

ORDINANCE NO. 3948



AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING CHAPTER 22 (BUILDINGS AND BUILDING REGULATIONS) BY ADDING ARTICLE VII.6 (EXISTING BUILDING CODE); AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, WITH CERTAIN ADDITIONS, DELETIONS, AND AMENDMENTS, AS THE EXISTING BUILDING CODE OF THE CITY OF FARMERS BRANCH; PROVIDING A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes, including the International Existing Building Code; and

WHEREAS, since the 1970s, the City of Farmers Branch has been involved throughout the development process of the ICC, specifically the International Existing Building Code, in conjunction with the North Texas Chapter of the International Code Council, Regional Codes Coordinating Committee of North Central Texas Council of Governments (NCTCOG), and the International Conference of Building Officials (ICBO); and

WHEREAS, the 2024 International Existing Building Code, a publication of the ICC, has been reviewed by city staff and the NCTCOG for necessary updates and amendments; and

WHEREAS, the City Council of the City of Farmers Branch has determined that it is in the best interest of the citizens of the City of Farmers Branch to adopt the 2024 Edition of the International Existing Building Code, and the additions, deletions, and amendments thereto, as the minimum standards for the safe repair, alteration, addition and change of occupancy of existing buildings and structures within the City limits, as set forth herein, and to adopt the Existing Building Code in order to account for unique local practices and /or conditions within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. A new Chapter 22 (Buildings and Building Regulations) Article VII.6 (Existing Building Code) is hereby adopted and shall read in its entirety as follows:

ARTICLE VII.6. EXISTING BUILDING CODE

Sec. 22 - 235. Adoption of International Existing Building Code; purpose.

The 2024 Edition of the International Existing Building Code, as published by the International Code Council and as amended pursuant to Sec. 22-235 is hereby adopted. Copies of the Existing Building Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The city manager or designee, is hereby authorized and

directed to enforce all provisions of the Mechanical Code. For purposes of this Article, the phrase “Existing Building Code” means collectively (i) the 2024 Edition international Existing Building Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 22-236.

Sec 22-236. Local Amendments to the International Existing Building Code:

For purposes of enforcement of the provisions of the Mechanical Code within the incorporated limits of the City, the following deletions, additions, and amendments to the 2024 Edition of the International Existing Building Code are hereby approved and amended as follows:

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 102.4.3 add to read as follows:

102.4.3 Electrical. The provisions of the local adopted Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 104.2.4.1 Flood hazard areas. (Jurisdictions may consider the option to **amend** or **delete** depending on local enforcement and flood hazard ordinances.)

Section 104.3.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. (Jurisdictions may consider the option to **amend** or **delete** depending on local enforcement and flood hazard ordinances.)

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.

Section 302.2 Additional Codes; Amend to read as follows:

302.2: Additional Codes

Alterations, repairs, additions and changes of occupancy to, or relocation of, existing buildings and structures shall comply with the provisions for alterations, repairs,

additions and changes of occupancy or relocation, respectively, in this code and the International Energy Conservation Code , International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Private Sewage Disposal Code, International Property Maintenance Code, International Residential Code and NFPA 70 and any other Codes or other ordinances adopted by the authority having jurisdiction. Where provisions of the other codes conflict with provisions of this code, the provisions of this code shall take precedence.

Section 306.1 Scope; 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.

Section 309.2.1 Automatic sprinkler systems; Delete this section

Section 401.3 Flood Hazard Areas; Delete this section.

Section 405.2.6 Flood Hazard Areas; Delete this section.

Section 502.2 Flood Hazard Areas; Delete this section.

Section 503.2 Flood Hazard Areas; Delete this section.

Section 503.18 Enhanced classroom acoustics; add after paragraph to read as follows:

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:

Section 507.3 Flood Hazard Areas; Delete this section.

Section 701.3 Flood Hazard Areas; Delete this section.

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 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 Scope; 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 803.3; 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 General; delete Exception #1 as follows:

Exceptions:

1. delete
2. [Remain unchanged]

Section 804.5.1.2.; change to read as follows:

804.5.1.2 Fire Escapes required. For other than Group I-2, where more than one exit is required, an existing fire escape complying with section 805.3.1.2.1 shall be

accepted as providing one of the required means of egress.

Section 804.5.1.2.1; change to read as follows:

804.5.1.2.1 Fire Escape access and details - ...

1. [Remain unchanged]
2. Access to a ~~new~~ fire escape shall be through a door...[remainder unchanged]
3. [Remain unchanged]
5. In all buildings of Group E occupancy up to and including the 12th grade, buildings of Group I occupancy, boarding houses, and childcare centers, ladders of any type are prohibited on fire escapes used as a required means of egress.

Section 804.7.2 Transoms; amend to read as follows:

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

Section 904.1 Automatic sprinkler systems; 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 high-rise buildings.

Section 1011.2.1: change to read as follows:

1011.2.1 Automatic Fire sprinkler system. The installation of an automatic sprinkler system shall be required where there is a change of occupancy classification and Chapter 9 of the current International Building Code requires an automatic sprinkler system based on the new occupancy or where there is a change of occupancy within the space where there is a different fire protection system threshold requirement in Chapter 9 of the current International Building Code than exists in the current building or space. 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 a fire barrier or fire wall.

Section 1103.3 Flood Hazard Areas; Delete this section.

Section 1201.4 Flood Hazard Areas; Delete this section.

Section 1303.1.2; 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.

Section 1303.1.3 Compliance with Flood Hazard Provisions; Delete this section.

Section 1402.6 Flood Hazard Areas; Delete this section.

[F] Section 1502.1 Site safety plan; change to read

[Existing text remains]

The plan shall be submitted and approved by the Fire Department before a building permit is issued, [Remainder of Existing text remains]

[F] Section 1502.3.1 Violations; change to read

Failure to properly conduct, document and maintain documentation required by this section shall constitute an unlawful act in accordance with Section 113.1 and shall result in the issuance of a notice of violation, by the Fire code official, to the site safety director. Upon the third offense, the Fire code official, based on their findings, shall request a stop work order enforcement be implemented to the code official in accordance with Section 114, and work shall not resume until satisfactory assurances of future compliance have been presented to and approved by the code official.

Section 1512.1 When Required; Delete Section 1512.1 through 1512.5 and change Section 1512.1 to read as follows:

1512.1 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 or as determined by the code official. The water supply design and the timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.

Sec. 22 -237 – 22-239. - Reserved.

SECTION 2. It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section,

clause, provision, or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

SECTION 4. Any violation of the provisions or terms of this ordinance shall be subject to the same penalty as provided in the Code of Ordinances of the City of Farmers Branch as heretofore amended and, upon conviction, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00). Every day a violation continues shall constitute a separate offense.

SECTION 5. This Ordinance shall take effect on October 1, 2025, following the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 19th DAY OF AUGUST, 2025.

ATTEST:

APPROVED:

Erin Flores, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

Nicole Corr, City Attorney
[vf.07.20.25]