

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, TO PROVIDE FOR LOCAL AMENDMENTS TO THE 2009 INTERNATIONAL ENERGY CONSERVATION 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 Development Services Department Director and the Planning and Development Legislative Review Committee have reviewed and favorably recommend the adoption of the 2009 International Energy Conservation Code together with the local amendments appropriate for the City of El Paso; and

**WHEREAS**, the City Council has deemed the proposed local amendments 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, containing the local amendments to the 2009 International Energy Conservation Code, is hereby added to read as follows:

Chapter 18.70 ENERGY CONSERVATION CODE

18.70.010 Short title.

18.70.020 Adoption.

18.70.030 Section 402.4.3 Fireplaces, amended to add exception.

18.70.040 Section 403.1.1 Programmable thermostat, deleted.

18.70.050 Section 403.2.2 Sealing (Mandatory) Paragraphs #1 and #2, deleted.

18.70.060 Section 403.9.3 Pool covers, deleted.

18.70.070 Section 405 Simulated Performance Alternative, deleted.

18.70.080 Section 505.3 Tandem wiring (Mandatory), deleted.

18.70.090 Section 506 Total Building Performance, deleted.

18.70.100 Conflicting ordinances.

**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, as fully as if copied at length in this chapter, but with the changes set forth in this chapter and Chapter 18.02, the Building and Administrative Code of the City of El Paso.

**18.70.030 Section 402.4.3 Fireplaces, amended.**

International Energy Conservation Code, 2009 Edition, Section 402.4.3 Fireplaces, is hereby amended to add the following exception at the end of the section to read as follows:

**402.4.3 Fireplaces.**

**Exception:** Site built masonry fireplaces without inserts.

**18.70.040 Section 403.1.1 Programmable thermostat, deleted.**

International Energy Conservation Code, 2009 Edition, Section 403.1.1 Programmable thermostat, is hereby deleted in its entirety.

**18.70.050 Section 403.2.2. Sealing (Mandatory) Paragraphs #1 and #2, deleted.** International Energy Conservation Code, 2009 Edition, Section 403.3.3 Sealing (Mandatory) Paragraphs #1 and #2 are hereby deleted in their entirety.

**18.70.060 Section 403.9.3. Pool covers, deleted.**

International Energy Conservation Code, 2009 Edition, Section 403.9.3 Pool covers, is hereby deleted in its entirety.

**18.70.070 Section 405 Simulated Performance Alternative, deleted.**

International Energy Conservation Code, 2009 Edition, Section 405 Simulated Performance Alternative, is hereby deleted in its entirety.

**18.70.080 Section 505.3 Tandem wiring (Mandatory), deleted.**

International Energy Conservation Code, 2009 Edition, Section 505.3 Tandem wiring (Mandatory), is hereby deleted in its entirety.

**18.70.090 Section 506 Total Building Performance, deleted.**

International Energy Conservation Code, 2009 Edition, Section 506 Total Building Performance, is hereby deleted in its entirety.

**18.70.100 Conflicting ordinances.**

All ordinances and parts of ordinances in conflict with the provisions of this chapter are hereby repealed.

**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 September 1, 2010. 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:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

\_\_\_\_\_  
Patricia D. Aauto  
Deputy City Manager  
Development & Infrastructure Services