

# Recommended Amendments to the 2021 International Existing Building Code

\* Amendments Specific to the City of Murphy

\*\* NCTCOG Recommended Amendment

**\*Section 101.1; Insert jurisdiction name as follows:**

**[A] 101.1 Title.** These regulations shall be known as the Existing Building Code of the City of Murphy, hereinafter referred to as “this code.”

**\*Section [A] 104.2.1; Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. Delete**

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

**\*Section [A] 104.10.1 Flood hazard areas. Delete**

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

**\*Section 105.2; change to read as follows:**

**[A] 105.2 Work exempt from permit.** Exemptions from 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:**

- ~~1. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and that are not part of an accessible route.~~
- ~~2. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.~~
- ~~3. Temporary motion picture, television, and theater stage sets and scenery.~~
- ~~4. Shade cloth structures constructed for nursery or agricultural purposes, and not including service systems.~~
- ~~5. Window awnings supported by an exterior wall of Group R-3 or Group U occupancies.~~
- ~~6. Movable cases, counters, and partitions not over 69 inches (1753 mm) in height.~~

*(Reason: Permits are currently required for fences, retaining walls, water tanks, sidewalks, driveways and window awnings.)*

**\*Section 112; delete entire section and insert the following:**

**SECTION 112 MEANS OF APPEAL**

**112.1 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

*(Reason: Most jurisdictions already have an ordinance establishing and governing an appeals board)*

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for this code. This also calls to the attention of jurisdictions not having such a board that it needs to be established.)

## **\*\*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; or a change of occupancy. ~~erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.~~

(Reason: To prevent potential abuses in new construction and shell buildings.)

## **\*\*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.~~

(Reason: To prevent potential abuses in new construction and shell buildings.)

## **\*\*Section 306.1; adds an exception to read as follows:**

### **Exception:**

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.

(Reason: To coordinate with the IEBC and State Law.)

## **\*\*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.

(Reason: To coordinate with the IBC and State Law for accessibility.)

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## **\*\*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.

*(Reason: Maintains legacy language from the 2018 IEBC to identify accessibility criteria for changes of occupancy, and adds the required accessible toilet for disabled occupants, as per previous 2018 IEBC amendments.)*

## **\*\*Section 401.3 Flood Hazard Areas; delete this section:**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

## **\*\*Section 405.2.6 Flood Hazard Areas; delete this section:**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

## **\*\*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.

*(Reason: To ensure compliance with the NEC relative to any electrical repairs/replacement.)*

## **\*\*Section 502.3; Delete**

**502.3 Flood hazard areas.**

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*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

**\*\*Section 503.2 Flood Hazard Areas; delete this section:**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

**\*\*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.

*(Reason: TAS does not address this criteria in their evaluation, and it is justifiably required for alterations in existing buildings.)*

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

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

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

**701.3: Flood Hazard areas.**

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

**\*\*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.

*(Reason: Maintains legacy language of the 2018 IFC to identify fall prevention devices as acceptable alternate/exception.)*

**\*\*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.

*(Reason: To provide a more complete list of potentially adopted codes.)*

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## **\*\*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 deck,~~ 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.

*(Reason: To be consistent with Building Code requirements for guards and unsafe conditions.)*

## **\*\*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.

*(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and would not allow the sprinkler to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)*

## **\*\*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.~~

*(Reason: The published exceptions are over-reaching and will result in inconsistencies among supervised protection systems and cause confusion for first responders as well.)*

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

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

*(Reason: The Fire Code already requires standpipes in these buildings (greater than 50 ft.) retroactively in Section 1103.6. This new section would negate/lessen those retroactive provisions*

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already contained in the Fire Code.)

## **\*\*Section 804.2; Remove Exception #1**

~~Exception 1. Where the work area and the means of egress serving it complies with NFPA 101.~~

*(Reason: NFPA 101 is not a commonly adopted code in the region and enforcement could be problematic)*

## **\*\*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.

*(Reason: The intent is to avoid work area protection that would result in partial sprinkler or fire alarm protection. Partial sprinkler protection not delineated by walls would be a clear violation of NFPA 13 and the Fire Code and would not allow the sprinkler system to perform or function as intended. Also, partial fire alarm coverage is a clear violation of the Fire Code, NFPA 72, and ADA.)*

## **\*\*Section 904.1; add sentence 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.~~

*(Reason: Level 3 alterations are affecting more than 50% of the existing high-rise building, and as such, sprinkler protection is more than justifiable, even when fire pumps, etc., are necessary. It is noted that the work area method is one of three different methods available to the designer/owner in the IEBC.)*

## **\*\*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.~~

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~~4. Smoke barrier.~~

~~5.~~ 1. Fire barrier, as required by Section 707 of the IBC.

~~6.~~ 2. Fire wall, as required by Section 706 of the IBC.

Exceptions: [Remain unchanged.]

*(Reason: Maintains legacy language requiring at least fire barrier separation between a newly sprinklered more hazardous 'change of occupancy' from non-sprinklered existing occupancies, as is required for fire area separation by the IBC.)*

## **\*\*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.

*(Reason: This issue of evaluating allowable area for additions is commonly miscalculated due to the above issue. This amendment provides clarification but is not more stringent than what is currently required by the Building Code as to allowable area calculations.)*

## **\*\*Section 1103.3 Flood Hazard areas. Delete:**

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

## **\*\*Section 1201.4 Flood hazard areas. Delete**

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

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

*(Reason: Flood hazard are addressed by the City of Murphy Flood Damage Prevention Ordinance.)*

## **\*\*Section 1402.6 Flood Hazard Areas; delete this section:**

*(Reason: Flood hazard ordinances may be administered by other departments within the city.)*

## **Chapter 16 – Referenced Standards; change to read as follows:**

IECC—~~15~~ Edition as adopted by the State of Texas International Energy Conservation Code® . .  
301.2, 702.6, 708.1, 811.1, 908.1

*(Reason: For compliance with State Law requirements for Energy Code adoption)*