AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS

ORDINANCE NO. 2013-07-11

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6, ARTICLE 6.04, DIVISION 5, PLUMBING CODE, SECTION 6.04.201 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL PLUMBING CODE, 2012 EDITION, AND SECTION 6.04.202 TO PROVIDE FOR THE EXCEPTIONS AND AMENDMENTS THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 6 of the Lancaster Code of Ordinances be, and the same is, hereby amended by adding Article 6.04, Division 5, Plumbing Code, Section 6.04.201 to provide for the adoption of the International Plumbing Code, 2012 Edition, and Section 6.04.202 to provide for the exceptions and amendments thereto, which shall read as follows:

"ARTICLE 6.04 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

. . . .

Division 5. Plumbing Code

Sec. 6.04.201. Adoption of Plumbing Code.

There is hereby adopted as the plumbing code for the city for the purpose of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing system the International Plumbing Code, 2012 Edition, including appendix, as published by the International Code Council, subject to the exceptions, amendments and interpretations described in this article, and the same are incorporated by reference herein as if fully copied. One copy of each such code, together with the exceptions and amendments thereto, shall be kept at all times in the office of the city secretary.

Sec. 6.04.202. Exceptions and Amendments

The Plumbing Code adopted in this article shall be subject to the exceptions and amendments to the International Plumbing Code, 2012 Edition, as follows:

Table of Contents, Chapter 7, Section 714; change to read as follows:

Section 714 Engineered ~~Computerized~~ Drainage Design **67**

Section 102.8; change to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. 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 Electrical Code as adopted.

****Section 106.2, Exempt Work; delete section in its entirety.***

****Sections 106.6.2 and 106.6.3; change to read as follows:***

106.6.2 Fee schedule. The fees for all plumbing work shall be as ~~indicated in the following schedule: (JURISDICTION TO INSERT APPROPRIATE SCHEDULE)~~ adopted by resolution of the governing body of the jurisdiction.

106.6.3 Fee Refunds. The code official shall establish a policy for ~~authorize~~ authorizing the refunding of fees ~~as follows~~. *{Delete balance of section}*

*** Section 106.6.4, 106.6.5, 106.6.6 Added to read as follows:***

106.6.4 Work without a permit.

106.6.5 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

106.6.6 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the city fee schedule as applicable. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this code or the technical codes nor from penalty prescribed by law.

*** Section 106.7 Added to read as follows:***

106.7 Unauthorized cover up fee. Any work concealed without first obtaining the required inspection in violation of Section 110 shall be assessed a fee as established by the city fee schedule.

******Section 109; Delete entire section and replace with new Section, Board of Appeal as follows:***

Section 109, Board of Appeals

(a) Any reason directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Property Standards and Appeals Board, hereinafter referred to as the "Board", provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

(b) Membership, rules and procedures of the Board shall be those as determined by the governing body and State law unless otherwise so stated herin.

(1) The Board shall consist of five (5) members and (1) alternate member who are qualified by experience, common knowledge, and/or training to pass upon matters of construction and this code. Members shall be residents of the City and shall be appointed by the City Council for a term of two years. Alternates appointed shall serve a one year term. Vacancies shall be filled by appointment for unexpired terms. Any member may be removed from the Board by the City Council at will.

(2) Postponed hearing. When a quorum of the Board is not present to hear an appeal, the hearing will be postponed. A majority of the members (3) shall constitute a quorum of the Board. The act of a majority of the members which a quorum is in attendance shall constitute the act of the Board unless the act of a greater number is required by law.

(3) Chairman. The board shall annually select one of its members to serve as chairman.

(4) Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

(c) Notice of meeting. The boards shall meet upon notice from the code official within 20 days of the filing of an appeal, or at stated periodic meetings. Notice of any meeting shall be given to the public in accordance with the requirements of the Texas Open Meetings Act. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

(d) Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

(e) Board decision. The board shall, only by a concurring vote of a majority of those present either modify the order of the official by granting an extension of time to make all repairs and improvements necessary to meet code requirements, enforce the recommendation of the official, or reverse the decision of the code official,

(1) Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official upon request.

(2) Administration. The code official shall take immediate action in accordance with the decision of the board.

(f) Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and within 30 days following the decision of the Board.

(g) Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the board.

*****Section 305.4.1; change to read as follows:***

305.4.1 Sewer depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [number] inches (mm) below finished grade at the point of septic tank connection.~~ Building sewers shall be a minimum of 12 inches (304 mm) below grade.

*****Section 305.7; change to read as follows:***

305.7 Protection of components of plumbing system. Components of a plumbing system installed within 3 feet along alleyways, driveways, parking garages or other locations in a manner in which they would be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

*****Section 314.2.1; change to read as follows:***

314.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. .... {text unchanged} ... Condensate shall not discharge into a street, alley, sidewalk, rooftop, or other areas so as to cause a nuisance.

******Section 314.2.2; change to read as follows:***

314.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC, or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for the pressure, ~~and~~ temperature and exposure rating of the installation. Condensate waste and drain line size shall not be less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate

drainage, the pipe or tubing shall be sized in accordance with Table 314.2.2. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope.

Section 401.1; add a sentence at the end to read as follows:

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

Section 403.1; change to read as follows:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as follows:

1. Assembly Occupancies: At least one drinking fountain shall be provided at each floor level in an *approved* location.
2. Groups A, B, F, H, I, M and S Occupancies: Buildings or portions thereof where persons are employed shall be provided with at least one water closet for each sex except as provided for in Section 403.2.
3. Group E Occupancies: Shall be provided with fixtures as shown in Table 403.1.
4. Group R Occupancies: Shall be provided with fixtures as shown in Table 403.1.

It is recommended, but not required, that the minimum number of fixtures provided also comply with the number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official. The number of occupants shall be determined by the *International Building Code*. Occupancy classification shall be determined in accordance with the *International Building Code*.

Section 405.6; delete.

Section 409.2; change to read as follows:

409.2 Water connection. The water supply to a commercial dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608.

Section 412.4; change to read as follows:

412.4 Required location ~~Public laundries and central washing facilities.~~ Floor drains shall be installed in the following areas.

1. In public coin-operated laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. (In lieu of floor drains in commercial kitchens, the code official may

accept floor sinks.)

3. Public restrooms.

***Section 419.3; change to read as follows:*

419.3 Surrounding material. Wall and floor space to a point 2 feet (610 mm) in front of a urinal lip and 4 feet (1219 mm) above the floor and at least 2 feet (610 mm) to each side of the urinal shall be waterproofed with a smooth, readily cleanable, hard, nonabsorbent material.

***Section 502.3; change to read as follows:*

502.3 Water heater locations prohibited.
Water heaters shall not be permitted to be installed in any attic unless approved by the Building Official.

***Section 502.6; Add Section 502.6 to read as follows:*

502.6 Water heaters above ground or floor. When the attic, roof, mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

> **Exception:** A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

502.6.1 Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 502.1.

****Section 504.6; change to read as follows:*

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Discharge through an air gap. ~~located in the same room as the water heater~~.
3. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
4. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.

Exception: Multiple relief devices may be installed to a single T & P discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instruction..

5. Discharge ~~to the floor,~~ to an indirect waste receptor or to the outdoors. Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.
6. Discharge in a manner that does not cause personal injury or structural damage.
7. Discharge to a termination point that is readily observable by the building occupants.
8. Not be trapped.
9. Be installed so as to flow by gravity.
10. Not terminate less than 6 inches or more than 24 inches (152 mm) above grade ~~the floor or~~ nor more than 6 inches above the waste receptor.
11. Not have a threaded connection at the end of such piping.
12. Not have valves or tee fittings.
13. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

*****Add Section 604.4.1 to read as follows:***

604.4.1 State maximum flow rate. Where the State mandated maximum flow rate is more restrictive than those of this section, the State flow rate shall take precedence.

******Section 604.8; add Section 604.8.3 to read as follows:***

604.8.3 Thermal expansion control. An expansion tank or approved device shall be installed for the water heater with the addition of a pressure reducing valve or regulator creating a closed system.

*****Section 606.1; delete items #4 and #5.***

*****Section 606.2; change to read as follows:***

606.2 Location of shutoff valves. Shutoff valves shall be installed in the following locations:

1. On the fixture supply to each plumbing fixture other than bathtubs and showers in one- and two-family residential occupancies, and other than in individual sleeping units that are provided with unit shutoff valves in hotels, motels, boarding houses and similar occupancies.

~~2. On the water supply pipe to each sillcock~~.

~~3~~. 2 On the water supply pipe to each appliance or mechanical equipment.

******Section 608.1; change to read as follows:***

608.1 General. A potable water supply system shall be designed, installed and maintained in such a manner so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or any other piping connections to the system. Backflow preventer applications shall conform to applicable local regulations, Table 608.1, ~~except~~ and as specifically stated in Sections 608.2 through 608.16.10.

******Section 608.16.5; change to read as follows:***

608.16.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

*****Section 608.17; change to read as follows:***

608.17 Protection of individual water supplies. An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with applicable local regulations. Installation shall be in accordance with Sections 608.17.1 through 608.17.8.

******Section 610.1; add exception to read as follows:***

610.1 General. New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction or, in the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section. This requirement shall apply to "on-site" or "inplant" fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing at least 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing at least 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.

3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.
4. The procedure shall be repeated where shown by a bacteriological examination that contamination remains present in the system.

   Exception: With prior approval the Code Official may wave this requirement when deemed un-necessary ~~by the Code Official~~.

******Section 712; change to read as follows:***

712.3.3.1 Materials. Pipe and fitting materials shall be constructed of brass, copper, CPVC, ductile iron, stainless steel, galvanized iron, PE, or PVC.

*****Add Section 712.5 to read as follows:***

712.5 Dual Pump System. All sumps shall be automatically discharged and, when in any "public use" occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

*****Section 714, 714.1; change to read as follows:***

SECTION 714

ENGINEERED ~~COMPUTERIZED~~ DRAINAGE DESIGN

714.1 Design of drainage system. The sizing, design and layout of the drainage system shall be permitted to be designed by *approved* ~~computer~~ design methods.

*****Section 802.4; add a sentence to read as follows:***

No standpipe shall be installed below the ground.

*****Section 903.1; changed to read as follows:***

903.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

*****Section 917, Single stack vent systems; delete section in its entirety.***

*****Section 1002.10; delete.***

*** Section 1003.3.4.1 Delete entire section and replace with the following:*

Section 1003.3.4.1 Grease Interceptor Capacity. Grease interceptors shall have a minimum capacity of 750 pounds of storage area or be an approved Engineered design. On grease interceptor there shall be a sample well installed inline.

****Section 1101.8; change to read as follows:*

1101.8 Cleanouts required. Cleanouts or manholes shall be installed in the ~~building~~ storm drainage system and shall comply with the provisions of this code for sanitary drainage pipe cleanouts.

~~**Exception:** Subsurface drainage system~~

***Section 1106.1; change to read as follows:*

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on six (6) inches per hour ~~the 100-year hourly~~ rainfall rate ~~indicated in Figure 1106.1 or on other rainfall rates determined from approved local weather data~~.

***Section 1107.3; change to read as follows:*

1107.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 ~~based on the rainfall rate for which the primary system is sized in Tables 1106.2, 1106.3 and 1106.6.~~ Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

****Section 1202.1; delete Exception 2.*

***Chapters 1-14 of the International Private Sewage Disposal Code, delete these chapters in their entirety.*"**

SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Lancaster, Texas, as amended hereby, 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 3. That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Lancaster, Texas, this the 22nd day of July, 2013.

ATTEST:

Dolle K. Downe

DOLLE K. DOWNE, CITY SECRETARY

APPROVED:

Marcus E. Knight

MARCUS E. KNIGHT, MAYOR

APPROVED AS TO FORM:

Robert E. Hager

ROBERT E. HAGER, CITY ATTORNEY
(REH.aga)