

ORDINANCE

NO. OR09-2017-59

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS, AMENDING TITLE XV: LAND USAGE, CHAPTER 150: BUILDING REGULATIONS, SECTION 150.035 "ADOPTED" OF THE CODE OF ORDINANCES ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FUEL GAS CODE WITH THE RECOMMENDED AMENDMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, House Bill 1736 requires all cities within Texas to adopt the 2015 International Energy Conservation Code. Therefore, the North Central Texas Council of Governments (NCTCOG) recommends that all cities adopt the 2015 International Fuel Gas Code with their recommended amendments, to be in uniform with the International Building Code; and

WHEREAS, staff has reviewed the proposed NCTCOG amendments and made any additional changes necessary to meet the needs of the City of Cleburne. Should the City Council approve the proposed Code amendments, the effective date shall be January 1, 2018; and

WHEREAS, staff has developed a public outreach plan to ensure all parties affected by the Code amendments are aware of the updates and any new requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS:

SECTION ONE. Title XV: Land Usage; Chapter 150: Building Regulations, Section 150.035: "Adopted", of the Code of Ordinances of the City of Cleburne is hereby repealed in its entirety with amendments and shall hereafter read as follows:

§ 150.035 FUEL GAS CODE ADOPTED.

The *2015 International Fuel Gas Code* as well as recommended amendments are fully incorporated by reference as though copied into this section in its entirety. The material contained in the *International Fuel Gas Code* shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record and will be available for public inspection and copying during regular business hours.

SECTION TWO. Cumulative Clause. That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance, Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that

any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION THREE. Severability Clause. That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

SECTION FOUR. Savings Clause. That all provisions of the Code of Ordinances of the City of Cleburne, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION FIVE. Penalty Clause. Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense.

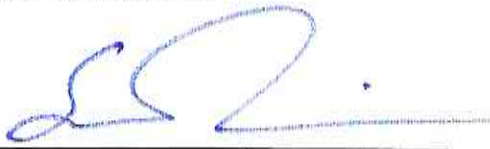
SECTION SIX. Publication Clause. The City Secretary of the City of Cleburne, Texas, is directed to publish the caption, including the penalty of this Ordinance at least once within 10 days after its passage in the official newspaper of the City of Cleburne, Texas, as authorized by Section 3.16 of the Cleburne City Charter.

SECTION SEVEN. Effective Clause. This Ordinance shall become effective January 1, 2018 and upon its publication as required by law.

PASSED AND APPROVED this the 26th day of September, 2017 at a Regular Meeting of the City Council of the City of Cleburne, Texas.



CITY OF CLEBURNE

BY: 
Scott Cain, Mayor


Shelly Doty, City Secretary

EXHIBIT "A"

**Amendments to the 2015 International Fuel Gas Code
Adopted by Cleburne City Council Ordinance #OR09-2017-59
Section 150.035: Fuel Gas Code Adopted**

The following sections, paragraphs, and sentences of the *2015 International Fuel Gas Code* are hereby amended as follows: Standard type is text from the IFGC. Underlined type is text inserted. ~~Lined through type~~ is deleted text from IFGC. A double asterisk at the beginning of a section identifies an amendment carried over from the 2012 edition of the code and a triple asterisk identifies a new or revised amendment with the 2015 code.

****Section 101.2**

Section 101.2 to correspond with the State Plumbing Licensing Law.}

****Section 102.2; add an exception to read as follows:**

Exception: Existing dwelling units shall comply with Section 621.2.

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 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.

****Section 106.6.3 Fee refunds.** Change to read as follows and the remaining unchanged.

2. Not more than 50% percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.
3. Not more than 50% percent of the permit of plan review fee paid where 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.

Delete entire section 109 (IFGC)

~~MEANS OF APPEAL~~

~~[A] 109.1 Application for appeal.~~ ~~A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

~~[A] 109.2 Membership of board.~~ The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

~~[A] 109.2.1 Qualifications.~~ The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.

2. Registered design professional with structural engineering or architectural experience.

3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.

4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.

5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 of which shall have been in responsible charge of work.

~~[A] 109.2.2 Alternate members.~~ The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.

~~[A] 109.2.3 Chairman.~~ The board shall annually select one of its members to serve as chairman.

~~[A] 109.2.4 Disqualification of member.~~ A member shall not hear an appeal in which that member has a personal, professional or financial interest.

~~[A] 109.2.5 Secretary.~~ The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

~~[A] 109.2.6 Compensation of members.~~ Compensation members shall be determined by law.

~~[A] 109.3 Notice of meeting.~~ The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.

~~[A] 109.4 Open hearing.~~ Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

~~[A] 109.4.1 Procedure.~~ The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

~~[A] 109.5 Postponed hearing.~~ When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

~~[A] 109.6 Board decision.~~ The board shall modify or reverse the decision of the code official by a concurring vote of three members.

~~[A] 109.6.1 Resolution.~~ The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

~~[A] 109.6.2 Administration.~~ The code official shall take immediate action in accordance with the decision of the board.

~~[A] 109.7 Court review.~~ Any person, whether or not a previous party to the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

****Section 306.3; change to read as follows:**

[M] 306.3 Appliances in attics. Attics containing appliances shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the *appliance*. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), ~~and~~ or larger where such dimensions are not large enough to allow removal of the largest *appliance*. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for *access* to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is not less than . . . *{bulk of section to read the same}*.

****Section 306.5; change to read as follows:**

[M] 306.5 Equipment and appliances on roofs or elevated structures. Where *equipment* requiring *access* or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an~~ a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof *access* need not extend closer than 8-12 feet (2438 mm) to the finish grade or floor level below and shall extend to the *equipment* and appliances' level service space. Such *access* shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). . . *{bulk of section to read the same}*.

****Section 306.5.1; change to read as follows:**

[M] 306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) 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 (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

****Section 306; add Section 306.7 with exception and subsection 306.7.1 to read as follows:**

306.7 Water heaters above ground or floor. When the attic, roof, 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.

****Section 401.5; add a second paragraph to read as follows:**

Both ends of each section of medium pressure gas piping shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
Do Not Remove"

****Section 402.3; add an exception to read as follows:**

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of 1/2" (18 EHD).

****Section 404.12; change to read as follows:**

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of ~~12~~ 18 inches (305 458 mm) top of pipe below grade, except as provided for in Section 404.12.1.

****Section 406.1; change to read as follows:**

406.1 General. Prior to acceptance and initial operation, all piping installations shall be inspected and pressure tested to determine that the materials, design, fabrication, and installation practices comply with the requirements of this code. The permit holder shall make the applicable tests prescribed in Sections 406.1.1 through 406.1.5 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the piping system is ready for testing. The equipment, material, power and labor necessary for the inspections and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests.

****Section 406.4; change to read as follows:**

406.4 Test pressure measurement. Test pressure shall be measured with a monometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. ~~Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than five times the test pressure.~~

****Section 406.4.1; change to read as follows:**

406.4.1 Test pressure. ~~The test pressure to be used shall be no less than 1-1/2 times the proposed maximum working pressure, but no less than 3 psig (20 kPa gauge), or at the discretion of the Code Official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. For tests requiring a pressure of 3 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one half inches (3 1/2"), a set hand, 1/10 pound incrementation and pressure range not to exceed 6 psi for tests requiring a pressure of 3 psig. For tests requiring a pressure of 10 psig, diaphragm gauges shall utilize a dial with a minimum diameter of three and one-half inches (3 1/2"), a set hand, a minimum of 2/10 pound incrementation and a pressure range not to exceed 20 psi. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa) (1/2 psi) and less than 200 inches of water column pressure (52.2 kPa) (7.5 psi), the test pressure shall not be less than ten (10) pounds per square inch (69.6 kPa). For piping carrying gas at a pressure that exceeds 200 inches of water column (52.2 kPa) (7.5 psi), the test pressure shall be not less than one and one-half times the proposed maximum working pressure.~~

Diaphragm gauges used for testing must display a current calibration and be in good working condition. The appropriate test must be applied to the diaphragm gauge used for testing.

****Section 406.4.2; change to read as follows:**

406.4.2 Test duration. Test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than fifteen (15) minutes. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case for less than thirty (30) minutes. (Delete remainder of section.)

****Section 409.1; add Section 409.1.4 to read as follows:**

409.1.4 Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting, or equivalent support, suitable for the size of the valves, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12-inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings, and valves between anchors. All valves and supports

shall be designed and installed so they will not be disengaged by movement of the supporting piping.

****Section 410.1; add a second paragraph and exception to read as follows:**

Access to regulators shall comply with the requirements for *access* to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

****Section 621.2; add exception as follows:**

621.2 Prohibited use. One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.

Exception: Existing *approved* unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when *approved* by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

END