



“City of Choice”

INTERNATIONAL RESIDENTIAL CODE ORDINANCE NO. 1035

AN ORDINANCE OF THE CITY OF CIBOLO AMENDING CHAPTER 14 OF THE CITY’S CODE OF ORDINANCES; ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL RESIDENTIAL CODE*, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, ERECTION, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE CITY OF CIBOLO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND REGULATIONS IN CONFLICT AND THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES OF THE CITY NOT IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, the City of Cibolo is a Home Rule Municipality located in Guadalupe County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to its adopted City Charter and all applicable laws and enabling legislation of the State of Texas; and

WHEREAS, the City of Cibolo is governed by a Home Rule Charter that was approved by the Citizens of Cibolo in a duly called election held on September 11, 2004; and

WHEREAS, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Cibolo to enforce each rule, ordinance, or police regulation of the City of Cibolo and to punish a violation of a rule, ordinance, or police regulation; and

WHEREAS, Chapter 214.212 of the Texas Local Government Code provides the general authority for the City of Cibolo to adopt local amendments to the *International Residential Code*; and

WHEREAS, the City of Cibolo, Texas seeks to protect the health, safety, and welfare of the citizens of the City of Cibolo; and

WHEREAS, the City of Cibolo, Texas seeks to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, erection, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height

with separate means of egress, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Cibolo.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CIBOLO DOES HEREBY AMEND THE CITY'S CODE OF ORDINANCES AS FOLLOWS:

Section 1. Code Amendment

That the Cibolo Code of Ordinances Section 14-2(a) (5) is hereby amended to read as follows:

(1) That a certain document, three (3) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the *International Residential Code, 2012* edition, including Appendix Chapters E, H and O, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Cibolo, in the State of Texas for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, erection, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Building Official of Cibolo, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of this ordinance.

(a) That the following sections and/or sub-sections are hereby revised to read as follows:

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two-Family Dwellings* of Cibolo, and shall be cited as such and will be referred to herein as "this code".

R102 Applicability is amended by adding section **R102.8** to read as follows:

R102.8 Plumbing, Gas, Sewer, Storm Drainage, Etc. All plumbing, gas, sewer, etc references and Chapters 24 – 33 are hereby deleted and replaced with the 2012 edition of the Uniform Plumbing Code (UPC).

R105.2 Work exempt from permit is amended by amending item 1 to read as follows and deleting the following numbered exemption items listed under **Building**.

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 64 square feet (6m²)
Delete numbers 2 and 5

R105.3 Application for permit is amended by adding items 8, 9 and 10 to read as follows:

8. Indicate the total square footage, of the foundation and all floors above or below as measured from the exterior and indicate the number of stories.

9. Be accompanied by the *International Energy Conservation Code* compliance certification specific to the permitted address.
10. Indicate the total square footage of impervious cover (i.e.: foundation, driveway, sidewalks etc).

R106.1.1 Information on construction documents is amended by adding the following, which is not all inclusive:

1. Indicate the street name, address number, and lot and block numbers.
2. Engineered foundation plan. Foundation plans shall have all details identified.
3. Floor plans shall be scaled and laid out as it is to be built, if plans show optional details options shall be clearly indicated, show glazing percentages.
4. Frame details shall include but not be limited to live load design, wind speed design, wall bracing requirements, studs required for support of beams, header size and support requirements.
5. Roof and ceiling joist plan with specifications and details.
6. Electrical plan.
7. Plumbing plan.
8. Heating, ventilation, and air conditioning plan.
9. Construction plans shall have adopted codes listed.
10. Give such other data and information as required by the building official.
11. Indicate the total square footage of all impervious cover (i.e.: foundation, driveway, sidewalks etc).

R106.2 Site plan or plot plan is amended by adding the following which is not all inclusive:

1. Indicate the street name, address number, and lot and block numbers.
2. Provide total lot square footage.
3. Provide the total square footage of the foundation to include attached garages.
4. Indicate percentage of all impervious coverage.
5. Provide square footage of foundation to include garages, porches, patios, driveways, and walkways.
6. Indicate all building setback lines.
7. Indicate all easements.
8. Indicate property pin locations and distance.
9. Percentage of slope on driveway.
10. Indicate drainage elevation across the property.
11. Show curb lines and sidewalks.
12. Give such other data and information as required by the building official.

R112.1 General. is hereby deleted and referred to Chapter 14 section 14-3 of the City of Cibolo's Code of Ordinances.

Table **R301.2(1)** is amended by providing the local design criteria as follows:

**Table R301.2(1)
Climatic and geographic design criteria.**

GROUND SNOW LOAD	WIND DESIGN	DESIGN EFFECTS	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMPE	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ^l	MEAN ANNUAL TEMPE ^j
				Weathering ^a	Frost line Depth ^b	Temite ^c					
5	90	NO	A	Negligible	12"						

NOTES a thru k REMAIN AS WRITTEN

R311.5 Construction is amended by adding section **R311.5.2 Obstruction** to read as follows:

R311.5.2 Obstruction. Except for a fence, no obstruction shall be placed in the side yard setback that impedes the ingress to or egress from the side yard area from front to back. There shall be a minimum clearance of 30 inches between any obstruction and the fence or property line.

R313.2 is amended to read as follows:

R313.2 One and two family dwellings automatic fire systems. As per Ordinance 778 approved and dated December 12, 2006, all one and two family dwellings 4500 square foot and larger shall have an automatic residential fire sprinkler system installed.

The exception to remain as written.

402.2 Concrete is amended by adding section **402.2.1 Flatwork Specifications** to read as follows:

402.2.1 Flatwork Specifications shall meet the requirements of the “Flatwork Requirements in the City of Cibolo” handout available at the permit office.

R403.1.8 Foundations on expansive soils. Foundation and floor slabs for buildings located on expansive soils shall be designed in accordance with Section 1808.6 of the International Building Code, The American Society of Civil Engineers Texas Section Recommended Practice for the Design of Residential Foundations Version 2 as it currently exists or may be amended, and/or other accepted industry standards that may be acceptable to the Building Official. All foundations shall be designed by a registered Professional Engineer in the State of Texas and all drawings and documentation must be signed and sealed. The above information and a GeoTech Report shall be required for each lot. Documentation shall include:

1. Design letter referencing soils report number, date of report, and soils engineer name; specific location including lot, block, and subdivision; specific design criteria including soil bearing capacity, plasticity index, and potential vertical rise. The engineer shall also approve a concrete mix design with performance criteria based on soils and seasonal conditions.

2. Signed and sealed drawings clearly indicating strand and reinforcement placement, pier size, depth, location, and reinforcing beam size and location, and special details. Design calculations must be included in the permanent permit file for each project.
3. Design engineer shall perform a pre-pour inspection. This inspection shall take place prior to requesting a foundation inspection from the Building Official. The engineer shall provide to the Building Official a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to the issuance of a Certificate of Occupancy.
4. Rough grading of lot after form removal to maintain drainage away from the foundation during the construction process.
5. The post tensioning cannot take place until the 7th day after the concrete has been poured and that no framing can start until one day after the post tensioning has taken place, unless otherwise directed by the engineer, based on accepted engineering practices and sample cylinders have been tested to support the engineer's specifications.
6. For conventional steel foundations, no framing shall start until the 7th day after the concrete has been poured unless otherwise directed by the engineer, based on accepted engineering practices and sample cylinders have been tested to support the engineer's specifications.
7. Prior to receiving a Certificate of Occupancy, a final survey indicating final grade elevations and verifying positive drainage away from the foundation, and evidence from the homeowner that they have received a copy of foundation maintenance instructions must be submitted to the Building Official.
8. Disclose to the City and to the potential Buyer in writing whenever the lot on which the home will be built has 24 inches or more of fill placed on it.
The Exception to remain.

M1305.1 Appliance access for inspection service, repair and replacement. Appliances shall be accessible for inspection, service, repair and replacement without removing permanent construction, other appliances, or any other piping or ducts not connected to the appliance being inspected, serviced, repaired or replaced. A level working space at least 30 inches deep and 30 inches wide (762 mm by 762 mm) and not less than 3/4-inch (19 mm) thick shall be provided in front of the control side of the appliance. Installation of room heaters shall be permitted with at least an 18-inch (457 mm) working space. A platform shall not be required for room heaters.

M1305.1.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening with a permanent ladder and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide and not less than 3/4-inch (19 mm) thick. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide and not less than 3/4-inch (19 mm) thick shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be a

minimum of 20 inches by 30 inches (508 mm by 762 mm), where such dimensions are large enough to allow removal of the largest appliance.

Exceptions to remain.

M1501.1 Outdoor discharge. The air removed by every mechanical exhaust system shall be discharged to the outdoors. Air shall not be exhausted into an attic, soffit, ridge vent or crawl space. Exhaust ducts shall terminate not less than 3 feet (914 mm) in any direction from openings into buildings.

- (b) That all walls containing plumbing, piping, or conduit larger than 2 inch (38 mm) inside diameter shall have a minimum of 6 inch (152 mm) stud width.
- (c) That all references to the ICC *Electrical Code* are deleted and shall reference the current adopted version of the National Electric Code (NEC) NFPA 70.
- (d) That all pressure gauges installed or used for testing shall have the working range in the middle third of the gauges minimum and maximum pressure ends.
- (e) That all piping, ducting and similar penetrations through walls, floors and ceilings shall be sealed to prevent entry of rodents and insects.
- (f) That all water service and supply lines crossing under sidewalks or driveways shall be enclosed within a sleeve two pipe sizes greater than the pipe passing through, so as to allow removal and replacement, and shall be at a minimum depth of 12 inches (305 mm) below finish grade unless otherwise required by the code official.
- (g) The use of streets, alleys and public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the authority having jurisdiction and this section.
- (h) Construction materials and or equipment shall not be placed or stored so as to obstruct any street, alley, public right-of-way, access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1 m) of a street intersection, or placed so as to obstruct normal observations of traffic signals or obstruct the view of traffic.
- (i) Construction materials, trash, garbage, rubbish, and debris shall be secured or contained in approved covered containers so as to prevent such items from leaving the property, lot or construction site. Uncovered containers may be approved in writing at the discretion of the code official. Construction sites shall be kept neat, clean and orderly and free of hazards.
- (j) Trenching and excavating. Underground utilities shall be located and marked before trenching or excavating. It shall be a violation of this ordinance to trench or excavate without properly making request for utility locates, and for damaging utilities that have been properly located. Requests shall be made using state recognized locating guidelines and procedures.

Section 2. Cumulative.

That this ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 3. Severability

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council 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 4. Continuation of Existing Regulations.

That nothing in this ordinance or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. Effective Date.


That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council of the City of Cibolo, Texas.

PASSED AND APPROVED on this the 8 day of Jan, 2013

APPROVED:


Jennifer Hartman, Mayor

ATTEST:


Peggy Cimics, City Secretary

APPROVED AS TO FORM


City Attorney's Office

