

## BUILDING CODES APPEALS BOARD

Notice is hereby given of a meeting of the Building Codes Appeals Board to be held on January 15, 2013, at 6:00 P.M. at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding items of business according to the agenda listed below:

1. Call to order
2. Consider approval of minutes from the November 13, 2012 meeting
3. Public Comments (Limited to five minutes per person)
4. Review, discuss and consider a recommendation to City Council to adopt the 2012 Code Editions with local amendments (Residential, Building, Plumbing, Energy & Mechanical)
5. Administrative Reports
6. Board Comments on matters appearing on agenda or inquiry of staff regarding specific factual information of existing policy
7. Establish next meeting date, time and topics
8. Adjourn

*A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by Council as a governing body.*

*In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.*

### CERTIFICATION

I certify that a copy of the January 15, 2013 agenda of items to be considered by the City of La Porte Building Codes Appeals Board was posted on the City Hall bulletin board on the 8th day of

January, 2013.

Maria Peña

Title: Office Coordinator

Out of consideration for all attendees of the meeting, please turn off all cell phones and pagers, or place on inaudible signal. Thank you for your consideration.

# MINUTES

## **Building Codes Appeals Board**

### **Minutes of November 13, 2012**

Members Present: Tom Campbell, Ken Schlather, Paul Larson, J. P. Jackson, Mark Follis and Lindsay Pfeiffer

Members Absent: Terry Bunch

City Staff Present: Mark Huber, Deputy Building Official and Vickie Tschappatt, Community Service Technician

Others Present: Rick Lord, John Mata and Malladi Reddy

**1. CALL TO ORDER**

Meeting called to order at 6:00 P.M. by Chairman Tom Campbell.

**2. ADMINISTER OATHS OF OFFICE TO RE-APPOINTED BOARD MEMBER MARK FOLLIS (POSITION 7) AND NEWLY APPOINTED BOARD MEMBER LINDSAY PFEIFFER (POSITION 4)**

Vickie Tschappatt administered oaths of office to Mark Follis and Lindsay Pfeiffer.

**3. CONSIDER APPROVING MINUTES FROM THE SEPTEMBER 11, 2012 MEETING**

Motion to approve the September 11, 2012 minutes, as written, was made by Ken Schlather. Second by J. P. Jackson. Mr. Pfeiffer abstained since he was not present at that meeting. Motion passed.

**4. PUBLIC COMMENTS (LIMITED TO FIVE MINUTES PER PERSON)**

Rick Lord of the State Board of Plumbing Examiners advised the Board that he thought Staff had done a good job of assisting the Board by doing a preliminary review of the codes and providing written comments for the Board's consideration.

John Mata of the International Association of Plumbing and Mechanical Officials (IAPMO) advised the Board his organization planned to again provide the City with complimentary copies of the Uniform Plumbing and Mechanical Code books. A refund of the book costs is currently in process. He spoke in support of the staff's code review comments.

Malladi Reddy of the Lakes at Fairmont Green asked the Board to assist him in the development of the subdivision section north of Wharton Weems Blvd. Mr. Campbell referred Mr. Reddy to the City Planner, Masood Malik.

**5. REVIEW, DISCUSS AND CONSIDER A RECOMMENDATION TO CITY COUNCIL TO ADOPT THE 2012 CODE EDITIONS WITH LOCAL AMENDMENTS (RESIDENTIAL, BUILDING, PLUMBING, ENERGY & MECHANICAL); TABLED AT THE SEPTEMBER 11, 2012 MEETING**

Motion by Mr. Schlather to recommend City Council adopt the 2012 codes with local amendments as presented in the packet. Second by Mr. Pfeiffer. Voting in favor of the motion were Mr. Jackson, Mr. Schlather and Mr. Campbell. Mr. Follis and Paul Larson voted in opposition and Mr. Pfeiffer abstained. Motion failed.

New motion by Mr. Follis to table this item until the next meeting. This would allow the Board more time to review the code books and staff comments. Second by Mr. Larson. Voting in favor were Mr. Follis, Mr. Larson and Mr. Pfeiffer. Voting against the motion were Mr. Jackson, Mr. Schlather and Mr. Campbell. Motion failed.

**6. ADMINISTRATIVE REPORTS**

Mark Huber provided the Board with a report on building activity.

**7. BOARD COMMENTS ON MATTERS APPEARING ON AGENDA OR INQUIRY OF STAFF REGARDING SPECIFIC FACTUAL INFORMATION OF EXISTING POLICY**

There was some Board comments regarding the codes.

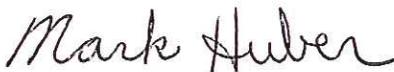
**8. ESTABLISH NEXT MEETING DATE, TIME AND TOPICS**

Motion by Mr. Larson, next meeting date to be January 15, 2013 at 6:00 p.m. and topic will be the codes. Second by Mr. Schlather. Motion passed unanimously.

**9. ADJOURN**

A motion to adjourn was made by Mr. Pfeiffer with a second by Mr. Follis. Motion passed unanimously. Meeting adjourned at 7:15 p.m.

Respectfully submitted,



Mark Huber  
Deputy Building Official

STAFF CODE REVIEW  
COMMENTS – 2012 EDITION

**REVIEWCOMMENTS, 2012 EDITION**

The following review comments do not include all of the city’s local amendments. If an existing amendment was not affected by the respective code book, it was not referenced for review.

*Note: The National Electrical Code (NEC) is NOT part of this review. Its adoption is under Sect. #82-336 and code editions are reviewed separately. Ordinance #3388, adopting the 2011 Ed. of the NEC was passed by Council on 10-24-11 and was effective 12-01-11.*

For your convenience, amendments that have a proposed change are highlighted in yellow.

Also, for your convenience, the code book titles are now highlighted in green.

**Residential Code Amendments.**

Section R105.2 *Work Exempt from Permit.* **Plumbing:** The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets. provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**Add missing title and delete language as shown - eliminates requirement of plumbing permit & inspections for simple faucet, tub, water closet replacements.**

Table R301.2(1) *Climatic and Geographic Design Criteria.* Establishment of criteria in accordance with table shown.

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY "f"	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP "e"	ICE BARRIER UNDERLAYMENT REQUIRED "h"	FLOOD HAZARDS "g"	AIR FREEZING INDEX "i"	MEAN ANNUAL TEMP "j"
	Speed "d" (mph)	Topographic effects "k"		Weathering "a"	Frost Line Depth "b"	Termite "c"					
0	120	No	A	N	12"	VH	32°	No	4-9-87 11-6-96 6-18-07	1500 or less	67°

**Correct typos in Code of ordinances – change front to “Frost” and index “l” to index “i”.**  
**No other changes to table.**

Section R301.2.1.2 *Protection of Openings*. Exterior glazing, in new or building additions, located in windborne debris regions shall be protected from windborne debris. Glazed opening protection for windborne debris shall meet the requirements of the Large Missile Test of ASTM E 1996 and ASTM E 1886 referenced therein. The applicable wind zones for establishing missile types in ASTM E 1996 are shown on Figure R301.2(4)C. Garage door glazed opening protection for windborne debris shall meet the requirements of an approved impact-resisting standard or ANSI/DASMA 115. Exception remains unchanged.

**Amendment clarifies requirement is for new and building additions rather than all structures.**

Part VIII, *Electrical Chapters 34-43 (E3401 thru ~~E4209~~ E4304.5)* are deleted in their entirety. **Amendment deletes Chapter 43 along with existing electrical chapter deletions.**

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**Building Code Amendments.**

Section 419 *Live/Work Units*. Deletion of entire section (Sections 419.1 thru 419.8 ~~419.9~~). **Amend existing local amendment to reflect additional section number.**

*Chapter 16, Figure ~~1609~~ 1609B, Basic Ultimate Design Wind Speed (3-Second Gust)*. Basic Wind speed for the City shall be 120 mph.

**Amend existing local amendment to reflect figure number and language change.**

*Section 27 Electrical*. Chapter (Sections 2701 thru ~~2702~~ ~~2702.3~~) is deleted in its entirety.

**Amend existing local amendment to reflect additional section number.**

*Section 28 Mechanical Systems*. Chapter (Section 2801) is deleted in its entirety.

**New deletion since City utilizes Uniform Mechanical Code.**

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**Plumbing Code Amendments.**

*Section 102.3 Board of Appeal.* Deletion of Sections 102.3 and 102.3.1 in their entirety.  
**Delete code reference since city has separate Board of Appeal ordinance.**

*Section 103.1 General.* The Inspection Services Division of the City's Planning Department shall enforce the plumbing code(s) of the city. The Chief Building Official shall be known as the code official.  
**Delete existing local amendment - code section/comments were an International code reference; city now utilizes Uniform Plumbing Code.**

*Section 103.1.1 (2) Exempt Work.* The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures. provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.  
**Amend code language to allow typical maintenance without the need for a city permit and inspection.**

*Section 103.4 Fees.* Fees shall be assessed in accordance with Appendix A of the City's Code of Ordinances. the provisions of this section and as set forth in the fee schedule Table 103.4. The fees are to be determined and adopted by this jurisdiction.  
**Amend code language to recognize usage of existing city fee schedule in Appendix A.**

*Section 103.4.1 Plan Review Fees.* Delete section in its entirety.  
**Delete code language since city does not charge plumbing plan review fee.**

*Section 103.4.4 Fee Refunds.* Deletion of Sections 103.4.4 thru 103.4.4.2 in their entirety.  
**Delete code language since city has existing fee refund policy.**

*Section 106.6.3 Fee Refunds, No. 2 (Permit Fee).* Not more than fifty percent (50%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.  
**Delete existing local amendment - code section/comments were an International code reference; city now utilizes Uniform Plumbing Code.**

*Section 106.6.3 Fee Refunds, No. 3 (Plan Review) is deleted.*  
**Delete existing local amendment - code section/comments were an International code reference; city now utilizes Uniform Plumbing Code.**

~~Section 109 Means of Appeal. Deletion of entire section (Sections 109.1 thru 109.7), Chapter 4, Plumbing Fixtures and Fixture Fittings. Table 4-1 "Minimum Plumbing Facilities" is deleted in its entirety.~~

Delete existing local amendment - code section/comments were an International code reference; city now utilizes Uniform Plumbing Code.

~~Appendix A Plumbing Permit Fee Schedule. Deleted.~~

Delete existing local amendment - code section/comments were an International code reference; city now utilizes Uniform Plumbing Code.

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**Article V. Fuel Gas Code.**

**Sec. 82-381. Adoption.**

~~(a) Except as provided in this article, the International Fuel Gas Code, 2006 edition, published by the International Code Council, as amended in Section 82-382 of this article or addressed by the mechanical regulations of the International Residential Code, 2006 edition, as adopted by Section 82-31 of this chapter, is adopted and incorporated as fully as if set forth at length in this section and the provisions therein shall be controlling in the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of buildings and structures within the city limits. One copy of the building codes is on file in the office of the city secretary.~~

~~(b) If a section of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.~~

~~(c) Any person who shall violate any provision of the standards adopted or established in this article shall upon conviction be punished as provided in Appendix B.~~

~~(d) Fees shall be in accordance with Appendix A of the city's Code of Ordinances.~~

**Sec. 82-382. Amendments.**

~~The mechanical code adopted in Section 82-381 of this article shall be amended to read as follows:~~

~~Section 101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of La Porte, hereinafter referred to as "this code".~~

~~Section 103.1 General. The City's Inspection Services Division shall serve as the Department of Inspection. The Chief Building Official thereof shall be known shall be known as the code official.~~

~~Section 106.5.3 Fee Refunds, No. 2 (Permit Fee) — Not more than fifty percent (50%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~

~~Section 106.5.3 Fee Refunds, No. 3 (Plan Review) is deleted.~~

~~Section 109 Means of Appeal. Deletion of entire section (Sections 109.1 thru 109.7).~~

**Delete existing code of ordinances article, code book reference and local amendments on International fuel gas code; city now utilizes Uniform Plumbing Code.**

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**Energy Conservation Code Amendments.**

**Section C101.1 Title.** This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as "this Code". **Amend section number since code book now separates commercial and residential.**

**Section C104.1 General.** Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3<sup>rd</sup> Party). ~~The building shall have a final inspection and not be occupied until approved.~~ **Amend section number plus delete last line in existing local amendment. Final inspection is now addressed in code Section 104.3 (Final Inspection) that utilizes the same language.**

**Sections C104.2 4 thru C104.8.1. - Sections are deleted in their entirety. Amend section numbers.**

*Section R101.1 Title.* This code shall be known as the International Energy Conservation Code of the City of La Porte, and shall be cited as such. It is referred to herein as “this Code”.  
**Add local amendment to reference separated commercial and residential sections.**

*Section R104.1 General.* Construction or work for which a permit is required shall be subject to all required inspections. Inspections shall be performed by a certified and/or licensed party (i.e. 3<sup>rd</sup> Party).  
**Add local amendment to reference separated commercial and residential sections.**

*Sections R104.4 thru R104.8.1.* - Sections are deleted in their entirety.  
**Add local amendment to reference separated commercial and residential sections.**

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**Mechanical Code Amendments.**

*Section 103.1 General.* The City’s Inspection Division shall serve as the Department of Inspection. The Chief Building Official thereof shall be known as the code official.

*Section 106.5.3 Fee Refunds, No. 2 (Permit Fee)*— Not more than fifty percent (50%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

*Section 106.5.3 Fee Refunds, No. 3 (Plan Review)* is deleted.

*Section 109 Means of Appeal.* Deletion of entire section (Sections 109.1 thru 109.7)  
**Delete four (4) existing local International code amendments since city now utilizes Uniform Code.**

*Section 108.0 Board of Appeals.* Delete entire section (Sections 108.1 thru 108.2).  
**New deletion of Uniform Code section since city has separate Board of Appeal ordinance.**

*Section 114.1 General.* Fees shall be assessed in accordance with Appendix A of the City’s Code of Ordinances. ~~the provisions of this section and as set forth in the fee schedule, Table 114.1. The fees are to be determined and adopted by this jurisdiction.~~  
**Amend code language to recognize usage of existing city fee schedule in Appendix A.**

*Section 114.2 Permit Fees.* The fee for each permit shall be in accordance with Appendix A of the City's Code of Ordinances. ~~as set forth in Table 114.1.~~

**Amend code language to recognize usage of existing city fee schedule in Appendix A.**

*Section 114.3 Plan Review Fees.* ~~Delete section in its entirety.~~

**Delete code language since city does not charge plumbing plan review fee.**

*Section 114.5 Investigative Fees – Work Without a Permit.* ~~Delete Section 114.5 thru 114.5.1 in their entirety.~~

**Delete code language since city does not charge an investigative fee.**

*Section 114.6 Fee Refunds.* ~~Delete Section 114.6 thru 114.6.3 in their entirety.~~

**Delete code language since city has an existing fee refund policy.**

*12-27-12 Summary Change: Clarification on past NEC adoption added and code book titles now highlighted in green.*