ORDINANCE NO. 1400-2023

AN ORDINANCE OF THE CITY OF RIVER OAKS, TEXAS AMENDING CHAPTER 3 "BUILDING REGULATIONS", ARTICLE 3.05 "PLUMBING" SPECIFICALLY UNDER SECTION 3.05.001 "CODE ADOPTED" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; REPEALING THE 2015 INTERNATIONAL PLUMBING CODE AS PREVIOUSLY ADOPTED ON JANUARY 28, 2020; ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE (IPC); AMENDING SECTION 3.05.002 "CODE AVAILABILITY" OF THE RIVER OAKS CODE OF ORDINANCES (2020) PROVIDING THAT THE MATERIAL CONTAINED IN EXHIBIT "A" OF THIS ORDINANCE ALTHOUGH FULLY ADOPTED AND INCORPORATED BY REFERENCE, SHALL NOT BE INCLUDED IN THE FORMAL MUNICIPAL CODIFICATION OF ORDINANCES; PROVIDING FOR RECORDING OF THE PLUMBING CODE AS A PUBLIC RECORD; AMENDING SECTION 3.05.003 "CODE AMENDMENTS" OF THE RIVER OAKS CODE OF ORDINANCES (2020) BY REPEALING THE FORMER ORDINANCE 1265-2020 AS ADOPTED ON JANUARY 28, 2020 THAT ADOPTED THE 2015 INTERNATIONAL PLUMBING CODE; REPEALING THE FORMER AMENDMENTS ADOPTED ON JANUARY 28, 2020 BY ADOPTING LOCAL AMENDMENTS TO THE 2018 IPC ATTACHED HERETO AS EXHIBIT "A"; AMENDING SECTION 3.05.004 "CODE MODIFICATIONS"; AMENDING SECTION 3.05.005 "PENALTY FOR VIOLATION"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of River Oaks is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the International Plumbing Code was created to serve as a complete, comprehensive code addressing the design and installations of plumbing systems through requirements emphasizing performance that safeguard the public health and safety; and

WHEREAS, the NCTCOG has actively promoted the standardization of model codes since 1967 in an effort to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors and reduce training and construction costs; and

WHEREAS, NCTCOG's Regional Codes Coordinating Committee (RCCC) did recommend that local jurisdictions throughout the North Texas Region adopt the 2018 International Plumbing Code (IPC) along with its respective amendments as their model plumbing code; and

WHEREAS, the City Staff has also reviewed the available code and has recommended that the 2018 Edition of the International Plumbing Code inclusive with the City's local amendments reflecting the unique needs of the City of River Oaks be incorporated together with the RCCC's respective amendments deleting those RCCC respective amendments that are in direct conflict with city code; and

WHEREAS, the City Council of the City of River Oaks, Texas, desires to provide a mechanism by which local modifications reflecting the unique needs of the City of River Oaks may be made when deemed appropriate; and

WHEREAS, the City Council of the City of River Oaks, Texas, has determined that these local amendments are in the public interest and therefore deems it advisable to amend the 2018 Edition of the International Plumbing Code to incorporate both the respective amendments from the RCCC and local amendments from City Staff in a single document titled "Recommended Amendments to the 2018 International Plumbing Code" collectively being the model plumbing code for the City; and

WHEREAS, the City Council of the City of River Oaks, Texas, has concluded that the 2018 IPC along with its local amendments attached herein to this Ordinance as "Exhibit A" most fully meets the needs of the City of River Oaks, Texas.

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

SECTION 1.

With the adoption of this Ordinance Section 3.05.001 "Code Adopted" is hereby amended to now read as follows:

Section 3.05.001 Code Adopted. "The International Plumbing Code, 2018 edition, as revised, (including all appendix chapters of said code), published by the International Code Council is hereby adopted as the municipal plumbing code of the city for the purpose of protecting the health, safety and welfare of the citizens of the city. This plumbing code is fully incorporated by reference as though copied into this article in its entirety. The material contained in the 2018 International Plumbing Code, although fully adopted and incorporated by reference in this article, shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary. (Ordinance 1400-2023, sec. 1, adopted 12/12/2023)"

SECTION 2.

With the adoption of this Ordinance Section 3.02.002 "Code Availability" is hereby amended to now read as follows:

Section 3.05.002 Code Availability. "The material contained in Exhibit "A" to Ordinance 1400-2023, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record in the office of the city secretary. (Ordinance 1400-2023, sec. 2, adopted 12/12/2023)"

SECTION 3.

With the adoption of this Ordinance Section 3.05.003 "Code Amendments" is hereby amended to now read as follows:

Section 3.05.003 "Code Amendments". "The 2018 International Plumbing Code, as adopted herein is hereby amended as shown on Exhibit "A" attached to Ordinance 1400-2023. (Ordinance 1400-2023, sec. 3, adopted 12/12/2023)."

SECTION 4.

With the adoption of this Ordinance Section 3.05.004 "Code Modifications" is hereby amended to now read as follows:

Sec. 3.05.004 Modifications. "The city may from time to time determine that additional local modifications to the codes adopted herein are necessary and appropriate to meet the unique plumbing needs of the city. To effectuate modifications, the city council may enact individual ordinances amending this division fully setting forth the change to be made in the specific code. Such subsequent amendments shall be consolidated as an exhibit to Ordinance 1400-2023 and shall be maintained as a public record in the office of the city secretary. (Ordinance 1400-2023, sec. 4, adopted 12/12/2023)"

SECTION 5.

With the adoption of this Ordinance Section 3.02.005 "Penalty for Violation" is hereby amended to now read as follows:

Sec. 3.05.005 Penalty for violation. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this division

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shall be fined as provided in section 1.01.009 of this code. Each day that a violation is permitted to exist shall constitute a separate offense. (Ordinance 1400-2023, sec. 5, adopted 12/12/2023)."

SECTION 6.

This ordinance shall be cumulative of all provisions of ordinances, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances are hereby repealed. The former Ordinance 1265-2020 as adopted on January 28, 2020 that adopted the 2015 International Plumbing Code is hereby repealed and the 2018 International Plumbing Code including its local amendments is hereby adopted as the official plumbing code of the city.

SECTION 7.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

Whenever in this code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this code or any such ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00). However, a fine or penalty for the violation of a rule, ordinance or police regulation that governs fire safety, zoning or public health and sanitation other than dumping of refuse may not exceed two thousand dollars (\$2,000.00); a fine or penalty for the violation of a rule, ordinance, or police regulation that governs the dumping of refuse may not exceed four thousand dollars (\$4,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

All rights and remedies of the City of River Oaks, Texas, are expressly saved as to any and all violations of the provisions of the ordinances of the City of River Oaks which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 10.

The City Secretary is directed to publish in the official newspaper of the City, the caption, penalty clause, savings clause, publication clause and effective date clause of this ordinance one time as authorized by Chapter 5, Section 5.02(c) of the Charter of the City of River Oaks.

SECTION 11.

This Ordinance shall be in full force and effect form and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED THIS THE 12th DAY OF DECEMBER 2023.

DAŘRĚŇ HOŬŘ, MAYOR

ATTEST: CITY SECRETARY

APPROYED AS TO FORM AND LEGALITY:

CITY ATAORNEY

ADOPTED: DECEMBER 12, 2023

EFFECTIVE: DECEMBER 18, 2023



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North Central Texas Council of Governments

Recommended Amendments to the 2018 International Plumbing Code

North Central Texas Council of Governments Region

"EXHIBIT A"

The following sections, paragraphs, and sentences of the *2018 International Plumbing Code* are hereby amended as follows: Standard type is text from the IPC. <u>Underlined type is text inserted</u>. <u>Lined through type is deleted text from the IPC</u>. A double asterisk at the beginning of a section identifies an amendment carried over from the 2015 edition of the code and a triple asterisk identifies a new or revised amendment with the 2018 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.

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

714 <u>Engineered Computerized Drainage Design 69</u>

(Reason: Editorial change to make compatible with amendment to Section 714.1.)

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 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 adopted amendments. Any reference to NFPA 70 shall mean the Electrical Code as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

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 <u>establish a policy for</u> <u>authorize authorizing</u> the refunding of fees as follows. {Delete balance of section}

^{***}Section 102.8; change to read as follows:

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

(Reason: This calls to attention of local jurisdictions considering adoption that they need a fee schedule and a refund policy.)

**Section 109; delete entire section and insert the following:

SECTION 109 MEANS OF APPEAL

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

***Section 305; change to read as follows:

305.1 Protection against contact. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material plastic. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows movement of the piping within the sheathing.

(Reason: Allows for other materials to be accepted.)

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 <u>12</u> inches (<u>304</u> mm) below grade.

(Reason: Provides sewer depth that is common in this region. Deleted reference to private sewage disposal because a private sewage disposal code is not typically adopted in this region.)

**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 could be exposed to damage shall be recessed into the wall or otherwise protected in an approved manner.

(Reason: Provide a common cutoff point to designate a general separation distance at which plumbing systems should be safe for consistency in enforcement.)

***Section 306; change to read as follows:

***306.2.4 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus

12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

(Reason: To follow manufacturer backfill requirements and to be clear to Inspectors out in the field)

**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, <u>sidewalk</u>, <u>rooftop</u>, or other areas so as to cause a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. It is the intent of this amendment to send condensate discharge into a sanitary sewer drain. Consistent with regional amendment to IMC 307.2.1.)

**Section 409.2; change to read as follows:

409.2 Water connection. The water supply to a <u>commercial</u> dishwashing machine shall be protected against backflow by an air gap or backflow preventer in accordance with Section 608. (Remainder of section unchanged).

(Reason: Domestic dishwashing machines would be difficult to enforce and should already come equipped with backflow preventers. Consistent with regional amendments in IPC Section 608.)

**Section 413.4; change to read as follows:

413.4 Required location for floor drains Public laundries and central washing facilities. Floor drains shall be installed in the following areas:

- 1. In public 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.

(Reason: To make more compatible with local health code practices.)

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

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided . . . {bulk of paragraph unchanged} . . . side of the water heater. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.

- 2. A pull-down stair with a minimum 300 lb (136 kg) capacity.
- 3. An access door from an upper floor level.
- 4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the Code Official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... {remainder of text unchanged}

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IMC and IFGC)

**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.

(Reason: To provide safe access to water heaters. (Consistent with regional amendments to IFGC 306.7 and IMC 306.3. Note reference to amendment above.)

***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 manufacture's installation instructions and installed with those instructions.

- 5. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor an approved location or to the outdoors.
- 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. Terminate not more than 6 inches above and not less than two times the discharge pipe diameter above the floor or flood level rim of 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.
- 14. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place

(Reason: To provide a higher degree of safety.)

**Section 504.7.1; change to read as follows:

Section 504.7.1 Pan size and drain to read as follows: The pan shall be not less than 11/2 inches (38 mm) in depth and shall be of sufficient size and shape to receive all dripping or condensate from the tank or water heater. The pan shall be drained by an indirect waste pipe having a diameter of not less than 3/4 inch (19 mm). Piping for safety pan drains shall be of those materials listed in Table 605.4. <u>Multiple pan drains may terminate to a single discharge piping system when approved by the administrative authority and permitted by the manufactures installation instructions and installed with those instructions.</u>

**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 non-potable 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 <u>applicable local regulations</u>, Table 608.1, <u>except and</u> as specifically stated in Sections 608.2 through 608.16.10.

(Reason: To recognize local requirements.)

**Section 608.17.5; change to read as follows:

608.17.5 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, <u>a double-check assembly</u> 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.

(Reason: To recognize regional practices.)

**Section 608.18; change to read as follows:

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

(Reason: To allow local requirements to govern.)

Section 703.6; Delete

(Reason: not a standard practice in this region)

**Section 704.5; added to read as follows:

704.5 Single stack fittings. Single stack fittings with internal baffle, PVC schedule 40 or cast iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

(Reason: to allow owners, installers, inspectors, and design professionals to ready identify product markers to determine they meet all required standards.)

**Section 712.5; 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.

(Reason: To address dual pump system. To provide reference for storm drainage systems.)

**Section 713, 713.1; change to read as follows:

SECTION 713

ENGINEERED COMPUTERIZED DRAINAGE DESIGN

713.1 Design of drainage system. The sizing, design and layout of the drainage system shall be permitted to be designed by a registered engineer using approved computer design methods.

(Reason: Code was too restrictive.)

**Section 803.3; added to read as follows:

803.3 Special waste pipe, fittings, and components. Pipes, fittings, and components receiving or intended to receive the discharge of any fixture into which acid or corrosive chemicals are placed shall be constructed of CPVC, high silicone iron, PP, PVDF, chemical resistant glass, or glazed ceramic materials.

(Reason: To clarify the allowable materials which are specifically listed for chemical drainage applications.)

**Section 903.1; change to read as follows:

903.1 Roof extension. Open vent pipes that extend through a roof shall terminate not less than six $(\underline{6})$ inches $(\underline{152 \text{ mm}})$ above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

(Reason: To provide regional guideline on standard installation method for this area and address reference number correction.)

***Section 918.8; change to read as follows.

918.8 **Where permitted**. Individual, branch and circuit vents shall be permitted to terminate with a connection to an individual or branch-type air admittance valve in accordance with Section 918.3.1. Stack vents and vent stacks shall be permitted to terminate to stack-type air admittance valves in accordance with Section 918.3.2. <u>Air admittance valves shall only be installed with the prior approval of the building official.</u>

(Reason: Mechanical Device that is subject to fail and not installed per manufacturer)

**Section 1003; see note below:

{Until the Health and Water Departments of the area can coordinate a uniform grease interceptor section, each city will have to modify this section individually.}

**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.

(Reason: Specify the roof drain size normally used in the area.)

**Section 1108.3; change to read as follows:

1108.3 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 Figure 1106.1 or on other rainfall rates determined from approved local weather data. 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.

(Reason: Specify that overflow drainage is to be the same size as the normal roof drains.)

**Section 1109; delete this section.

***Section 1202.1; delete Exceptions 1 and 2.

(Reason: State law already specifies that Med Gas systems must comply with NFPA 99.)

END