CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: **Engineering and Construction Management Department**

AGENDA DATE: **Introduction on September 14, 2010; Public hearing on September 21, 2010**

CONTACT PERSON/PHONE: **R. Alan Shubert, P.E. - ext. 4423**

DISTRICT(S) AFFECTED: **Citywide**

SUBJECT:

Discussion and action on the following code changes to Titles, 9 (Health & Safety), and 18 (Building & Construction) of the City Code, as follows:

a) An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction administrative Code, Sections 18/02.103.1.1.6 (Prerequisite to Issuance of Permits), and 18/02.103.9.1.2.1 (Prerequisite to Issuance of Certificate of Occupancy) of the El Paso City Code to Amend the Requirements for Issuance of Conditional Building Permits and Certificates of Occupancy for Lots with Conditional Building Permits.

b) An Ordinance amending Title 18 (Building & Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place.

c) An Ordinance adopting the 2009 Edition of the International Building Code and amending Title 18 (Building & Construction), Chapter 18.08 (Building Code) of the El Paso City Code to provide for local amendments.

d) An Ordinance adopting the 2009 Edition of the International Residential Code and amending Title 18 (Building & Construction), Chapter 18.10 (Residential Code) of the El Paso City Code to provide for local amendments.

e) An Ordinance adopting the 2009 Edition of the International Mechanical Code and amending Title 18 (Building & Construction), Chapter 18.12 (Mechanical Code) of the El Paso City Code to provide for local amendments.

f) An Ordinance adopting the 2008 Edition of the National Electrical Code and amending Title 18 (Building & Construction), Chapter 18.16 (Electrical Code) of the El Paso City Code to provide for local amendments.

g) An Ordinance adopting the 2009 Edition of the International Plumbing Code and amending Title 18 (Building & Construction), Chapter 18.20 (Plumbing Code) of the El Paso City Code to provide for local amendments.

h) An Ordinance adopting the 2009 Edition of the International Fuel Gas Code and amending Title 18 (Building & Construction), Chapter 18.24 (Gas Code) of the El Paso City Code to provide for local amendments

i) An Ordinance adopting the 2009 Edition of the International Existing Building Code and amending Title 18 (Building & Construction), Chapter 18.28 (Existing Building Code) of the El Paso City Code to provide for local amendments.

j) An Ordinance amending Title 18 (Building and Construction), Chapter 18.46 (Landscape), of the El Paso City Code, to provide additional definitions, clarify the landscape requirements for parking lots, lower the percentage of plants required from the plant list, and add an exemption to the landscape requirements.

k) An Ordinance adopting the 2009 Edition of the International Energy Conservation Code and amending Title 18 (Building & Construction), to add Chapter 18.70 (Energy Conservation Code) to the El Paso City Code and providing for local amendments.

l) An Ordinance adopting the 2009 Edition of the International Fire Code and amending Title 9 (Health & Safety), Chapter 9.52 (Fire Prevention Code) of the El Paso City Code to provide for local amendments.

BACKGROUND / DISCUSSION:

The International Code Council has published the 2009 version of the International Code Family and local public input and industry input has been taken to assure that the current version of the codes are amended and adopted as appropriate for the City Of El Paso. These codes are normally revised on a three year cycle, and adoption is key to stay abreast of modern developments in building safety and to be consistent with adoption by the State of Texas of certain codes.

An additional amendment was made after introduction of the ordinance to item b, adding language in 18.02.103.2.3 (Design Professional) defining the sections in the Texas Occupations Code, sections 1001 (Engineers) and 1051 (Architects) that are applicable and govern these professions and adding language in18.02.109.2.5 (Plan Review Options Available to the Applicant) regarding the fee reductions in place for the Tax Increment Financing Zone No. 5 and any neighborhood empowerment zone, which may be designated by resolution of the City Council.

PRIOR COUNCIL ACTION:

The City Council on July 20, 2010 heard the findings of the Planning and Development Legislative Review Committee, and directed staff to go forward with the 2009 International Building Codes, perform additional industry outreach and to bring the codes back for Council consideration in 90 days.

AMOUNT AND SOURCE OF FUNDING:

No funding required for execution of this item.

BOARD / COMMISSION ACTION:

N/A

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AND AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), TO ADD CHAPTER 18.70 (ENERGY CONSERVATION CODE), TO THE EL PASO CITY CODE, THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

WHEREAS, the 2009 edition of the International Energy Conservation Code has been published and adoption of the 2009 edition of the International Energy Conservation Code is now proposed; and

WHEREAS, the Building Official for the City of El Paso has reviewed and favorably recommends the adoption of the 2009 International Energy Conservation Code; and

WHEREAS, the City Council has deemed the International Energy Conservation Code appropriate for the City of El Paso.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

A. That the book entitled "International Energy Conservation Code," 2009 Edition, a copy of which authenticated by the City Clerk is on file in the City Clerk's Office, is hereby adopted by the City Council for the City of El Paso.

B. That Title 18 (Building and Construction), Chapter 18.70 (Energy Conservation Code), of the El Paso City Code, is hereby added to read as follows:

18.70.010 Short title.
This chapter may be cited as the "Energy Conservation Code".

18.70.020 Adoption.
The book entitled "International Energy Conservation Code," 2009 Edition, a copy of which authenticated by the City Clerk is on file in the City Clerk's Office, is adopted as the Energy Conservation Code of the City, in its entirety as fully as if copied at length in this chapter.

C. All references to the NEC, National Electrical Code, shall be construed to mean the Electrical Code of the City of El Paso.

D. The effective date of this ordinance shall be April 1, 2011. This ordinance shall be applicable to all permit applications received on or after that date.

E. Except as herein provided, Title 18 (Building and construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
R. Alan Shubert, P.E.
City Engineer