

ORDINANCE NO. 2025-03-20

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS REPEALING THE INTERNATIONAL EXISTING BUILDING CODE (2015 EDITION) AND ADOPTING THE INTERNATIONAL EXISTING BUILDING CODE (2021 EDITION) WITH LOCAL AMENDMENTS; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000). PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE (WITH AN EXCEPTION FOR PENDING PROSECUTIONS); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has previously adopted the 2015 International Existing Building Code; and

WHEREAS, the City Council of the City of Lancaster, Texas, has determined that it is in the best interest of the city to update the city's Existing Building Code by adopting the 2021 edition of the International Existing Building Code, with the recommended amendments of the North Central Texas Council of governments and city amendments.

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

**SECTION 1.** That Sections 10.04.351 and 10.04.352, of Section 6.04. "Existing Building Code," of the Lancaster Code of Ordinances be, and the same are, hereby repealed in their entirety (subject to pending prosecutions as noted in Section 2, *infra*) and replaced in their entirety with the International Existing Building Code, 2021 Edition, as amended, which shall read as follows:

**§ 6.04.351 Adoption.**

A certain document, a copy of which is on file in the office of the City Secretary of the City, being marked and designated as the International Existing Building Code, 2021 edition, including appendix, as published by the International Code Council, (and as further amended) be and is hereby adopted as the Existing Building Code of the City. Each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the City are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, adopted by the City.

**§ 6.04.352 Exceptions and amendments.**

The existing building code adopted in this article shall be subject to the exceptions and amendments to the International Existing Building Code, 2021 edition, as follows:

The following sections, paragraphs, and sentences of the 2021 *International Existing Building Code* are hereby amended as follows: Standard type is text from the IEBC. Underlined type is text inserted. ~~Lined through type is deleted text from IEBC.~~ A triple asterisk (\*\*\*) identifies a new or revised amendment with the 2021 code.

[REDACTED]

**\*\*Section 101.1 Title, is amended as follows:**

**101.1 Title.**

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

**\*\*Section 102.4; change to read as follows:**

**[A] 102.4 Referenced codes and standards.** The codes, when specifically adopted, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. {No change to rest of section.}

**\*\*Section 103.1 Creation of agency., is amended as follows:**

**103.1 Creation of agency.**

The Building Inspections Department is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

**\*\*\*Section 110.2; delete number 11 as follows:**

~~11. Where an automatic sprinkler system is provided, and whether an automatic sprinkler system is required.~~

**\*\*Section 112 Means of Appeal, is deleted in its entirety and replaced with the following:**

Any appeal of orders, decisions or determinations made by the code official relative to the application and interpretation of this code shall be heard by the City's Property Standards and Appeals Board as provided for by the City's Code of Ordinances.

**\*\*Section 113 Violations, is amended by replacing Section 114.2 and 114.3 with the following:**

**113.2 Notice of Violation.**

The *code official* may, but is not required to, serve a notice of violation or order upon the person responsible for the erection, construction, *alteration*, extension, *repair*, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificated issued under the provisions of this code. Such notice may direct the discontinuance of the illegal action or condition an the abatement of the violation.

**113.3 Prosecution of violation.**

The *code official*, any code enforcement officer, or any law enforcement official of the City may issue a citation regarding any violation of this code, regardless of whether a notice has been previously issued. Any of these persons may also request the legal counsel of the jurisdiction to institute an appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**\*\*\*Section 202; amend definition of Existing Building as follows:**

**Existing Building** - A building, structure, or space with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use, erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

**\*\*\*Section 202; amend definition of Existing Structure as follows:**

**Existing Structure**- A building, structure, or space, with an approved final inspection issued under a code edition which is at least 2 published code editions preceding the currently adopted building code; a building, structure or space that is undergoing a change of occupancy or use, erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

**\*\*\*Section 306.1; add exceptions to read as follows:**

**Exceptions:**

1. Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.
2. If the cost of the project is less than \$50K, it must comply with ICC A117.1, or it shall be reviewed and inspected to the Texas Accessibility Standards by a Registered Accessibility Specialist.

**\*\*\*Section 306.2; add exception to read as follows:**

**Exception:** Projects subject to the Texas Accessibility Standards as adopted by the Texas Department of Licensing and Regulation are exempt from this section. Projects with a valuation of less than \$50,000.00 (which are subject to the Texas Accessibility Standards) may be accepted as equivalent to this section where reviewed and inspected to the Texas Accessibility Standards by a Texas Department of Licensing and Regulation Registered Accessibility Specialist when a plan review report and a compliant inspection report are provided to the building code official.

**\*\*\*Section 306.5.1; add to read as follows:**

**306.5.1 Complete change of occupancy.** Where an entire building undergoes a *change of occupancy*, it shall comply with Section 305.4.1 and shall have all of the following accessible features:

1. Not fewer than one accessible building entrance.
2. Not fewer than one accessible route from an accessible building entrance to *primary function areas*.
3. Signage complying with Section 1111 of the *International Building Code*.
4. Accessible parking, where parking is being provided.
5. Not fewer than one accessible passenger loading zone, where loading zones are provided.
6. Not fewer than one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. At least one accessible family or assisted use toilet room shall be provided in accordance with Chapter 11 of the *International Building Code*.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, Items 1 through 6 shall conform to the requirements to the maximum extent technically feasible.

**Exception:** The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.

**\*\*Section 401.3 Flood Hazard Areas; delete this section.**

**\*\*Section 405.2.6 Flood Hazard Areas; delete this section.**

**\*\*Section 406.1; add a code reference to read as follows:**

**406.1 Material.** Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

**\*\*Section 502.3 Flood Hazard Areas; delete this section.**

**\*\*\*Section 503.2 Flood hazard areas; delete this section.**

**\*\*\*Section 503.16; add exception to read as follows:**

**Exception:** Compliance with the Texas Accessibility Standards is not considered equivalent compliance for the purpose of enforcement of this code section.

**\*\*Section 504.1.2; change to read as follows:**

**504.1.2 Existing fire escapes.** Existing fire escapes shall continue to be accepted as a component in the means of egress in existing buildings only. Existing fire escapes shall be permitted to be repaired or replaced.

**\*\*Section 504.1.3; delete this section:**

~~**504.1.3 New fire escapes.** New fire escapes for existing buildings shall be permitted only where exterior stairways cannot be utilized due to lot lines limiting stairway size or due to the sidewalks, alleys, or roads at grade level. New fire escapes shall not incorporate ladders or access by windows.~~

**\*\*Section 507.3 Flood Hazard Areas; delete this section.**

**\*\*Section 701.3 Flood Hazard Areas; delete this section.**

**\*\*\*Section 702.4; add exception 2 to read as follows:**

2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F2090.

**\*\*Section 702.7; add a code reference to read as follows:**

**702.7 Materials and methods.** All new work shall comply with the materials and methods requirements in the International Building Code, International Energy Conservation Code, International Mechanical Code, National Electrical Code, and International Plumbing Code, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

**\*\*Section 802.5.1; change to read as follows:**

**802.5.1 Minimum requirement.** Every portion of a floor, such as a balcony or a loading dock, open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps, and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

**\*\*Section 803.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls capable of resisting the passage of smoke containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

**\*\*Section 803.2.6; change exception to read as follows:**

**Exception:** Supervision is not required where the Fire Code does not require such for new construction, for the following:

1. Underground gate valve with roadway boxes.
2. Halogenated extinguishing systems.
3. Carbon dioxide extinguishing systems.
4. Dry and wet chemical extinguishing systems.
5. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.

**\*\*Section 803.3; change section to read as follows:**

**803.3 Standpipes.** Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.  
{Delete rest of Section 803.3.}

**\*\*Section 804.2; delete Exception #1 as follows:**

**Exceptions:** ~~1. Where the work area and the means of egress serving it complies with NFPA101.~~  
~~2. [Remain unchanged]~~

**\*\*Section 804.4.1.2; change to read as follows:**

**804.4.1.2 Fire Escapes required.** For other than Group I-2, where more than one exit is required, an existing ~~or newly constructed~~ fire escape complying with section 805.3.1.2.1 shall be accepted as providing one of the required means of egress.

**\*\*Section 804.4.1.2.1; change to read as follows:**

**804.4.1.2.1 Fire Escape access and details - ...**

1. [Remain unchanged]
2. Access to a ~~new~~ fire escape shall be through a door...
3. ~~Newly constructed fire escapes shall be permitted only where exterior stairways cannot be utilized because of lot lines limiting the stairway size or because of the sidewalks, alleys, or roads at grade level.~~
4. [Remain unchanged]
5. In all buildings of Group E occupancy up to and including the 12<sup>th</sup> grade, buildings of Group I occupancy, ~~rooming boarding~~ houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

**\*\*Section 804.6.2 Transoms; add language to read as follows:**

**804.6.2 Transoms.** In all buildings of Group B, E, I-1, I-2, R-1 and R-2 occupancies, ....[Remainder unchanged]

**\*\*Section 904.1; add sentence to read as follows:**

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the work area shall be extended to include at least the entire tenant space or spaces bounded by walls containing the subject work area, and if the work area includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

**\*\*Section 904.1.1; change to read as follows:**

**904.1.1 High-rise buildings.** An automatic sprinkler system shall be provided in work areas of where the high-rise buildings. ~~has a sufficient municipal water supply for the design and installation of an automatic sprinkler system at the site.~~

**\*\*\*Section 1011.2.1: change to read as follows:**

**1011.2.1 Fire sprinkler system.** Where a change in occupancy classification occurs or where there is a *change of occupancy* within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the

new occupancy in accordance with Chapter 9 of the *International Building Code*. The installation of the automatic sprinkler system shall be required within the area of the *change of occupancy* and areas of the building not separated horizontally and vertically from the *change of occupancy* by one of the following:

1. ~~Nonrated permanent partition and horizontal assemblies.~~
2. ~~Fire partition.~~
3. ~~Smoke partition.~~
4. ~~Smoke barrier.~~
5. Fire barrier, as required by Section 707 of the IBC.
6. Fire wall, as required by Section 706 of the IBC.

**Exceptions:** [Remain unchanged.]

**\*\*\*Section 1102.2.1; add to read as follows:**

**1102.2.1 Fire Separations.** Where fire separations are utilized to allow additions without exceeding the allowable area provisions of Chapter 5 of the IBC for either the existing building or the new addition, the decreased clear space where the two buildings adjoin shall be accounted for in such calculation relative to the allowable frontage increase.

**\*\*Section 1103.3 Flood Hazard Areas; delete this section.**

**\*\*Section 1201.4 Flood Hazard Areas; delete this section.**

**\*\*Section 1301.3.2; change to read as follows:**

**1301.3.2 Compliance with other codes.** Buildings that are evaluated in accordance with this section shall comply with the International Fire Code. ~~and International Property Maintenance Code.~~

**\*\*Section 1301.3.3 Compliance with Flood Hazard Provisions; delete this section.**

**\*\*Section 1402.6 Flood Hazard Areas; delete this section.**

**\*\*\*Section 1509; delete Section 1509.1 through 1509.5 and add Section 1509.1 to read as follows:**

**1509.1 When required.** An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. The water supply design and the timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.



**SECTION 2.** Except as expressly amended herein; Chapter 6, Section 4, Division 8 of the Code of Ordinances of Lancaster, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance. The repeal of the International Existing Building Code (2015 ed.) shall not affect any prosecution of any citation or violation open as of the effective date of this Ordinance.

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this ordinance or the Code of Ordinances be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision thereof, or of the Code of Ordinances, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** Any person, firm or corporation violating any of the provisions of this ordinance or the Code of Ordinances of the City of Lancaster, Texas, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** This ordinance shall take effect immediately the date of passage and is provided by law.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of March, 2025.

**ATTEST:**



Sorangel O. Arenas, City Secretary

**APPROVED:**



Clyde C. Hairston, Mayor

**APPROVED AS TO FORM:**



David T. Ritter, City Attorney

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