

## ORDINANCE NO. 2006-O-234

AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES IN ORDER TO ADOPT THE 2006 VERSION OF THREE CODES, AND ADOPTING THREE OTHERS, TO-WIT:

1. ADOPTING THE 2006 EDITION OF THE INTERNATIONAL BUILDING CODE BY AMENDING SECTION 7-1 AND 7-2;
2. ADOPTING THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE, BY AMENDING SECTION 7-4
3. ADOPTION THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE BY AMENDING SECTION 7-7
4. ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE BY ADDING NEW SECTION 7-8;
5. ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE BY ADDING NEW SECTION 7-9;
6. ADOPTING THE 2006 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, BY ADDING NEW SECTION 7-10; AND INCREASING THE RE-INSPECTION FEE FROM TWENTY (\$20.00) TO FIFTY (\$50.00) DOLLARS; PROVIDING FOR PUBLICATION AND FOR EFFECTIVE DATE

**WHEREAS**, The City Council has adopted prior editions of the following three code, namely:

*the International Building Code, the International Mechanical Code, and the International Residential Code; and*

**WHEREAS**, the 2006 editions of those codes are now recommended for adoption; and

**WHEREAS**, the city council has not yet adopted the following three codes, namely: *the International Property Maintenance Code, the International Energy Conservation Code and the International Existing Building Code; and*

**WHEREAS**, the 2006 editions of those codes are recommended for adoption.

**WHEREAS**, these codes are designed to secure the public health and safety through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazard attributable to the built environment, including alteration, repair, removal, demolition, use, and occupancy of building structures, or premises by regulating the installation and maintenance of all buildings, and

**WHEREAS**, the adoption of the 2006 editions of the said six codes, namely, *the International Building Code, the International Mechanical Code, the International Residential Code for One and Two Family Dwelling, the International Property Maintenance Code, the International Energy Conservation Code and the International Existing Building Code* will facilitate comprehensive inspection activities by the Building Department of City of Laredo relating to construction and to maintenance of buildings within the City of Laredo.

NOW, THEREFORE, BY IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

**Part 1:** Ordinance No. 2001-0-171 dated August 20, 2001 is hereby repealed and replaced by the following:

**Part 2:** Section 7-1 of Chapter 7 of the Code of Ordinance is amended to read as follows:

Section 7-1. 2006 Edition of International Building Code-Adopted.

There is hereby adopted by the City Council the 2006 edition of the International Building Code including appendix A, "Employee Qualifications"; B, "Board of Appeals"; C, "Group U-Agricultural Building"; D, "Fire Districts"; E, "Supplementary Accessibility Requirements"; F, "Rodent Proofing"; G, "Flood Resistant Construction"; H, "Signs"; I, "Patio Covers"; J, "Grading" as published by the International Code Council and is hereby adopted as the Code of the City of Laredo, of which not less than three (3) copies have been and are now filed in the office of the City Secretary; and the same are hereby adopted and incorporated as if fully set out at length herein.

**Part 3:** Section 7-2 of Chapter 7 of the Code of Ordinances is amended to read as follows:

Section 7-2 Same -Amendments

he following sections of the *International Building Code*, are modified to be specifically tailored to the City of Laredo;

Section 101.1 These regulations shall be known as the Building Code of the City of Laredo, hereinafter referred to as "this code."

Section 108.2 Schedule of Permits fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule established herein:

#### SCHEDULE OF PERMIT FEES

##### Total Valuation Fee

\$1,000 and less No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged.

\$1,000 to \$50,000 \$15.00 for the first \$1,000.00 plus \$4.00 for each additional thousand or fraction thereof, to including \$50,000.00

\$50,000 to \$100,000 \$210.00 for the first \$50,000.00 plus \$3.00 for each additional thousand thereof, and including \$100,000.00

\$100,000 to \$500,000 \$360.00 for the first \$100,000.00 plus \$2.00 for each additional thousand or fractional thereof, to including \$500,000.00

\$500,000 to \$1,000,000 \$1,160.00 for the first \$500,000.00 plus \$1.00 for each additional thousand of fraction thereof including \$1,000,000.00

\$1,000,000 and above \$1,660 for the first \$1,000,000.00 plus \$0.50 for each additional thousand or fraction thereof.

#### **ADMINISTRATIVE FEE**

For the moving of any building or structure, the fee shall be \$50.00. A \$50.00 administrative fee is for inspection of building site, setback, zoning regulations and the requirement of section G501 of the International Building Code will be charged.

#### **DEMOLITION FEE**

For the demolition of any building or structures, the fee shall be:

0 UP TO 100,000 cu ft \$50.00

100,000 cu ft and over \$0.50/ 1,000 cu ft

#### **PLAN-CHECKING FEES**

When the valuation of the proposed construction exceeds \$1,000.00 a plan is required to be submitted by Section 105.1 *the International Building Code*, a plan-checking fee shall be paid to the Building Official at the time of submitting the plans and specifications for checking. Said plan-checking fee shall be equal to one half (1/2) of the building permit fee as set forth. Such plan-checking fee is in addition to the building permit fee.

Section 108.3 **Building permits valuations.** [Add the following] Building valuations shall be based on the latest Building Valuation Data as published by the International Code Council.

Section 108.4 **Work commencing before permit issuance.**[add the following] Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fee herein specified shall be, *subject to a penalty of one hundred fifty*

(150%) percent of the usual permit fee in addition to the required permit fees, but the payment of such fee shall not relieve any person from fully complying with requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

Section 108.6 Refunds. The (Building Official) Building Director shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than (50%) fifty percent of the permits paid when no work has been done under a permit issued in accordance with this code.
3. Not more than (50%) fifty percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The (Building Official) Building Director shall not authorized the refunding of any fee paid except upon written application filed by the original permit not later than 180 days after the date of fee payment.

Section 109.5. Fee for Reinspection. In case it becomes necessary to make a reinspection of a framing, heating, ventilation, air conditioning, electrical or plumbing system, or installation, the installer of such equipment shall pay a reinspection fee of fifty dollars \$50.00 .

Section 113.4 Violation penalties. The International Building Code, 2006 ed. is hereby amended to read as follows:

Any person, firm, corporation, or agent who shall violate a provision of this Code or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or moved any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved, or demolished a building structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted there under, shall be guilty of a *Class C misdemeanor, punishable by a fine of not less than \$200.00 dollars or more than \$1,000 dollars.* Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed or continued, and upon conviction of any such violation such person shall be punished within the limits provided by State Laws.

Section 901.2 Fire protection systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the International Fire Code. All fire protection systems shall a Watt Series 909 Backflow Preventer or equal.

Section 1004.1.1 Maximum Floor Area Allowance per Occupant

FUNCTION OF SPACE

FLOORS AREA IN SQ.

	<u>FT. PER OCCUPANT</u>
<u>Accessory storage areas, mechanical equipment room</u>	<u>300 gross</u>
<u>Agricultural building</u>	<u>300 gross</u>
<u>Aircraft hangers</u>	<u>500 gross</u>
<u>Airport terminal</u>	
<u>Baggage claim</u>	<u>20 gross</u>
<u>Baggage handling</u> <u>Concourse</u>	<u>300 gross</u>
<u>Waiting areas</u>	<u>100 gross</u>
	<u>15 gross</u>
<u>Assembly</u>	
<u>Gaming Floors (keno, slots, etc.)</u>	<u>(41 gross)</u>
	<u>20 net</u>
<u>Assembly with fixed seats</u>	<u>See Section 1104.7</u>
<u>Assembly without fixed seats</u>	
<u>Concentrated (chairs only-not fixed)</u>	<u>7 net</u>
<u>Standing space</u>	
<u>Unconcentrated (tables and chairs)</u>	<u>5 net</u>
	<u>15 net</u>
<u>Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for addition areas</u>	<u>7 net</u>
<u>Business areas</u>	

	<u>100 gross</u>
<u>Courtrooms-other than fixed seating area</u>	
	<u>40 net</u>
<u>Day care</u>	
	<u>35 net</u>
<u>Dormitories</u>	
	<u>50 gross</u>
<u>Educational</u>	
<u>Classroom area</u>	<u>20 net</u>
<u>Shops and other vocational room areas</u>	
	<u>50 net</u>
<u>Exercise rooms</u>	
	<u>50 gross</u>
<u>H-5 Fabrication and manufacturing area</u>	
	<u>200 gross</u>
<u>Industrial area</u>	
	<u>100 gross</u>
<u>Institutional areas</u>	
<u>Inpatient treatment areas</u>	<u>240 gross</u>
<u>Outpatient areas</u>	
	<u>100 gross</u>
<u>Sleeping areas</u>	
	<u>120 gross</u>
<u>Kitchens, commercial</u>	
	<u>200 gross</u>
<u>Library</u>	
<u>Reading rooms</u>	<u>50 net</u>
<u>Stack area</u>	
	<u>100 gross</u>
<u>Locker rooms</u>	
	<u>50 gross</u>
<u>Mercantile</u>	
<u>Area on other floors</u>	<u>60 gross</u>

<u>Basement and grade floor areas</u>	
<u>Storage, stock, shipping areas</u>	<u>30 gross</u>
	<u>300 gross</u>
<u>Parking garages</u>	
	<u>200 gross</u>
<u>Residential</u>	
	<u>200 gross</u>
<u>Skating rinks, swimming pools</u>	
<u>Rink and pool</u>	<u>50 gross</u>
<u>Decks</u>	
	<u>15 gross</u>
<u>Stage and platforms</u>	
	<u>15 net</u>
<u>Warehouses</u>	
	<u>500 gross</u>

Section 1612.3. Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall included, at a minimum areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood insurance Study for *The City of Laredo*," dated May 17, 1982, as amended or revised with accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting date along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

**Part 4:** Section 7-4 of Chapter 7 of the Code of Ordinances is amended to read as follows:

Section 7-4. 2006 Edition of the International Mechanical Code –Adopted.

There is hereby adopted by the city council the 2006 edition of the *International Mechanical Code*

**Part 5:** Section 7-5 of Chapter 7 of the Code of Ordinances is amended to read as follows:

Section 7-5 Same-Amendments–Adopted.

The following section of the *International Mechanical Code*, are modified to be specifically tailored to the City of Laredo;

Section 101.1 Title. These regulations shall be known as the International Mechanical Code of *the City of Laredo*, hereinafter referred to as “this code.”

Section 106.5.1 Work commencing before permit issuance. Where work for which a permit is required by this Code is started or proceeded prior to obtaining said permit, the fee herein specified shall be, *subject to a penalty of one hundred fifty (150%) percent of the usual permit fee in addition to the required permit fees*, but the payment of such fee shall not relieve any person from fully complying with requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

Section 106.5.2 Schedule of Permits fees. The fees for all mechanical work shall be as indicated in the following schedule:

Initial fee:

For issuing Permits \$25.00

Additional fees:

Fee for inspecting heating, venting, duct work, air conditioning and refrigeration system shall be ~~ten dollars (\$10.00)~~ twenty dollars (\$20.00) for the first one thousand dollars (\$1,000.00), or fraction thereof, to including one hundred thousand (\$100,00.00) of valuation of the installation plus ~~two dollars (\$2.00)~~ three dollars (\$3.00) for each additional thousand dollars (\$1,000) of fraction thereof.

Fee for inspecting boiler (based upon Btu input):

33,000 Btu (1BHp) to 165,000 (5BHp) \$5.00

165,001 Btu (5BHp) to 330,000 (10BHp) \$10.00

330,001 Btu (10 BHp) to 1,165,000(52BHp) \$15.00

1,165,000 Btu (52 BHp to 3,300,000 (98BHp) \$25.00

over 3,300,000 Btu (98BHp) \$35.00

In case it become necessary to make a reinspection of a heating, ventilation, air conditioning or refrigeration system, or boiler installation, the installer of such equipment shall pay a reinspection fee of ~~(\$25.00) (twenty five)~~ (\$50.00) Fifty dollars.

Section 106.5.3 Fee Refunds. ~~The (Building Official)~~ Building Director shall authorize the refunding of fees as follows:

4. The full amount of any fee paid hereunder that was erroneously paid or collected.

5. Not more than (50%) fifty percent of the permits paid when no work has been done under a permit issued in accordance with this code.

6. Not more than (50%) fifty percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan



review effort has been expended.

The (~~Building Official~~) Building Director shall not authorized the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 108.4 Violation penalties. Person who shall violate a provision of this code or shall fail to comply with any of the requirement thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of code, shall be guilty of a misdemeanor, punishable by a fine of not less than \$200.00 and not more that ((~~\$2,000~~) two thousand) dollars. Each day that a violation continue after due notice has been served shall be deemed a separate offense.

Section 108.5 **Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or the owner's agent, or to the person doing the work. The notice shall state the conditions under which work authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than (\$200.00 two hundred dollars) or more than (\$2,000.00 two thousand dollars.)

**Part 6:** Section 7-7 of Chapter 7 of the Code of Ordinances is amended to read as follows

Section 7-7. 2006 Edition of the International Residential Code- Adopted.

There is hereby adopted by the City Council the 2006 ed. of the *International Residential Code* including appendix A, "Sizing and Capacities of Gas Piping", B,

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

**Part 7:** New Section 7-8 of Chapter 7 of the Code of Ordinances is added to read as follows:

Section 7-8. International Property Maintenance Code-Adopted.

There is hereby adopted by the City Council the 2006 edition. of the *International Property Maintenance Code*.

The following sections of the 2006 edition of the *International Property Maintenance Code*, are modified to be specifically tailored to the City of Laredo;

Section 101.1 **Title.** These regulations shall be known as the *International Property Maintenance Code of the City of Laredo*, hereinafter referred to as "this code."

Section 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plants growth in excess of 12 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than tress or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of notice of violations, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the cost of such removal shall be paid by the owner or agent responsible for the property.

**Part 8:** New Section 7-9 of Chapter 7 of the Code of Ordinances is added to read as follows:

Section 7-9. 2006 Edition of the International Energy Conservation Code-Adopted.

There is hereby adopted by the City Council the 2006 edition of the *International Energy Conservation Code*.

The following section of the *International Energy Conservation Code*, is modified to be specifically tailored to the City of Laredo:

Section 101.1 Title. This code shall be known as the *International Energy Conservation Code of the City of Laredo* and shall cited as such. It is referred as herein as "this code."

**Part 9:** New Section 7-10 of Chapter 7 of the Code of Ordinances is added to read as follows:

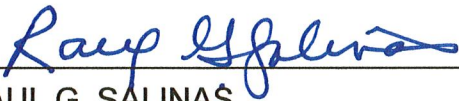
Section 7-10. International Existing Building Code-Adopted.

There is hereby adopted by the City Council the 2006 ed. of the *International Existing Building Code*.

Section 101.1 Title. This code shall be known as the *Existing Building Code of the City of Laredo*, hereinafter referred to as "this code."

**Part 10:** This ordinance shall take effect after publication in accordance with the requirement of Section 2.09(D) of the Charter.

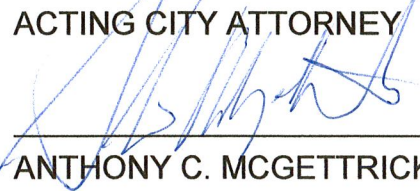
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS 16<sup>th</sup>  
DAY OF October, 2006.

  
\_\_\_\_\_  
RAUL G. SALINAS  
MAYOR

ATTEST:

  
\_\_\_\_\_  
GUSTAVO GUEVARA  
CITY SECRETARY

APPROVED AS TO FORM:  
VALERIA M. ACEVEDO  
ACTING CITY ATTORNEY

  
\_\_\_\_\_  
ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

## COUNCIL COMMUNICATION

<b>DATE:</b>  10-16-2006	<b>SUBJECT: FINAL READING OF ORDINANCE NO. 2006-O-234</b>  Amending chapter 7 of the code of ordinances as follows; <ol style="list-style-type: none"> <li>1. Adopting the 2006 edition of the International Building Code by amending Sections 7-1 and 7-2;</li> <li>2. Adopting the 2006 edition of the International Mechanical Code, by amending Section 7-4</li> <li>3. Adopting the 2006 Edition of the International Residential Code by amending Section 7-7</li> <li>4. Adopting the 2006 Edition of the International Property Maintenance Code by adding new Section 7-8;</li> <li>5. Adopting the International Energy Conservation Code by adding new Section 7-9;</li> <li>6. Adopting the 2006 Edition of the International Existing Building Code, by adding new Section 7-10;</li> <li>7. Increasing the re-inspection fee from twenty dollars (\$20.00) to fifty dollars (\$50.00) and providing for publication and effective date.</li> </ol> <p style="text-align: right;"><b>(As Amended)</b></p>
<b>INITIATED BY:</b> <b>Cynthia Collazo</b> <b>Deputy City Manager</b>	<b>STAFF SOURCE:</b> Erasmo A. Villarreal Director of Building Department
<b>PREVIOUS COUNCIL ACTION:</b> City Council held a Public Hearing on and approved the first reading of the ordinance on 09/05/06 Then ordinance was tabled on 09/18/06 for minor editing.	
<b>BACKGROUND:</b> The International Code Council updates the various codes about every three years. It is the city's practice to review the newest editions of the codes and to update the adopted versions. In this ordinance we adopt the current, 2006, editions of three Codes previously adopted by the Council, and we adopt, for the first time, the 2006 editions of the International Property Maintenance Code, the International Energy Conservation Code and the International Existing Building Code  ..	
<b>FINANCIAL IMPACT:</b> Increase in re-inspection fee will result in minor increase in revenue.	
<b>COMMITTEE RECOMMENDATION:</b> N/A	<b>STAFF RECOMMENDATION:</b> Recommends passage of this ordinance.