

AN ORDINANCE **2009-10-01-0777D**

**AMENDING CHAPTER 6, BUILDINGS, ARTICLE III, BUILDING CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING THE 2009 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE; PROVIDING FOR LOCAL AMENDMENTS TO SAID CODE; PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the Department of Planning and Development Services currently enforces the 2006 edition of the *International Existing Building Code* published by the International Code Council and the local amendments thereto; and

**WHEREAS**, the 2009 edition of the *International Existing Building Code* (IEBC) has been published; and

**WHEREAS**, the Building and Fire Codes Board of Appeals and city staff have conducted public meetings regarding the adoption of the 2009 IEBC and amendments thereto; and

**WHEREAS**, the Building and Fire Codes Board of Appeals and the Department of Planning and Development Services recommend approval and adoption of the 2009 IEBC and local amendments; and

**WHEREAS**, all prerequisites required by state statute and City Charter for adoption of this code and its amendments have been satisfied; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The 2009 *International Existing Building Code* (IEBC), chapters 1 through 15, is hereby adopted to replace the 2006 edition and is incorporated herein as fully as if set out at length. Chapter 6 of the City Code of San Antonio, Texas is amended by adding the following underlined (added) language and deleting the stricken (deleted) language:

**Sec. 6-40. Adoption of the International Existing Building Code**

- (a) The 2009 ~~2006~~ edition of the International Existing Building Code is hereby adopted to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition and relocation of existing buildings.

- (b) Any violation of the International Existing Building Code adopted in subsection (a) shall be an offense punishable in accordance with the provisions of this code.

**SECTION 2.** Section 6-41 entitled “Local Amendments to the IEBC” of the City Code of San Antonio, Texas, is hereby repealed and replaced with a new Section 6-41 entitled “Local Amendments to the IEBC.” Changes are delineated by adding the underlined (added) language and deleting the stricken (~~deleted~~) language as follows:

**Sec. 6-41. Local Amendments to the 2009 IEBC**

*Section 101.1, Title, of the IEBC is amended by adding the name of the jurisdiction as follows:*

**101.1 Title.** These provisions shall be known as the *Existing Building Code* of the City of San Antonio, Texas, [NAME OF JURISDICTION] and shall be cited as such and will be referred to herein as “this code.”

*SECTION 103, DEPARTMENT OF BUILDING SAFETY, and Section 103.1, Creation of enforcement agency, of the IEBC is amended as follows:*

**SECTION 103**  
**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT [DEPARTMENT OF BUILDING SAFETY]**

**103.1 Enforcement agency.** ~~[Creation of enforcement]~~ The Planning and Development Services Department [Department of Building Safety is hereby created] shall be the enforcement agency for the *International Existing Building Code*, and the Director [official in charge] thereof shall be known as the building official and code official.

*Section 104.6 and SECTIONS 105 through 114 of the IECC are repealed in their entirety and replace with new Section 104.6 and SECTIONS 105 through 114 to read as follows:*

**104.6 Right of entry.** Comply with Section 104.6 of the 2009 *International Building Code* and local amendments.

**SECTION 105**  
**PERMITS**

Comply with SECTION 105, PERMITS, of the 2009 *International Building Code* and local amendments.

**SECTION 106**  
**CONSTRUCTION DOCUMENTS.**

Comply with SECTION 107, SUBMITTAL DOCUMENTS, of the 2009 *International Building Code* and local amendments.

**SECTION 107**  
**TEMPORARY STRUCTURES AND USES**

Comply with SECTION 108, TEMPORARY STRUCTURES AND USES, of the 2009 *International Building Code* and local amendments.

**SECTION 108**  
**FEES**

Comply with SECTION 109, FEES, of the 2009 *International Building Code* and local amendments.

**SECTION 109**  
**INSPECTIONS**

Comply with SECTION 110, INSPECTIONS, of the 2009 *International Building Code* and local amendments.

**SECTION 110**  
**CERTIFICATE OF OCCUPANCY**

Comply with SECTION 111, CERTIFICATE OF OCCUPANCY, of the 2009 *International Building Code* and local amendments.

**SECTION 111**  
**SERVICE UTILITIES**

Comply with SECTION 112, SERVICE UTILITIES, of the 2009 *International Building Code* and local amendments.

**SECTION 112**  
**BOARD OF APPEALS**

Comply with SECTION 113, BOARD OF APPEALS, of the 2009 *International Building Code* and local amendments.

**SECTION 113**  
**VIOLATIONS**

Comply with SECTION 114, VIOLATIONS, of the 2009 *International Building Code* and local amendments.

**SECTION 114**  
**STOP WORK ORDER**

Comply with SECTION 115, STOP WORK ORDER, of the 2009 *International Building Code* and local amendments.

*[B] SECTION 310, ACCESSIBILITY FOR EXISTING BUILDINGS, SECTION 605, ACCESSIBILITY, SECTION 706, ACCESSIBILITY, SECTION 806, ACCESSIBILITY, SECTION 906 ACCESSIBILITY, Section 912.8, Accessibility, SECTION 1005, ACCESSIBILITY, SECTION 1104, ALTERATIONS, and Section [B] 1301.2.5, Accessibility requirements, are repealed in their entirety.*

*Section 101.9 entitled "Accessibility" is hereby added to the IEBC as follows:*

**101.9 Accessibility.** All buildings or portions of buildings must comply with the accessibility standards adopted by the state. Projects shall be submitted to the Texas Department of Licensing and Regulation for review, inspection and approval in accordance with state law.

**Secs. 6-42 – 6-50. Reserved.**

**SECTION 3.** All previous provisions of the 2006 *International Existing Building Code* with local amendments as previously adopted shall remain in full force and effect during the period for which they were enacted. Three (3) copies of the 2009 *International Existing Building Code* with local amendments have been filed in the office of the city clerk for permanent record and inspection pursuant to section 17 of the City Charter.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 5.** There is no financial impact as a result of the passage of this ordinance.

**SECTION 6.** No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

**SECTION 7.** The City Clerk for the City of San Antonio is hereby directed to publish notice of this ordinance in a newspaper published in the City of San Antonio, Texas, as required by Article 2, Section 17 of the City Charter of the City of San Antonio.

**SECTION 8.** The publishers of the City Code of San Antonio are authorized to amend said Code to reflect the changes adopted herein. to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 9.** This ordinance shall become effective on the 1<sup>st</sup> day of January, 2010.

**PASSED AND APPROVED** this 1<sup>st</sup> day of October, 2009.



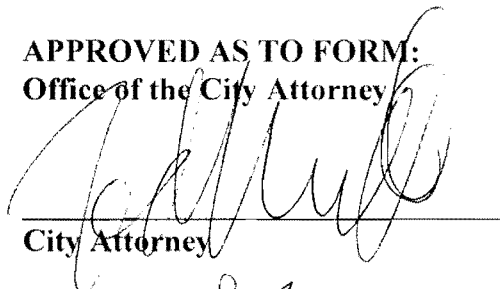
M A Y O R  
JULIÁN CASTRO

ATTEST:



City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney



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City Attorney

