or their representative shall then have fifteen (15) working days from receipt of notice to appeal the building official's decision. Such appeal shall be made by filing a written

notice of appeal and paying applicable fees as set out in the fee schedule with the building official to the board.

A hearing shall be set as soon as practical before the board but in no event more than sixty (60) days. Notice of the hearing shall be mailed to the registered residential building contractor by certified mail, return receipt requested, to the mailing address listed on the registration application. The notice shall not give less than fifteen (15) working days notice of the hearing. The standard for review shall be found in Section R115.3 and Section R115.4 and the board's authority shall be limited to either upholding the building official's decision or overruling it. The building official's decision shall be final upon the expiration of the fifteen (15) working day period to appeal the building official's decision.

- b. **Further appeal.** A decision by the board must be made within a reasonable time of the hearing but shall in no event be more than ten (10) working days after the hearing. The board's decision, if not made at the hearing, shall be mailed to the appellant within five (5) working days of the date a decision is made and sent via certified mail, return receipt requested. This decision may be appealed to the City Council within ten (10) working days by filing a written notice of appeal and paying the appeals fee with the city clerk. The decision of the board shall be final upon the expiration of the ten (10) working day period. A failure to hear the appeal within sixty (60) days affirms the decision of the board.
- c. Nothing in this section shall be interpreted as to deny a subsequent application at the expiration of one (1) year from denial of initial registration.

**R115.8 Fees; registration period.** The application fee for contractor registration shall be one hundred seventy dollars (\$170.00) and said registration shall be valid for a period of two (2) years. The certificate holder shall be required to re-register every two-year period of time and pay a fee of one hundred seventy dollars (\$170.00) for each two-year period of time to maintain registration.

**R115.9 Certificates not assignable or transferable.** A certificate of registration issued pursuant to this section shall not be assignable or transferable.

**R115.10 Violations under this section.** The following list shall constitute a non-exclusive list of violations under this section. It is unlawful for any registered residential building contractor to:

- a. Display or cause a permit to be displayed or to have in one's possession any certificate of registration for doing any construction work, knowing it to be fictitious or to have been canceled, suspended or altered;
- b. Lend or permit the use of any certificate of registration for doing any construction work to any person not entitled to it;

- c. Allow any person to display or to represent as one's own city certificate of registration for any construction work when the certificate of registration has not been lawfully issued to the person displaying it;
- d. Use a false or fictitious name or address in any application for any registration or permit provided for in this chapter or any renewal or make a false statement or conceal a material fact or otherwise commit fraud in making any application;
- e. Perform any residential building contractor work for which a registration is required without having the registration or while the registration is suspended, expired or canceled;
- f. Perform any construction work for which a permit is required without having the permit or after the permit has been canceled;
- g. Fail or refuse to make the necessary repair or changes for code violations as provided in a written notice issued by the *building official*. A reasonable amount of time shall be granted in the written notice taking into consideration the work to be completed and the circumstances. A separate violation is deemed to be committed each day after the expiration of the time for correction provided in the notice until the work is corrected;
- h. Permit any construction work covered by this section to be performed by any person not properly licensed or registered, while in control of premises covered by this section;
- i. Remove, break, change, destroy, tear, mutilate, cover or otherwise deface or injure any official notice or seal posted by the *building official*;
- j. Place or leave the property in such condition that it injures or endangers persons or property authorized to be on the construction site.

**R115.11 Cancellation and suspension of registration; appeals.**

- a. A contractor's certificate of registration may be cancelled or suspended by the *building official* after a hearing before the *building official* if the registered *residential building contractor* is convicted of any penal offense arising out of or related to the performance of a residential building contract or the registered *residential building contractor* suffers a judgment against them in a civil action predicated upon fraud in connection with the performance of a residential building contract.
- b. The *building official* may also administratively cancel or suspend a certificate of registration after a hearing before the *building official* for any one or more of the following reasons:

1. Conviction or entering a plea of guilty or nolo contendere (no contest) by the registered person or entity of a felony or misdemeanor involving moral turpitude;
2. Conviction or entering a plea of guilty or nolo contendere (no contest) in connection with a violation of any adopted technical construction code or amendments thereto in the state of Texas;
3. Making any false statement as to a material matter in an application for registration, renewal or hearing in connection with same;
4. Failure to disclose required information under Section R115.3 and Section R115.4;
5. Three (3) separate violations as detailed in Section R115.10 of this section, provided the violations occur within the previous 12-month period;
6. Upon judicial determination of an abandonment or willful failure to perform any residential building contract or project in or undertaken by a registered *residential building contractor*, or willful deviation from or disregard of plans or specifications in any material respect;
7. Upon judicial determination that the *residential building contractor* knowingly made substantial misrepresentation on the part of the residential building contractor in the procurement of a residential building contract;
8. Upon judicial determination of fraud on the part of the *residential building contractor* in the execution of or in the material alteration of any residential building contract or mortgage, promissory note or other document relating to the contract;
9. Upon judicial determination that the *residential building contractor* knowingly prepared or accepted any mortgage, promissory note or other evidence of indebtedness pertaining to a residential building transaction with knowledge that it recited a greater monetary obligation than the agreed consideration for the residential building construction work;
10. With knowledge, the *residential building contractor* directly or indirectly published any advertisement relating to residential building construction which contains assertions, representations or statements which are false, deceptive or misleading;
11. Failure of the *residential building contractor* to notify the *building official* of any change in the ownership, management, or business name;

12. Conducting a residential building contractor business in any name other than the one registered;
  13. Obtaining a building permit for an unregistered contractor or for one whose registration has been suspended, cancelled or denied.
- c. The building official may take any of the following actions against the holder of the certificate of registration:
1. No suspension
  2. Suspension for thirty (30) days
  3. Suspension for sixty (60) days
  4. Suspension for ninety (90) days
  5. Suspension for one hundred eighty (180) days
  6. Cancellation
- d. The building official shall send the registered residential building contractor a written notice of any administrative action to be taken against the registered contractor by certified mail, return receipt requested, at the last known mailing address. The notification shall give not less than ten (10) working days' notice of the hearing. The building official is authorized to conduct hearings for the purpose of making findings of fact to assist him in making his decision.
- e. A written decision to cancel or suspend a certificate of registration shall be required and list the reasons for the building official's decision. This written decision shall be forwarded to the registered contractor by certified mail, return receipt requested to the registered contractor's last known address. This mailing may be waived provided that the registered contractor sign and acknowledge receipt of the written decision from the building official. The registered contractor shall then have fifteen (15) days from receipt of this notice to appeal the building official's decision to the Building and Fire Codes Board of Appeals. The decision of the building official shall be final after expiration of this time.
- f. Board appellate process.
1. A registered contractor shall have the right to appeal the building official's decision. An appeal is perfected upon the filing of an appeals application and payment of the fee as set out in the fee schedule to the building official. An appeal hearing shall be set as soon as practical before the Building and Fire Codes Board of Appeals.

2. The appeals application shall be on a form prescribed by the *building official*.
3. A perfected appeal tolls the *building official's* decision to suspend or cancel the registration until the *board* renders its decision.
4. Notice of a hearing before the board shall be mailed to the *registered contractor* by certified mail, return receipt requested, to the mailing address listed on the registration application. The notice shall not give less than ten (10) working days notice of the hearing.
5. The *building official* shall present at such hearing facts bearing on the grounds for suspension or cancellation. The burden of proof in this instance shall be upon the *building official*.
6. The standard of review shall be found in Section R115.12(a) and (b) and the *board* shall have the authority to take any of the actions listed in Section R115.12(c) above affirming, reversing, or modifying the *building official's* decision. However, evidence supporting a decision to cancel a certificate of registration shall leave no reasonable doubt of the correctness of the decision. Neither the *board* nor the *building official* shall have any authority to suspend a registration for longer than one hundred and eighty (180) days.
7. A cancellation shall prevent the *residential building contractor* from pulling new permits for a period of at least one (1) year. For purposes of this section, a cancellation of a registration does not alleviate the *registered contractor* from performing current obligations or absolve them from liability under a residential building contract. In performing currently permitted obligations while cancelled, the *residential building contractor* shall not be subject to penalty for being unregistered. All other code provisions are applicable. Upon the expiration of a one (1) year period, a *residential building contractor* may apply for a new certificate of registration. No provision of this section shall be interpreted to mean that a new certificate of registration will be issued after a prior certificate of registration has been cancelled. A denied applicant for a new certificate of registration is required to wait one (1) year before applying again. There shall be no limit on the number of times a denied applicant may reapply.
8. A suspension shall prevent the *registered contractor* from pulling new permits in the *City* for the suspension time period. A suspension of registration does not alleviate the *registered contractor* from performing currently permitted obligations under the residential building contract. The *residential building contractor* shall not be subject to penalty for operating while suspended when performing currently permitted obligations. However, all other code provisions apply. The *board's* decision to affirm or affirm as modified a suspension of a registration means that the suspension time begins the following working day.

9. The registered contractor shall bear the burden to prove that the suspension period has expired. The building official shall remove the encumbrance on the registration upon such a showing.

10. This section shall not act to deny a homeowner or other authorized party contracting with the registered contractor any other rights and remedies available at law or equity.

g. Further appeal

1. A decision by the board may be appealed to the City Council within ten (10) working days after the board's decision by filing a written notice of appeal and paying a \$155.00 appeals fee with the city clerk. The decision of the board shall be final upon the expiration of the ten (10) working day period without filing the appeal.

2. A perfected appeal tolls the board's decision to suspend or cancel until the City Council renders its decision. The appeal may be placed on the next available City Council agenda. A failure to hear the appeal within sixty (60) days shall affirm the decision of the board.

*SECTION 202, DEFINITIONS, is amended by repealing the definition for Building Official and adding the following definitions:*

**BOARD.** The Building and Fire Codes Board of Appeals of the City.

**CITY.** The City of San Antonio, Texas.

**BUILDING OFFICIAL.** The Director of the Planning and Development Services Department or a duly authorized representative to act on his behalf. The building official shall also be known as the code official.

**DEPARTMENT.** The Planning and Development Services Department of the City.

**IRC.** International Residential Code, 2009 edition, as amended by the City.

**OWNER.** Shall have the meaning provided in Chapter 1, Section 1-2, Rules of construction of the City Code and also include any homeowner, property owner, person authorized to procure services of a contractor, or any other person who orders, contracts for or purchases the residential building construction services of a contractor, or the person entitled to the performance of the work of a contractor.

**REGISTERED CONTRACTOR.** A residential building contractor, as defined in this section, who is registered in the City of San Antonio to do residential building contracting.

**RESIDENTIAL BUILDING CONTRACTOR.** A person, company, association, agency, or other entity who/that is registered by the *building official* to engage in the business of constructing, structurally altering or enlarging any one- or two-family detached dwelling or townhouse including detached accessory buildings in excess of 400 square feet in area thereto as regulated by the *IRC*.

**SITE WORK.** Site work includes any of the following:

- The changing of grade on a site by more than twelve inches (305 mm) vertical from the existing contours through cut or fill operations.
- The removal of trees or the process of grubbing.
- The construction of a commercial driveway and/or surface parking lot.
- The trenching of a site in order to install underground utilities.

**STATE.** Texas.

**SUBCONTRACTOR.** One who performs services under contract to a contractor.

**WORKING DAYS.** Days exclusive of federal, state, or local holidays and weekends unless otherwise stated.

TABLE R301.2(1) is amended to read as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

| GROUND<br><br>SNOW<br>LOAD | WIND DESIGN                 |                                     | SEISMIC<br><br>DESIGN<br>CATEGORY <sup>f</sup> | SUBJECT TO<br>DAMAGE FROM |                                     |                               |
|----------------------------|-----------------------------|-------------------------------------|--|---------------------------|-------------------------------------|-------------------------------|
|                            | Speed <sup>d</sup><br>(mph) | Topographic<br>effects <sup>k</sup> |  | Weathering <sup>a</sup>   | Frost<br>line<br>depth <sup>b</sup> | Termite <sup>c</sup>          |
| 5                          | 90                          | NO                                  | A  | Negligible                | 0                                   | <u>Slight to<br/>Moderate</u> |

| WINTER<br>DESIGN<br>TEMP <sup>e</sup> | ICE<br>BARRIER<br>UNDER-<br>LAYMENT<br>REQUIRED <sup>h</sup> | FLOOD<br>HAZARDS <sup>g</sup> | AIR<br>FREEZING<br>INDEX <sup>i</sup> | MEAN<br>ANNUAL<br>TEMP <sup>j</sup> |
|---------------------------------------|--|-------------------------------|---------------------------------------|-------------------------------------|
| 30 <sup>o</sup>                       | NO   | Appendix F,<br>2009 UDC       | 16                                    | 68.7 <sup>o</sup>                   |

\* \* \* \* \*

Section R308.4, Hazardous locations, number 2, exception number 4 is amended to read as follows:

**R308.4 Hazardous locations.** The following shall be considered specific hazardous locations for the purposes of glazing:

\* \* \* \* \*

2. Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge is within a 24-inch (610 mm) arc of the door in a closed position and whose bottom edge is less than 60 inches (1524 mm) above the floor or walking surface.

**Exceptions:**

\* \* \* \* \*

4. Glazing adjacent to a door where access through the door is to a closet or storage area. ~~{3 feet (914 mm) or less in depth.}~~

\* \* \* \* \*

*Section R313.2 One- and two-family dwellings automatic fire systems, and Section R313.2.1, Design and installation, are repealed in their entirety.*

*Section R315.2 Where required in existing dwellings is amended to read as follows:*

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

*Section R317.1.2 Ground contact is amended to read as follows:*

**R317.1.2 Ground contact.** All wood in contact with the ground, embedded in concrete in direct contact with the ground or embedded in concrete exposed to the weather that supports permanent structures intended for human occupancy shall be *approved* pressure-preservative-treated wood suitable for ground contact use, except untreated wood may be used where entirely below groundwater level or continuously submerged in fresh water. Creosote-treated railroad ties will not be *approved* for use in retaining wall construction.

*SECTION R322 FLOOD-RESISTANT CONSTRUCTION is hereby repealed and replaced with the city's flood plain ordinance found in Appendix F, Floodplain Areas of Special Flood Hazard, of the Unified Development Code (UDC).*

*Section R403.1.6, Foundation anchorage, is amended in the first paragraph only to read as follows:*

**R403.1.6 Foundation anchorage.** Sill plates and walls that are part of the braced wall provisions of this code and supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

\* \* \* \* \*

*Section R602.10.1.4 Braced wall panel location* is amended to read as follows:

**R602.10.1.4 Braced wall panel location.** *Braced wall panels* shall be located in accordance with Figure R602.10.1.4(1). *Braced wall panels* shall be located not more than 25 feet (7620 mm) on center and shall be permitted to begin no more than 12.5 feet (3810 mm) from the end of a *braced wall line* in accordance with Section R602.10.1 and Figure R602.10.1.4(2). ~~{The total combined distance from each end of a *braced wall line* to the outermost braced wall panel or panels in the line shall not exceed 12.5 feet (3810 mm).}~~ Braced wall panels may be offset out-of-plane up to 4 feet (1219 mm) from the designated *braced wall line* provided that the total out-to-out offset of *braced wall panels* in a *braced wall line* is not more than 8 feet (2438 mm) in accordance with Figures R602.10.1.4(3) and R602.10.1.4(4). All *braced wall panels* within a *braced wall line* shall be permitted to be offset from the designated *braced wall line*.

*Section R612.2. Window sills,* is amended with the following changes:

**R612.2 Window sills.** In *dwelling* units, where the opening of an operable window is located more than 72 inches (1829 mm) above the finished *grade* or surface below, the lowest part of the clear opening of the window shall be a minimum of 20 ~~{24}~~ inches (508 ~~{610}~~ mm) above the finished floor of the room in which the window is located. Operable sections of the windows shall not permit openings that allow passage of a 4 inch (102 mm) diameter sphere where such openings are located within 20 ~~24~~ inches (508 ~~{610}~~ mm) of the finished floor.

*SECTION R903 WEATHER PROTECTION,* is amended by repealing Sections R903.5 Hail exposure, R903.5.1 Moderate hail exposure, R903.5.2 Severe hail exposure and FIGURE R903.5, HAIL EXPOSURE MAP and adding Sections R903.4.2 Zero lot line development and R903.4.3 Gutters and downspouts to read as follows:

**R903.4.2 Zero lot line development.** On zero lot line development where roof projections are allowed by deed covenant or ingress/egress easements, adequate gutters and downspouts shall be provided to direct roof water away from adjacent property. Roof projections shall not extend beyond a point 1/3 the width of the easement or a maximum of 24 inches (610 mm).

**R903.4.3 Gutters and downspouts.** Any Group R or Group U occupancy with roof edges less than 3 feet (914 mm) to any property line shall be provided with gutters and downspouts to direct roof water away from adjacent property.

*SECTION R907 REROOFING* is amended by deleting condition number 4 of *Section R907.3, Recovering versus replacement*.

**R907.3. Recovering versus replacement.** New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

\* \* \* \* \*

~~{4. For asphalt shingles, when the building is located in an area subject to moderate or severe hail exposure according to Figure R903.5.}~~

\* \* \* \* \*

*Section N1102.4.2.2 Visual inspection option*, is amended to read as follows:

**N1102.4.2.2 Visual inspection option.** The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. ~~{Where required by the code official, an}~~ An approved party independent from the installer of the insulation~~}]~~ shall inspect the air barrier and insulation. Insulation letters shall not be submitted to the building official prior to the inspection being performed and shall be submitted on a form approved by the building official.

*Section M1411.3.1 Auxiliary and secondary drain systems*, is amended by deleting method numbers 2 and 4 and renumbering method number 3 as follows:

~~{2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.}~~

2. [3] An auxiliary drain pan without a separate drain line shall be installed under the coils on which condensation will occur. This pan shall be equipped with a water level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The pan shall be equipped with a fitting to allow for drainage. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.

~~{4. A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.}~~

*Section M1411.3.2 Drain pipe materials and sizes.* is amended by adding a paragraph at the end of the section to read as follows:

**M1411.3.2 Drain pipe materials and sizes.** Components of the condensate disposal system shall be cast iron, galvanized steel, copper, polybutylene, polyethylene, ABS, CPVC or PVC pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the materials specified in Chapter 30. Condensate waste and drain line size shall be not less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with an approved method.

Condensate drains lines shall not decrease in size from the drain pan connection to the place of condensate disposal. Primary drain lines located in an unconditioned attic space shall be insulated with foam plastic rubber based insulation or other approved material with a minimum thickness of 3/8 inch. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope. Drain lines located in crawl spaces do not have to be insulated.

*Section M1502.4.4.1 Specified length* is amended as follows:

**M1502.4.4.1 Specified length.** The maximum length of the exhaust duct shall be 35 ~~{25}~~ feet (10,668 ~~{7620}~~ mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.4.1.

*SECTION G2445 (621) UNVENTED ROOM HEATERS* is modified by repealing *sections G2445.1 through G2445.7.1* in their entirety and replacing them with the following:

**G2445.1 (621.1) Prohibited locations.** Unvented room heaters shall not be installed within detached one- and two-family dwellings or townhouses.

*APPENDIX G, SWIMMING POOLS, SPAS AND HOT TUBS* is amended by repealing *Section AG101.2 Pools in flood hazard areas, and Subsections AG101.2.1 Pools located in designated floodways, and AG101.2.2 Pools located where floodways have not been designated.*

**SECTION 3.** All previous provisions of the 2006 edition of the International Residential Code with local amendments as adopted by the City of San Antonio, Texas, shall remain in full force and effect during the period for which they were enacted. Three (3) copies of the 2009 International Residential Code with local amendments have been filed in the office of the city clerk for permanent record and inspection pursuant to section 17 of the City Charter.

~~family dwellings by the City of San Antonio, Texas. [Chapters 1 through 18 and Appendix K of the 2006 International Residential Code for One and Two Family Dwellings (IRC) is hereby adopted as the building code for one and two family dwellings by the city.]~~

**SECTION 2.** Chapter 6, Article XIII, Section 6-631 of the City Code of San Antonio, Texas, is hereby repealed in its entirety and a new Section 6-631, Local Amendments to the IRC, is added. Changes to the IRC are delineated by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

**Sec. 6-631. Local Amendments to the IRC.**

*Section R101.1, Title*, is amended by adding the name of the jurisdiction as follows:

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of San Antonio, Texas, [NAME OF JURISDICTION] and shall be cited as such and will be referred to herein as “this code.”

*SECTION R103, DEPARTMENT OF BUILDING SAFETY, and Section R103.1, Creation of enforcement agency* are amended as follows:

**SECTION R103**  
**{DEPARTMENT OF BUILDING SAFETY}**  
**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

**R103.1 Enforcement agency.** ~~{Creation of enforcement}~~ The Planning and Development Services Department ~~{department of building safety is hereby created}~~ shall be the enforcement agency for the *International Residential Code*, and the director ~~{official in charge}~~ thereof shall be known as the *building official* and code official.

*Section R104.6, Right of entry*, is amended by adding *Section R104.6.1, Notice of defects*, to read as follows:

**R104.6.1 Notice of defects.** The *building official* shall examine, or cause to be examined, every *building* or *structure* or portion thereof reported as dangerous or damaged. If such is found to be unsafe as defined in this section, the *building official* shall give to the owner of such *building* or *structure* written notice stating the defects thereof. This notice shall require the owner or person in charge of the building, structure or premise, within 48 hours to commence either the required repairs or improvements or demolition and removal of the *building* or *structure* or portions thereof. All such work shall be completed within 30 days from the date of notice unless otherwise stipulated by the *building official*. Service of notice shall be by certified mail made upon the owner or his agent at the last known address. The designated period within which said owner or agent is required to comply with the order of the *building official* shall begin as of receipt of notice.

**SECTION 4.** 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 5.** There is no financial impact as a result of the passage of this ordinance.

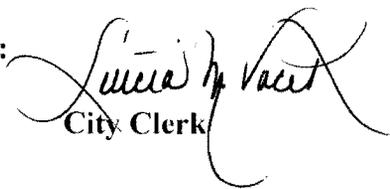
**SECTION 6.** No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

**SECTION 7.** 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.

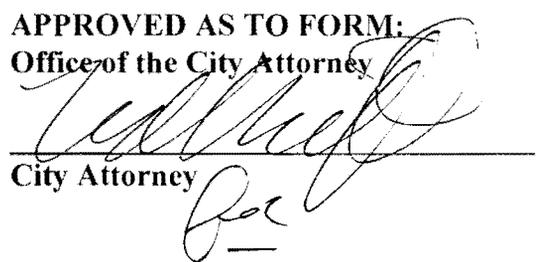
**SECTION 8.** The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted herein, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 9.** This ordinance shall become effective on the 1<sup>st</sup> day of January, 2010.

**PASSED AND APPROVED this 1<sup>st</sup> day of October, 2009.**

ATTEST:   
City Clerk

  
M A Y O R  
JULIÁN CASTRO

APPROVED AS TO FORM:  
Office of the City Attorney  
  
City Attorney



# BUILDING RELATED CODES

## ■ PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

AGENDA ITEM #23  
OCTOBER 1, 2009

## Planning & Development Services Department

### Proposed Amendments:

Chapter 6: Buildings;

Chapter 10: Electricity;

Chapter 11: Fire Prevention;

Chapter 16: Salvage Yards and Auto Dismantlers; and

Chapter 24: Plumbing of the City Code of San Antonio

## Background

Building-related codes are updated on a national level every 3 years. The currently adopted building-related codes found in Chapters 6, 10, 11 and 24 of the City Code are as follows:

- 2006 *International Residential Code*
- 2006 *International Building Code*
- 2006 *International Existing Building Code*
- 2006 *International Mechanical Code*
- 2006 *International Fire Code*
- 2006 *Uniform Plumbing Code*

## Ordinance Adopts the Following Building-related Codes with Amendments:

- 2009 *International Residential Code (IRC)*
- 2009 *International Building Code (IBC)*
- 2009 *International Existing Building Code (IEBC)*
- 2009 *International Mechanical Code (IMC)*
- 2009 *International Fire Code (IFC)*
- 2009 *International Plumbing Code (IPC)*
- 2009 *International Fuel Gas Code (IFGC)*

NOTE: The 2009 *International Energy Conservation Code (IECC)* was adopted by City Council on May 21, 2009. All codes have an effective date of January 1, 2010.

## Coordination

City of San Antonio: City Attorney's Office,  
Office of Environmental Policy  
Fire Marshal's Office

### Local Organizations:

|  |  |
|--|--|
| Greater San Antonio Builders Association ( <b>GSABA</b> )      | Professional Engineers in Private Practice ( <b>PEPP</b> )       |
| American Institute of Architects ( <b>AIA</b> ) of SA          | Air Conditioning Contractors of America ( <b>ACCA</b> ) of SA    |
| Development Process Task Force (aka Real Estate Council)       | Building Owners & Managers Association ( <b>BOMA</b> ) of SA     |
| Associated Builders & Contractors ( <b>AGC</b> ) – South Texas | U.S. Green Building Council ( <b>USGBC</b> )                     |
| San Antonio Association of Building Engineers ( <b>SAABE</b> ) | Plumbing-Heating-Cooling Contractors Association ( <b>PHCC</b> ) |
| Society of American Military Engineers ( <b>SAME</b> ) SA Post |  |

## Public Hearings

Conducted by Building and Fire Codes Board of Appeals

- **DATE OF HEARING:** September 3, 2009
- **ACTION TAKEN:** Board voted unanimously to recommend adoption of the following codes with local amendments:
  - 2009 *International Residential Code*
  - 2009 *International Building Code*
  - 2009 *International Existing Building Code*
  - 2009 *International Fire Code*

## Public Hearing

Conducted by Mechanical Appeals and Advisory Board

- **DATE OF HEARING:** June 11, 2009
- **ACTION TAKEN:** Board voted unanimously to recommend adoption of :
  - 2009 *International Mechanical Code* with local amendments
  - Air Conditioning Unit Parts Sales Ordinance – allows locally licensed salvage yards to accept recycled air conditioning unit parts from San Antonio licensed mechanical contractors.

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## Public Hearing

Conducted by Plumbing Appeals and Advisory Board

- **DATE OF HEARING:** August 12, 2009
- **ACTION TAKEN:** Board voted 7 in favor, 0 opposed and 1 abstained to recommend adoption of the following codes with local amendments:
  - 2009 *International Plumbing Code*
  - 2009 *International Fuel Gas Code*

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## IPC Advantages

- Developed and maintained through a national government consensus process that excludes special interest and conflicts of interest
- Performance oriented to stimulate economic development through acceptance of innovative design and construction methods. Cost savings by eliminating unneeded plumbing requirements
- Part of the ICC family of codes – the only comprehensive set of national model codes designed to work together as a package
- Coordinated with other building-related codes

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## Local and Regional Adoption of IPC

- Alamo Heights
- Balcones Heights
- Boerne
- Bulverde
- Castle Hills
- Castroville
- Cibolo
- Converse
- Fair Oaks Ranch
- Fredericksburg
- Garden Ridge
- Helotes
- Kerrville
- Leon Valley
- Live Oak
- New Braunfels
- Pleasanton
- San Marcos
- Schertz
- Seguin
- Shavano Park
- Stockdale
- Universal City
- Windcrest

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## IPC Adoption

- **272 Texas municipalities** have adopted the IPC including Dallas, Fort Worth, El Paso, College Station, Laredo and Corpus Christi.
- **Large U. S. municipalities** have adopted the IPC including Washington DC; New York City; Denver; Miami; Philadelphia; Detroit; Pittsburgh; Salt Lake City; Buffalo; Raleigh; Charlotte; Atlanta; Cincinnati; Memphis; and Fairfax County, VA.

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## Organizational Support IPC & IFGC

- S. A. Office of Environmental Policy (**OEP**)
- U. S. Green Building Council (**USGBC**)
- American Institute of Architects (**AIA**) San Antonio
- Professional Engineers in Private Practice (**PEPP**), Bexar Chapter
- San Antonio Apartment Association (**SAAA**)
- San Antonio Building Owners & Managers Association (**SABOMA**)
- San Antonio Association of Building Engineers (**SAABE**)

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## Organizational Support IPC & IFGC

- Air Conditioning Contractors of America (**ACCA**), San Antonio Chapter
- American Society of Heating, Refrigeration, Air-Conditioning Engineers (**ASHRAE**) Board of Directors, S. A.
- Associated Builders & Contractors (**ABC**) – South Texas
- Society of American Military Engineers (**SAME**), San Antonio Post
- Plumbing-Heating-Cooling Contractor Association (**PHCC**), San Antonio

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## Public Hearing

Conducted by I&G Council Committee

- **DATE OF HEARING:** September 15, 2009
- **ACTION TAKEN:** Committee voted unanimously to recommend adoption of the AC Unit Parts Sales Ordinance and the following proposed building-related codes with amendments:
  - 2009 International Building Code
  - 2009 International Existing Building Code
  - 2009 International Mechanical Code
  - 2009 International Residential Code
  - 2009 International Plumbing Code
  - 2009 International Fuel Gas Code
  - 2009 International Fire Code

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## **STAFF RECOMMENDATION:**

Staff recommends to City Council the adoption of the 2009 International Codes with proposed amendments and the Air Conditioning Unit Parts Sales Ordinance.

#23



**Professional Engineers in Private Practice  
Bexar Chapter, Practice Division of TSPE/NSPE**

PO Box 781268 San Antonio, TX 78278-1268 www.BexarPEPP.org

February 18, 2009

Mr. Rod Sanchez, AICP, CBO  
Director  
Planning and Development Services Department  
City of San Antonio  
1901 South Alamo Street  
San Antonio, Texas 78204

Re: 2009 Plumbing Code

Dear Rod:

As you commence the process of adoption of the new editions of the 2009 Codes, we note that all of the older 2006 Codes now adopted for use in the City of San Antonio are contained within the International Code Council (ICC) family of Codes, save one. That one exception is the **Uniform Plumbing Code (UPC)**.

The experience of our membership has been that inherent coordination between the various ICC Codes has been a positive element in the design process. The lack of that coordination with the UPC is troublesome.

While the UPC has been a part of the San Antonio plumbing industry for years, and most of those involved in plumbing design have been familiar with its prescriptive requirements, the two ICC Codes dealing with plumbing; i.e., the **International Plumbing Code (IPC)** and **International Fuel Gas Code (IFGC)** are also familiar to most, if not everyone. Because the IPC and IFGC have been adopted by many neighbor communities (more than 250 within the state of Texas), it has been a requirement for responsible designers to know the requirements for both the UPC and the IPC/IFGC. It would be much easier to be knowledgeable in only one set of Codes.

No one can deny that the UPC has served the City of San Antonio well over the years, but the time has come to change. The UPC has begun to show the lack of resources of its parent organization, the International Association of Plumbing & Mechanical Officials (IAPMO). There are many areas where the UPC is beginning to lag behind, particularly in areas of public safety. For instance, the provisions for gas appliances covered by the UPC does not adequately cover many items in common use, including fireplace log lighters, fireplace heaters, wall furnaces, unit heaters, duct furnaces and boilers. Also, the UPC does not support the plumbing design methodologies required to build "green" buildings. IAPMO is just not keeping up with the development of new technologies that are incorporated within the IPC & IFGC.

On behalf of PEPP, it is the recommendation of our organization that the City of San Antonio adopt the 2009 IPC and 2009 IFGC in this next cycle of Code Adoptions. San Antonio deserves a fully coordinated set of Codes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Bain'.

Carl Bain, P.E.  
Chairman, Bexar Chapter, PEPP

|                        |   |                    |            |            |                |               |               |
|------------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| <b>Agenda Item:</b>    | 23  |                    |            |            |                |               |               |
| <b>Date:</b>           | 10/01/2009  |                    |            |            |                |               |               |
| <b>Time:</b>           | 10:44:46 AM   |                    |            |            |                |               |               |
| <b>Vote Type:</b>      | Other: With Amendmt To Sec 312 Of Plumb Code  |                    |            |            |                |               |               |
| <b>Description:</b>    | Consideration of Ordinances amending the City Code by adopting various building-related construction codes with local amendments; and permitting the acquisition of air conditioning unit parts from city-licensed mechanical contractors. [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> |
| Julián Castro          | Mayor   |                    | x          |            |                |               |               |
| Mary Alice P. Cisneros | District 1  |                    | x          |            |                |               |               |
| Ivy R. Taylor          | District 2  |                    | x          |            |                |               |               |
| Jennifer V. Ramos      | District 3  |                    | x          |            |                |               |               |
| Philip A. Cortez       | District 4  |                    | x          |            |                | x             |               |
| David Medina Jr.       | District 5  |                    | x          |            |                |               |               |
| Ray Lopez              | District 6  |                    | x          |            |                |               |               |
| Justin Rodriguez       | District 7  |                    | x          |            |                |               |               |
| W. Reed Williams       | District 8  |                    | x          |            |                |               |               |
| Elisa Chan             | District 9  |                    | x          |            |                |               | x             |
| John G. Clamp          | District 10   |                    | x          |            |                |               |               |