



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		January 10, 2011		
Department:		Building Inspections		
Department Head		Selso Mata		
Agenda Coordinator (include phone #): <b>Diana Casady #5993</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano Texas, repealing in its entirety, City of Plano Ordinance No. 2008-4-37 codified as Division 3, Mechanical Code, or Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2009 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2010-11</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b> This item has no fical impact.				
<b>SUMMARY OF ITEM</b>				
<p>This ordinance will adopt the most recent version of the International Mechanical Code published by the International Code Council and includes the regional amendments which have been developed by the North Central Texas Council of Governments. Public review of all construction related codes was addressed at work sessions held by the Building Standards Commission in September of 2010. Formal action was taken by the Building Standards Commission at its September 21, 2010 meeting. At that time, the Commission voted unanimously to forward this Code and amendments to the City Council for adoption as the Mechanical Code for the City of Plano</p>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Supporting letter from Council of Governments		Building Standards Commission		
Minutes from BSC 09/21/10				



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[www.buildinginspections.org](http://www.buildinginspections.org)



## **MEMORANDUM**

December 22, 2010

To: Tom Muehlenbeck, City Manager  
From: Selso Mata, Chief Building Official  
Subject: 2009 Code adoption  
CC: Frank Turner, Deputy City Manager

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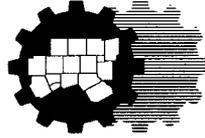
In mid 2009 and throughout 2010 the regional code committees in our North Texas area reviewed the International Code Council's 2009 construction codes and the National Fire Prevention Association's 2011 National Electrical Code (NEC). The culmination of these efforts is summarized in the attached memo from The North Central Texas Council of Governments (NCTCOG) with their recommendation for code adoption. Plano's Building Standards Commission (BSC) subsequently held four meetings this year to further review code amendments and receive stakeholder input. Meeting minutes are attached from each BSC hearing. As a result, the BSC unanimously recommends the 2009 International codes and the 2011 NEC with code amendments to the City Council for the January 10, 2011 meeting with an effective enforcement date of March 1, 2011.

The recommended codes with amendments are:

- 2009 – International Building Code
- 2009 – International Residential Code
- 2009 – International Plumbing Code
- 2009 – International Mechanical Code
- 2009 – International Fuel and Gas Code
- 2009 – International Energy Conservation Code
- 2011 – National Electrical Code

Please let me know if you have any questions or need additional information.

XC: Hugo Esparza, Fire Chief  
David Kerr, Fire Marshal



North Central Texas Council Of Governments

**TO:** Jurisdictions throughout the North Central Texas Region   **DATE:** November 23, 2010

**SUBJECT:** Model Construction Code Recommendations for North Central Texas

The North Central Texas Council of Governments (NCTCOG) has actively promoted the standardization of model construction codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce training and construction costs.

In mid 2009, NCTCOG's Regional Codes Coordinating Committee (RCCC) directed its Code Advisory Boards to review the International Code Council's 2009 family of model construction codes and the National Fire Prevention Association's 2011 National Electrical Code. The Advisory Boards, comprised of 101 code professionals representing local jurisdictions and professional associations, held open meetings to consider the codes and achieve consensus on any needed regional amendments. Many national and regional subject matter experts also gave testimony and participated in the process.

As a result, the NCTCOG Executive Board, upon the recommendation of the RCCC and its Advisory Boards, encourages your jurisdiction to adopt the following model construction codes along with their respective regional amendments:

- ◆ **International Building Code – 2009 Edition**
- ◆ **International Residential Code – 2009 Edition**
- ◆ **International Fire Code – 2009 Edition**
- ◆ **International Plumbing Code – 2009 Edition**
- ◆ **International Mechanical Code – 2009 Edition**
- ◆ **International Fuel Gas Code – 2009 Edition**
- ◆ **International Energy Conservation Code - 2009 Edition**
- ◆ **National Electrical Code – 2011 Edition**

NCTCOG recommends adopting these codes with no local amendments other than the regional amendments with an effective date of **January 31, 2011** or as soon as possible thereafter. The ultimate goal is regional uniformity in the model construction codes for the North Central Texas region. NCTCOG feels strongly that municipalities, contractors, architects, builders, and manufacturers will benefit from the positive economic results coming from achievement of that goal.

As a follow-up measure, the RCCC intends to submit some of the regional amendments as proposed changes during the next international code change cycle. In the past, several NCTCOG regional amendments have been incorporated into the codes when those amendments were proposed as code changes to the main documents.

**PLEASE NOTE:**

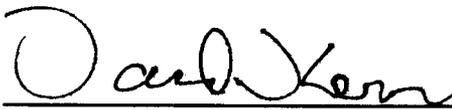
- 1) The Energy Efficiency amendments have been reviewed by the Energy Systems Laboratory (ESL) at Texas A&M to ensure equivalency with the current Energy Code adopted by the State of Texas (the 2003 International Energy Conservation Code).
- 2) The Energy Efficiency amendments have been reviewed by the Energy Systems Laboratory (ESL) at Texas A&M to ensure equivalency with the future Energy Code adopted by the State of Texas (the 2009 International Energy Conservation Code and Chapter 11 of the 2009 International Residential Code).
- 3) An International Code Compliance Calculator (ICCC) has been created by the ESL to demonstrate compliance with the State's Energy Conservation Requirements. The ICCC is "live" and can be accessed at <http://ecalc.tamu.edu>
- 4) There is a wide range in the fire fighting philosophies/capabilities of cities across the region; the consensus of the RCCC has been to include both an OPTION "A" and an OPTION "B" in the fire and building code amendments. Jurisdictions should choose one or the other based on their fire fighting philosophies/capabilities when adopting code amendments.

You may access our website at [www.dfwcodes.com](http://www.dfwcodes.com) to obtain a copy of the recommended regional amendments. For more information regarding regional codes, contact Michael King, Environment & Development Planner, by email at [mking@nctcog.org](mailto:mking@nctcog.org) or by phone at (817) 695-9277.

We appreciate your support of our continued efforts toward regional code uniformity. Please send a copy of your adopting ordinance(s) to NCTCOG including amendments. Your ordinance will help us to document the effectiveness of the codes coordinating effort in our region and may be used to provide a model to other jurisdictions.

  
Mike Eastland, Executive Director  
North Central Texas Council of Governments

  
John Promise, Director  
Department of Environment and Development

  
David Kerr, Chairman  
Regional Codes Coordinating Committee

MK/ez

Building Standards Commission  
September 21, 2010

Present

Rich Prusha, Chairman  
Art Stone  
Mo Khoshkar  
Gary Johnston  
James Craft,  
Kevan Benkowitz, Present, not seated  
Mark Greer, Present, not seated.  
Sylvia Reid, Present, not seated

Staff

Selso Mata, Building Official  
John Gilliam, Assistant City Attorney  
Cliff Bormann, Assistant Building Official  
Gary Miles, Assistant Building Official  
Tony Han, Plan Review Services Supervisor  
Diana Casady, Sr. Administrative Assistant

1. Public comments: **No Public Comment**
2. Approval of Minutes from March 16, 2010 meeting.  
**Quorum was not present to pass the minutes from the March 16<sup>th</sup> meeting.**
3. Approval of Minutes from April 20, 2010 meeting  
**Quorum was not present to pass the minutes from the April 20<sup>th</sup> meeting**
4. Approval of Minutes from August 17, 2010 meeting  
**Mr. Johnston made the motion to approve the minutes of the August 17, 2010 meeting as written, Mr. Khoshkar seconded the motion. The Commission voted 5/0 in favor of approving the minutes from August 17, 2010.**
5. Discussion and consideration of recommendation to City Council for the adoption of the 2009 International Plumbing Code, the 2009 International Mechanical Code, the 2009 International Fuel Gas Code, and the 2009 International Building Code  
**Building Official, Selso Mata, opened the presentation of the I Codes to the Commission and introduced Gary Miles, Assistant Building Official to present the International Plumbing Code, Mr. Miles presented the IPC and let the Commission know that the Amendments have not changed since the last code cycle and went over the Local Amendments with the Commission.**  
  
**Mr. Miles presented the International Mechanical Code and answered questions from the Commission.**

**Mr. Miles presented the International Fuel Gas Code and answered questions from the Commission, the Fuel Gas Code has not changed since the last code cycle.**

**Cliff Bormann, Assistant Building Official, presented the 2009 International Building Code to the Commission, and answered questions from the Commission.**

**After hearing the Presentation, Commission Member Art Stone made the motion to Recommend approval for the 2009 International Plumbing Code amendments, 2009 International Mechanical Code amendments, 2009 International Fuel Gas Code amendments and the 2009 International Building Code Amendments as reviewed at this meeting, recognizing there is subject to changes made in future discussions. Commission member Gary Johnston seconded the motion. The Commission voted 5/0 in favor of this recommendation.**

6. Items for future agendas

**Code Review for the 2009 International Residential and 2009 Energy Conservation Codes on October 19, 2010**

**2200 Treehouse Lane, tabled from the August 17, 2010 meeting.**

The Public Hearing adjourned at 5: 03 P.M.

  
Rich Prusha, Chairman

**An Ordinance of the City of Plano Texas, repealing in its entirety, City of Plano Ordinance No. 2008-4-37 codified as Division 3, Mechanical Code, or Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2009 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.**

**WHEREAS**, on April 28, 2008, by Ordinance No. 2008-4-37, the City Council of the City of Plano established a Mechanical Code and regulations thereunder, and such Ordinance was codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

**WHEREAS**, on September 21, 2010, the Building Standards Commission held a public hearing to discuss the adoption of the 2009 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), along with the appendices of such Code, and to receive input from the general public and all persons who may be affected by the proposed adoption; and

**WHEREAS**, upon recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion that the 2009 Edition of the International Mechanical Code and the local amendments thereto, should be approved and adopted as the Mechanical Code of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Ordinance No. 2008-4-37 duly passed and approved by the City Council of the City of Plano on April 28, 2008, and codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances, is hereby repealed in its entirety.

**Section II.** A new Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

“DIVISION 3. MECHANICAL CODE

Sec. 6-251. Penalty.

Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City

Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Sec. 6-252. Adopted.

The 2009 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), along with the Appendices of such Code, are hereby adopted and designated as the Mechanical Code of the City, to the same extent as if such Code were copied verbatim in this section, subject to the deletions, amendments, and additions prescribed in this Division. A copy of the 2009 Edition of the International Mechanical Code is on file in the office of the City Secretary.

Sec. 6-253. Administrative Authority.

For purposes of this Division and interpreting the Code adopted in this Division, the term “Administrative Authority” shall mean the Building Official of the City, his agents, and employees who are hereby empowered with the authority to administer and enforce the provisions of this Division and the Mechanical Code.

Sec. 6-254. Deletions, Additions, Amendments.

The following deletions, additions, and amendments to the International Mechanical Code adopted in this Division are hereby approved and adopted:

#### *Chapter 1 Administration*

*Section 102.8 Referenced codes and standards; change to read as follows:*

The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

#### *Chapter 3 General Regulations*

*Section 304.6 Private Garages; this section is deleted.*

Section 304.9; change to read as follows:

304.9 Clearances from grade. Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending above adjoining

grade a minimum of 3 inches (76 mm) or shall be suspended a minimum of 6 inches (152 mm) above adjoining grade.

*Section 306.3; change to read as follows:*

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall 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 unobstructed solid flooring not less than 22 inches (559 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair.
2. A pull down stair.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu items 1,2,and 3 with prior approval of the code official due to structural conditions.

Exception: The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

*Section 306.5 Equipment and appliances on roofs or elevated structures;* is changed to read as follows:

Where equipment and appliances requiring access are installed on roofs or elevated structures at an aggregate height exceeding 16 feet (4877 mm), such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet (3038 mm) to the finish grade or floor level below and shall extend to the equipment and appliance's level service space. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

A receptacle outlet shall be provided at or near the equipment and appliance location in accordance with the Electrical Code.

*Add Section 306.5.1 Sloped roofs.; to read as follows:*

Where appliances, equipment, fans or other components that require service are installed on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

*Add Section 306.6 Water heaters above ground or floor; to read as follows:*

When the mezzanine or platform in which a water heater is installed is more than eight 8 feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

**306.6.1** Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

*Section 307.2.1 Condensate disposal; is changed to read as follows:*

Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge in a publicly exposed area such as into a street, alley, sidewalk, rooftop or other areas so as to cause a nuisance.

Section 307.2.2; change to read as follows:

**307.2.2** Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, temperature, and exposure rating of the installation. 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. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

*Section 307.2.3 Auxiliary and secondary drain systems;* amend item #2 to read 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 drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

#### *Chapter 4 Ventilation*

*Section 403.2.1 Recirculation of air;* add an item #5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

*Table 403.3 Ventilation rate;* footnote g: changed to read as follows:

- g. Transfer air permitted in accordance with Section 403.2.2. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

*Section 501.2;* add a third exception to read as follows:

Exceptions:

1. *{existing exception unchanged}*
2. *{existing exception unchanged}*
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

*Section 504.6 Domestic Clothes Dryer Ducts;* add a sentence to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

*Section 607.5.1 Fire Walls;* is changed to read as follows:

Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the *International Building Code* shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC

**Section III.** All provisions of the Code of Ordinances of the city of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code or Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section IV.** It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section V.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

**Section VI.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VII.** This Ordinance shall become effective March 1, 2011, and after its passage and publication as required by law.

**DULY PASSED AND APPROVED** this the 10th day of January, 2011.

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Phil Dyer, MAYOR

**ATTEST:**

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Diane Zucco, CITY SECRETARY

**APPROVED AS TO FORM:**

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Diane C. Wetherbee, CITY ATTORNEY