



INTERNATIONAL EXISTING BUILDING CODE ORDINANCE NO. 1039

AN ORDINANCE OF THE CITY OF CIBOLO AMENDING CHAPTER 14 OF THE CITY'S CODE OF ORDINANCES; ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE*, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, IN THE CITY OF CIBOLO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND REGULATIONS IN CONFLICT AND THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES OF THE CITY NOT IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, the City of Cibolo is a Home Rule Municipality located in Guadalupe County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to its adopted City Charter and all applicable laws and enabling legislation of the State of Texas; and

WHEREAS, the City of Cibolo is governed by a Home Rule Charter that was approved by the Citizens of Cibolo in a duly called election held on September 11, 2004; and

WHEREAS, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Cibolo to enforce each rule, ordinance, or police regulation of the City of Cibolo and to punish a violation of a rule, ordinance, or police regulation; and

WHEREAS, the City of Cibolo, Texas seeks to protect the health, safety, and welfare of the citizens of the City of Cibolo; and

WHEREAS, the City of Cibolo, Texas seeks to regulate and govern the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the City of Cibolo, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Cibolo.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CIBOLO DOES HEREBY AMEND THE CITY'S CODE OF ORDINANCES AS FOLLOWS:

Section 1. Code Amendment

That the Cibolo Code of Ordinances Section 14-2(a)(9) is hereby amended to read as follows:

(1) That a certain document, two (2) copies of which are on file in the office of the Building Official of Cibolo, being marked and designated as the *International Existing Building Code, 2012* edition, including Appendix Chapters A, B, C and Appendix Chapters Resource A as a guideline, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Cibolo, in the State of Texas for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the Building Official of Cibolo are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in (a), (b), (c), (d), (e), (f) and (g) of this ordinance.

(a) That the following sections and/or sub-sections are hereby revised to read as follows:

101.1. Title. These regulations shall be known as the *Existing Building Code* of Cibolo, hereinafter referred to as "this code."

105.2 is amended as follows:

105.2 Work exempt from permit. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building: Is amended by deleting item number 1 from the exemptions.

112.1 General is hereby deleted and referred to Chapter 14 section 14-3 of the City of Cibolo's Code of Ordinances.

1401.2 Applicability. Structures existing prior to the effective date of this ordinance, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or provisions of Chapters 5 through 13. The provisions of Section 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I.

(b) That all references to the *ICC Electrical Code* are deleted and shall reference the current adopted version of the National Electric Code (NEC) NFPA 70.

(c) That all references to the International Plumbing Code and International Fuel Gas Code are deleted and shall reference the current adopted Uniform Plumbing Code.

(d) That all references to the International Mechanical Code are deleted and shall reference the current adopted Uniform Mechanical Code.

(e) That all piping, ducting and similar penetrations through walls, floors and ceilings shall be sealed to prevent entry of rodents and insects.

(f) That all water service and supply lines crossing under sidewalks or driveways shall be enclosed within a sleeve two pipe sizes greater than the pipe passing through, so as to

allow removal and replacement, and shall be at a minimum depth of 12 inches (305 mm) below finish grade unless otherwise required by the code official.

(g) The use of streets, alleys and public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with the provisions of the authority having jurisdiction and this section.

Construction materials and equipment shall not be placed or stored so as to obstruct any street, alley, public right-of-way, access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1 m) of a street intersection, or placed so as to obstruct normal observations of traffic signals or obstruct the view of traffic.

Construction materials, trash, garbage, rubbish, and debris shall be secured or contained in approved covered containers so as to prevent such items from leaving the property, lot or construction site. Uncovered containers may be approved in writing at the discretion of the code official. Construction sites shall be kept neat, clean and orderly and free of hazards.

(h) Trenching and excavating. Underground utilities shall be located and marked before trenching or excavating. It shall be a violation of this ordinance to trench or excavate without properly making request for utility locates, and for damaging utilities that have been properly located. Requests shall be made using nationally recognized locating guidelines and procedures.

Section 2. Cumulative.

That this ordinance shall be cumulative of all provisions of the City of Cibolo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 3. Severability

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. Continuation of Existing Regulations.

That nothing in this ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. Effective Date.

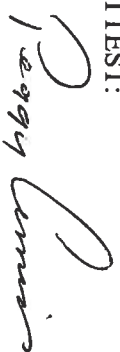
That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council of the City of Cibolo, Texas.

PASSED AND APPROVED on this the 8 day of Jan, 2013

APPROVED:

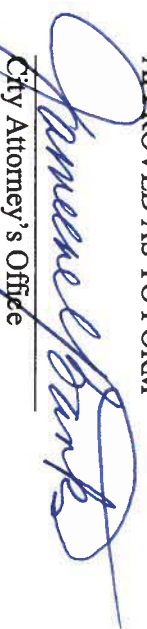

Jennifer Hartman, Mayor

ATTEST:


Peggy Cimics, City Secretary



APPROVED AS TO FORM


City Attorney's Office