ORDINANCE NO. 4475

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTIONS 5-26 AND 5-27 OF ARTICLE II IN THEIR ENTIRETY AND ADDING NEW SECTIONS 5-26 AND 5-27 OF ARTICLE II THEREBY ADOPTING THE INTERNATIONAL BUILDING CODE, 2015 EDITION, AND PROVIDING CERTAIN ADDITIONS AND DELETIONS THERETO; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND ($2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE.

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

SECTION 1: That Chapter 5 of the Code of the City of Mesquite, Texas, as amended, is hereby amended by deleting Sections 5-26 and 5-27 of Article II in their entirety and adding new Sections 5-26 and 5-27 of Article II to read as follows, in all other respects said Code, Article and Chapter to remain in full force and effect:

ARTICLE II. BUILDING CODE

DIVISION 1. GENERAL

Sec. 5-26. Adopted.

The *International Building Code*, 2015 Edition, a publication of the International Code Council (I.C.C.), is hereby adopted and designated as the official building code of the City of Mesquite to the same extent as if such Code were copied verbatim in this Article subject to the amendments prescribed in this Article. The Code shall be applicable to all construction, alterations, repairs, demolition, maintenance and use or occupancy of all buildings, structures, materials and equipment related to the building industry in the City. A copy of *the International Building Code*, 2015 Edition, and amendments thereto shall be maintained in the office of the City Secretary as an original document and ordinance of the City.

DIVISION 2. AMENDMENTS

Sec. 5-27. Amendments to the International Building Code, 2015 Edition.

The following amendments are made to the *International Building Code*, 2015 Edition:

(1) *Chapter 1, Administration.*

(a) *Section 101.4.* Amend by deleting the section in its entirety and adding a new Section 101.4 to read as follows:

Referenced codes and standards. The other codes listed in Sections 101.4.1 through 101.4.7, as amended, and referenced elsewhere in this code, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. 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 *National Electrical Code* as adopted.

(b) *Section 101.4.7.* Amend by deleting the section in its entirety and adding a new Section 101.4.7 to read as follows:

Electrical. The provisions of the *National Electrical Code* as adopted shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(c) *Sections 105.1.1 and 105.1.2.* Amend by deleting the sections in their entirety.

(d) *Section 105.2.* Amend by deleting items numbered 1, 2, 4, 6, 9, 10 and 12 under Section 105.2 and renumber the remaining items accordingly.

(e) *Section 105.5.* Amend by deleting the section in its entirety and adding a new Section 105.5 to read as follows:

Expiration. Every permit issued shall expire and become null and void if (i) the permittee fails to commence work on the site authorized by such permit within 30 days after its issuance, or (ii) the permittee fails to have the work authorized on the site by such permit inspected during any 90-day period after the work has commenced. It shall be unlawful to commence or recommence work after a permit expires without obtaining a new permit or receiving an extension from the Building Official. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(f) *Section 109.6.* Amend by deleting the section in its entirety and adding a new Section 109.6 to read as follows:

Refunds. The Code Official may authorize refunding of any fee paid hereafter which was erroneously paid or collected. The Code Official may authorize not more than 80 percent of the permit fee be refunded when no work was performed under a permit issued in accordance with the code. The Code Official shall not authorize refunding of any fee paid except on written application filed by the

original permittee not later than 180 days from the date of fee payment.

(g) *Section 113.* Amend by deleting the section in its entirety and adding a new Section 113 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time appeal set forth therein.

(2) *Chapter 2, Definitions.*

(a) *Section 202.* Amend by deleting the definitions to "High-Rise Building," "Ambulatory Health Care Facility" and "Atrium" in the section in their entirety and adding new definitions for "High-Rise Building," "Ambulatory Health Care Facility," "Assisted Living Facilities," "Atrium" and Repair Garage" to Section 202 to read as follows:

High-rise building. Building having any floor used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

Ambulatory health care facility. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less than 24-hour basis to individuals who are rendered incapable of self-preservation. This group may include but not be limited to the following:

- Dialysis centers
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

Assisted living facilities. A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff.

Atrium. An opening connecting three or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment which is closed at the top and not defined as a mall. Stories, as used in this definition, do not include balconies within assembly groups or mezzanines that comply with Section 505.

Repair garage. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages for minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks minor parts replacement and other such minor repair.

(3) *Chapter 3, Use and Occupancy Classification.*

(a) *Section 303.1.3.* Amend by adding a sentence to the end of Section 303.1.3 to read as follows:

Except when applying the assembly requirements of Chapters 10 and 11.

(b) *Section 304.1.* Amend by adding to the list of occupancies under Section 304.1 to include:

Fire stations
Police stations with detention facilities for five or less

(c) *Section 307.1.* Amend by adding a reference under Exception 4 in Section 307.1.1 to read as follows:

See also IFC Chapter 21, Dry Cleaning Plant provisions.

(4) *Chapter 4, Special Detailed Requirements Based On Use and Occupancy.*

(a) *Section 403.1.* Amend by deleting Exception 3 in the section in its entirety and adding a new Exception 3 in Section 403.1 to read as follows:

Open air portions of buildings with a Group A-5 occupancy in accordance with Section 303.6.

(b) *Section 403.3.2.* Amend Section 403.3.2 by replacing 420 feet with 120 feet (36.5 m).

(c) *Section 403.5.4.* Amend Section 403.5.4 by replacing 75 feet with 55 feet (16,765 mm).

(d) *Section 404.5.* Amend by deleting the Exception in Section 404.5 in its entirety.

(e) *Section 406.3.5.1.* Amend by adding a sentence to Section 406.3.5.1. to read as follows:

A fire separation is not required between a Group R-2 and U carport provided that the carport is entirely open on all sides and that the distance between the two is at least 10 feet (3,048 mm).

(f) *Section 423.4.1.* Amend by adding a new Section 423.4.1 to read as follows:

Minimum capacities. The required occupancy capacity of all storm shelters on the site shall be the greater of the following:

1. The total occupancy load of the classrooms, vocational rooms and offices in the Group E occupancy; or

2. The occupancy load of any all-school assembly space that is associated with the Group E occupancy.

3. Exception: Where a new building is being added to an existing Group E occupancy campus, the storm shelter shall at a minimum accommodate the occupancy load for the new building.

(g) *Section 423.5.* Amend by adding a new Section 423.5 to read as follows:

Modifications. The Building Official, upon application of the owner or the owner's representative, shall have the authority to grant modifications to the size of storm shelters in Group E occupancies based upon the practical capacity of educational space and subject to Peer Review in Section 106 of ICC 500. The approved capacity of the storm shelter shall be noted on the facility certificate-of-occupancy.

(5) *Chapter 5, General Building Heights and Areas.*

(a) *Section 506.2.2.* Amend by adding a sentence at the end of Section 506.2.2 to read as follows:

In order to be considered as accessible, if not in direct contact with a street or fire lane, a minimum 10-foot-wide pathway meeting fire department access from the street or *approved fire lane* shall be provided.

(6) *Chapter 7, Fire and Smoke Protection Features.*

(a) *Section 712.1.9.* Amend by deleting Item 4 in the section in its entirety and adding a new Item 4 to Section 712.1.9 to read as follows:

4. Is not open to a corridor in Groups I and H occupancies.

(7) *Chapter 9, Fire-Protection System.*

(a) *Section 903.1.1.* Amend by deleting the section in its entirety and adding a new Section 903.1.1 to read as follows:

Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in addition to automatic sprinkler protection where recognized by the applicable standard, or as approved by the Fire Code Official.

(b) *Section 903.2.* Amend by deleting the section in its entirety and adding a new Section 903.2 to read as follows:

Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces and elevator hoistways. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating "ELEVATOR MACHINERY – NO STORAGE ALLOWED."

(c) *Section 903.2.9.3.* Amend by adding a new Section 903.2.9.3 to read as follows:

Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: One-story, self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

(d) *Section 903.2.11.3.* Amend by deleting the section in its entirety and adding a new Section 903.2.11.3 to read as follows:

Buildings over 35 feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouse in compliance with Section 1509, that is located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access.

Exception: Open parking structures in compliance with Section 406.5.

(e) *Section 903.2.11.7.* Amend by adding a new Section 903.2.11.7 to read as follows:

High-piled combustible storage. For any building with a clear height exceeding 12 feet (4,572 mm), see Chapter 32 of the *International Fire Code* to determine if those provisions apply.

(f) *Section 903.2.11.8.* Amend by adding a new Section 903.2.11.8 to read as follows:

Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

(g) *Section 903.2.11.9.* Amend by adding a new Section 903.2.11.9 to read as follows:

Buildings over 6,000-square feet. An automatic sprinkler system shall be installed throughout all buildings with a building area over 6,000-square feet. For the purpose of this provision, fire walls shall not define separate buildings.

Exception: Open parking garages in compliance with Section 406.5 of the *International Building Code* and aircraft hangars in compliance with Section 412.4 of the *International Building Code*.

(h) *Section 903.3.1.1.1.* Amend by deleting the section in its entirety and adding a new Section 903.3.1.1.1 to read as follows:

Exempt locations. When approved by the Fire Code Official, sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. Any room or space where sprinklers are considered undesirable because of the nature of the contents when approved by the Fire Code Official.

3. Generator and transformer rooms under the direct control of a public utility separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than two hours.

4. Elevator machine rooms, machinery spaces and hoistways.

(i) *Section 903.3.1.3.* Amend by deleting the section in its entirety and adding a new Section 903.3.1.3 to read as follows:

NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one- and two-family dwellings and townhouses shall be installed throughout in accordance with NFPA 13D or in accordance with state law.

(j) *Section 903.3.5.* Amend by adding a second paragraph to Section 903.3.5 to read as follows:

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10-psi safety factor.

(k) *Section 903.4.* Amend by adding a paragraph after the exceptions in Section 903.4 to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(l) *Section 903.4.2.* Amend by adding a second paragraph in Section 903.4.2 to read as follows:

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75-candela strobe rating, installed as close as practicable to the fire department connection.

(m) *Section 905.2.* Amend by deleting the section in its entirety and adding a new Section 905.2 to read as follows:

Installation standards. Standpipe system shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10-psig and a maximum of 40-psig air pressure with a high/low alarm.

(n) *Section 905.3.9.* Amend by adding a new Section 905.3.9 to read as follows:

Building area. In buildings exceeding 10,000-square feet in area per story, Class 1 automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60,960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exception: Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.

(o) *Section 905.4.* Amend by deleting Item 5 in the section in its entirety and adding a new Item 5 to Section 905.4 to read as follows:

Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way hose connection located either on the roof or at the highest landing of stairways with stair access to the roof. An additional hose connection shall be provided at the top of the most hydraulically remote standpipe for testing purposes.

(p) *Section 905.4.* Amend by adding a new Item 7 to Section 905.4 to read as follows:

When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200 feet intervals along major corridors thereafter.

(q) *Section 905.9.* Amend by adding a second paragraph after the exceptions in Section 905.9 to read as follows:

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

(r) *Section 907.1.4.* Amend by adding a new Section 907.1.4 to read as follows:

Design standards. All alarm systems, new or replacement, shall be addressable. Alarm systems serving more than 20 smoke detectors shall be analog addressable.

Exception. Existing systems need to comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30 percent of the building. When cumulative building remodel or expansion exceeds 50 percent of the building, compliance is required within 18 months of permit application.

(s) *Section 907.2.1.* Amend by deleting the section in its entirety and adding a new Section 907.2.1 to read as follows:

Group A. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be

installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy. Activation of the fire alarm notification appliances shall:

1. Cause illumination of the means of egress with light of not less than one-foot candle (11 lux) at the walking surface level; and

2. Stop any conflicting or confusing sounds and visual distractions.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler waterflow.

(t) *Section 907.2.3.* Amend by deleting the first paragraph and Exception 1 in the section in their entirety and adding a new first paragraph and Exceptions 1 and 1.1 to Section 907.2.3 to read as follows:

Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100 feet of open space, all buildings, whether portable buildings or the main building, will be considered for alarm occupancy load consideration and interconnection of alarm systems.

Exceptions:

1. Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.

1.1 Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children, 2-1/2 or less years of age, see Section 907.2.6.)

(u) *Section 907.2.13.* Amend by deleting the first paragraph and Exception 3 in the section in their entirety and adding a new first paragraph and Exception 3 in Section 907.2.13 to read as follows:

High-rise buildings. Buildings having any floor used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Exceptions:

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 when used for open air seating; however, this exception does not apply to accessory uses including, but not limited to, sky boxes, restaurants and similarly enclosed areas.

(v) *Section 907.4.2.* Amend by adding a sentence to the end of the paragraph in Section 907.4.2 to read as follows:

Manual alarm initiating devices shall be an approved double action type.

(w) *Section 907.7.1.1.* Amend by adding a new Section 907.7.1.1 to read as follows:

Installations. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of any other such devices. All initiating circuit conductors shall be Class "A" wired with a minimum of six feet separation between supply and return circuit conductors. IDC – Class "A" Style D; SLC - Class "A" Style 6; NAC – Class "B" Style Y. The IDC from an addressable device used to monitor the status of a suppression system may be wired Class B, Style B provided the distance from the addressable device is within 10-feet of the suppression system device.

(x) *Section 907.7.4.* Amend by adding a new Section 907.7.4 to read as follows:

Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable

device identification. Alarms shall not be permitted to be transmitted as a general alarm or zone condition.

(y) *Section 910.2.* Amend by deleting Exception 2 in the section in its entirety and adding a new Exception 2 to Section 910.2 to read as follows:

Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas. Automatic smoke and heat vents are prohibited.

(z) *Sections 910.2.3 and 910.2.4.* Amend by adding Sections 910.2.3 with exceptions and 910.2.4 to read as follows:

910.2.3. Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000-square feet (1394 m^2) in a single floor area.

Exceptions:

1. Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

910.2.4. Exit access travel distance increase. Buildings and portions thereof used as Group F-1 or S-1 occupancy where the maximum exit access travel distance is increased in accordance with Section 1016.3.

(aa) *Section 910.3.4.* Amend by adding a new Section 910.3.4 to read as follows:

Vent operations. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

(bb) *Section 910.3.4.1.* Amend by adding a new Section 910.3.4.1 to read as follows:

Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operation mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

(cc) *Section 910.3.4.2.* Amend by adding a new Section 910.3.4.2 to read as follows:

Nonsprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and vents shall be designed to operate automatically by actuation of a heat-responsive device rated between 100 degrees F (56 degrees C) and 220 degrees F (122 degrees C) above ambient.

Exception: Listed gravity-operated drop out vents.

(dd) *Section 910.4.3.1.* Amend by deleting the phrase "manual or" from the paragraph in Section 910.4.3.1.

(ee) *Section 910.4.4.* Amend by deleting the section in its entirety and adding a new Section 910.4.4 to read as follows:

Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by approved fire protection system. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.

(ff) *Section 912.2.3.* Amend by adding a new Section 912.2.3 to read as follows:

Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the hose lays.

(gg) *Section 913.2.1.* Amend by adding a second paragraph and exception to Section 913.2.1 to read as follows:

When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than three feet in width and six feet eight inches in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the Fire Code Official. Access keys shall be provided in the key box as required by Section 506.1.

(8) *Chapter 10, Means of Egress.*

(a) *Section 1009.1.* Amend by adding Exception 4 in Section 1009.1 to read as follows:

Buildings regulated under State law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of Section 1009.

(b) *Section 1010.1.9.3.* Amend by adding Condition 3.1 in Section 1010.1.9.3 to read as follows:

Where egress doors are used in pairs and positive latching is required, approved automatic flush bolts shall be permitted to be used, provided that both leaves achieve positive latching regardless of the closing sequence and the door leaf having the automatic flush bolts has no doorknobs or surface mounted hardware.

(c) *Section 1010.1.9.4.* Amend by deleting Exceptions 3 and 4 in the section in their entirety and adding new Exceptions 3 and 4 in Section 1010.1.9.4 to read as follows:

3. Where a pair of doors serves an occupant load of less than 50 persons in a Groups B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

4. Where a pair of doors serves a Groups B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress width requirements and the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The inactive leaf shall contain no doorknobs, panic bars or similar operating hardware.

(9) Chapter 11, Accessibility.

(a) *Section 1101.2.* Amend by adding an exception to Section 1101.2 to read as follows:

> *Exception:* Buildings regulated under State law and built in accordance with State registered plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this Chapter.

(10) *Chapter 15, Roof Assemblies and Rooftop Structures.*

(a) *Table 1505.1.* Amend by deleting Footnotes "b" and "c" in the table in their entirety and adding a new Footnote "b" to Table 1505.1 to read as follows:

> Non-classified roof coverings shall be permitted on one-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120-square feet. When exceeding 120-square feet of floor area, buildings on U occupancies may use non-rated, non-combustible roof coverings.

(b) *Section 1505.7.* Amend by deleting Section 1505.7 in its entirety.

(c) *Section 1510.1.* Amend by deleting the section in its entirety and adding a new Section 1510.1 to read as follows:

> *General.* Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the requirements of Chapter 15. All individual replacement shingles or shakes shall be in compliance with the ratings required by Table 1505.1.
>
> > *Exception:* Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 unit's horizontal (two-percent slope) in Section 1507 for roofs that provide positive roof drainage.

(11) *Chapter 29, Plumbing Systems.*

(a) *Section 2901.1.* Amend by adding a sentence at the end of Section 2901.1 to read as follows:

> The provisions of this chapter are meant to work in coordination with the provisions of Chapter 4 of the *International Plumbing Code*. Should any conflicts arise between the two chapters, the Building Official shall determine which provision applies.

(12) *Chapter 30, Elevators and Conveying Systems.*

(a) *Section 3006.4.* Amend by adding a sentence to the end of Section 3006.4 to read as follows:

> Storage shall not be allowed within the elevator machine room. Provide approved signage at each entry door to the elevator machine room stating "*Elevator Machinery – No Storage Allowed.*"

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. That all chapters, sections and subsections amended by this ordinance are intended to amend the specified corresponding chapters, sections and subsections of the *International Building Code,* 2015 Edition, even though applicable intervening articles and divisions or similar subparts may not be set out in this ordinance.

SECTION 5. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand ($2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 6. That this ordinance shall take effect on and after May 15, 2017.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of April, 2017.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:

B. J. Smith
City Attorney