

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, ADOPTING THE 2018 INTERNATIONAL CONSTRUCTION CODES; ADOPTING LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CONSTRUCTION CODES; ADOPTING THE 2017 NATIONAL ELECTRICAL CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas 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 establishing of minimum regulations governing the construction, maintenance and use of property, buildings and structures is essential to protect the health, safety and general welfare of the public and property;

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

SECTION I. That Chapter 8, Article I, Article II, Article IV, and Article V of the City of Killeen Code of Ordinances are hereby amended to read as follows:

Chapter 8 - BUILDING AND CONSTRUCTION REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 8-1. - Definitions.

Department shall mean the building and inspections ~~department~~division of the city.

ARTICLE II. - ADMINISTRATION

DIVISION 1. - PERMIT FEES

Sec. 8-11. - Fees.

- (a) *New single-family residential construction.* All fees for new single-family residential construction shall be calculated at a rate of ~~eleven and a half~~thirteen cents (\$0.~~445~~13) per square foot based on the total square footage under roof. This fee includes permits for the structure, electrical, mechanical, plumbing, flatwork, certificate of occupancy, and plans review. This fee does not include permits for fences, storage buildings, accessory structures, lawn irrigation, whole house water softener units or swimming pools.
- (b) *Multifamily, commercial, etc., construction.* All fees are based on total square footage. The fee for new construction for duplexes, townhouses, multifamily, all commercial (~~except~~including shell buildings, warehouses and parking garages), and all additions to square footage under roof, (includes storage buildings, patio covers, modular/portable buildings and carports) shall be as follows:

| Building Area Square Feet | Building | Electrical | Mechanical | Plumbing ⁽¹⁾ | Plans (2) |
|------------------------------|----------|------------|------------|-------------------------|-----------|
| 500 or less | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 |
| 501—1,000 | 70.00 | 40.00 | 40.00 | 40.00 | 60.00 |
| 1,001—1,500 | 100.00 | 40.00 | 40.00 | 40.00 | 85.00 |
| 1,501—2,000 | 130.00 | 50.00 | 40.00 | 50.00 | 110.00 |
| 2,001—2,500 | 160.00 | 60.00 | 40.00 | 60.00 | 140.00 |
| 2,501—3,000 | 190.00 | 70.00 | 40.00 | 70.00 | 160.00 |
| 3,001—3,500 | 220.00 | 80.00 | 45.00 | 80.00 | 185.00 |
| 3,501—4,000 | 250.00 | 90.00 | 50.00 | 90.00 | 210.00 |
| 4,001—4,500 | 280.00 | 100.00 | 55.00 | 100.00 | 235.00 |

| | | | | | |
|---------------|----------|----------|--------|----------|----------|
| 4,501—5,000 | 310.00 | 110.00 | 60.00 | 110.00 | 260.00 |
| 5,001—5,500 | 340.00 | 120.00 | 65.00 | 120.00 | 285.00 |
| 5,501—6,000 | 370.00 | 130.00 | 70.00 | 130.00 | 310.00 |
| 6,001—6,500 | 400.00 | 140.00 | 70.00 | 140.00 | 335.00 |
| 6,501—7,000 | 430.00 | 150.00 | 80.00 | 150.00 | 360.00 |
| 7,001—7,500 | 460.00 | 160.00 | 85.00 | 160.00 | 385.00 |
| 7,501—8,000 | 490.00 | 170.00 | 90.00 | 170.00 | 410.00 |
| 8,001—8,500 | 520.00 | 180.00 | 95.00 | 180.00 | 435.00 |
| 8,501—9,000 | 550.00 | 190.00 | 100.00 | 190.00 | 460.00 |
| 9,001—9,500 | 580.00 | 200.00 | 105.00 | 200.00 | 485.00 |
| 9,501—10,000 | 610.00 | 210.00 | 110.00 | 210.00 | 510.00 |
| 10,001—15,000 | 915.00 | 315.00 | 165.00 | 315.00 | 765.00 |
| 15,001—20,000 | 1,215.00 | 415.00 | 215.00 | 415.00 | 1,015.00 |
| 20,001—25,000 | 1,515.00 | 515.00 | 265.00 | 515.00 | 1,265.00 |
| 25,001—30,000 | 1,815.00 | 615.00 | 315.00 | 615.00 | 1,515.00 |
| 30,001—35,000 | 2,115.00 | 715.00 | 365.00 | 715.00 | 1,765.00 |
| 35,001—40,000 | 2,415.00 | 815.00 | 415.00 | 815.00 | 2,015.00 |
| 40,001—45,000 | 2,715.00 | 915.00 | 465.00 | 915.00 | 2,265.00 |
| 45,001—50,000 | 3,015.00 | 1,015.00 | 515.00 | 1,015.00 | 2,515.00 |

The fee for structures over 50,000 square feet is determined by combining fees to equal the square footage.

For duplexes add:

\$30.00 for building

\$30.00 for electrical

\$30.00 for mechanical

\$30.00 for plumbing

~~\$30.00 for gas piping~~

For apartments, hotels, townhouses and motels add:

\$30.00 per unit for building

\$30.00 per unit for electrical

\$30.00 per unit for mechanical

\$30.00 per unit for plumbing

\$30.00 per unit for fire sprinkler

~~\$30.00 per unit for gas piping~~

Note:

~~-(1) Mechanical—Air conditioning, heating, ventilation, exhaust and refrigeration systems.~~

~~(21)~~ Plumbing—All connections to a water, ~~or~~ sewerage or gas piping system. Fire sprinkler ~~and gas pipe~~ systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler ~~and gas piping~~ systems.

(2) All plan review fees must be paid at time of application.

~~-(c) Shell buildings, etc. The fees for shell buildings without interior finish, warehouses and parking garages shall be as follows:~~

| Building Area Square Feet | Building | Electrical | Mechanical ⁽¹⁾ | Plumbing ⁽²⁾ | Plans |
|----------------------------------------------------|---------------------|---------------------|---------------------------|-------------------------|---------------------|
| 500 or less | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 |
| 501—1,000 | 60.00 | 40.00 | 40.00 | 40.00 | 50.00 |
| 1,001—1,500 | 85.00 | 40.00 | 40.00 | 40.00 | 70.00 |
| 1,501—2,000 | 110.00 | 40.00 | 40.00 | 40.00 | 90.00 |
| 2,001—2,500 | 135.00 | 50.00 | 40.00 | 50.00 | 110.00 |
| 2,501—3,000 | 160.00 | 55.00 | 40.00 | 55.00 | 130.00 |
| 3,001—3,500 | 185.00 | 60.00 | 40.00 | 60.00 | 150.00 |
| 3,501—4,000 | 210.00 | 70.00 | 40.00 | 70.00 | 170.00 |
| 4,001—4,500 | 235.00 | 80.00 | 40.00 | 80.00 | 190.00 |
| 4,501—5,000 | 260.00 | 85.00 | 40.00 | 85.00 | 210.00 |
| 5,001—5,500 | 285.00 | 90.00 | 40.00 | 90.00 | 230.00 |

| | | | | | |
|---------------|----------|--------|--------|--------|----------|
| 5,501—6,000 | 310.00 | 100.00 | 40.00 | 100.00 | 250.00 |
| 6,001—6,500 | 335.00 | 105.00 | 45.00 | 105.00 | 270.00 |
| 6,501—7,000 | 360.00 | 115.00 | 50.00 | 115.00 | 290.00 |
| 7,001—7,500 | 385.00 | 120.00 | 50.00 | 120.00 | 310.00 |
| 7,501—8,000 | 410.00 | 120.00 | 50.00 | 120.00 | 330.00 |
| 8,001—8,500 | 435.00 | 130.00 | 55.00 | 130.00 | 350.00 |
| 8,501—9,000 | 460.00 | 140.00 | 55.00 | 140.00 | 370.00 |
| 9,001—9,500 | 485.00 | 160.00 | 55.00 | 160.00 | 390.00 |
| 9,501—10,000 | 510.00 | 170.00 | 60.00 | 170.00 | 410.00 |
| 10,001—15,000 | 765.00 | 240.00 | 90.00 | 240.00 | 615.00 |
| 15,001—20,000 | 1,015.00 | 315.00 | 115.00 | 315.00 | 815.00 |
| 20,001—25,000 | 1,265.00 | 390.00 | 140.00 | 390.00 | 1,015.00 |
| 25,001—30,000 | 1,515.00 | 465.00 | 165.00 | 465.00 | 1,215.00 |
| 30,001—35,000 | 1,765.00 | 540.00 | 190.00 | 540.00 | 1,415.00 |
| 35,001—40,000 | 2,015.00 | 615.00 | 215.00 | 615.00 | 1,615.00 |
| 40,001—45,000 | 2,265.00 | 690.00 | 240.00 | 690.00 | 1,815.00 |
| 45,001—50,000 | 2,515.00 | 765.00 | 265.00 | 765.00 | 2,015.00 |

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~~The fee for structures over 50,000 square feet is determined by combining fees to equal the square footage.~~

Note:

~~(1) Mechanical—Air conditioning, heating, ventilation, exhaust and refrigeration systems.~~

~~(2) Plumbing—All connections to a water or sewerage system. Fire sprinkler and gas pipe systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler and gas piping systems.~~

(c) *Finishing, repairs, maintenance, other.* The fee for remodeling, alterations, repairs, finish-out of shell buildings, and other construction, including swimming pools, fences, flatwork (concrete/asphalt), signs, gas tanks/pumps, lawn irrigation, whole house water softeners, etc., shall be as follows:

| Dollar Valuation ⁽³⁾ | Building | Electrical | Mechanical | Plumbing ⁽¹⁾ | Plans (2) |
|--------------------------------------|----------|------------|------------|-------------------------|-----------|
| \$0—3,000.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 | \$ 35.00 |
| 3,000.01—4,000.00 | 43.00 | 35.00 | 35.00 | 35.00 | 35.00 |
| 4,000.01—5,000.00 | 54.00 | 43.00 | 43.00 | 43.00 | 35.00 |
| 5,000.01—6,000.00 | 65.00 | 52.00 | 52.00 | 52.00 | 35.00 |
| 6,000.01—7,000.00 | 76.00 | 61.00 | 61.00 | 61.00 | 38.00 |
| 7,000.01—8,000.00 | 87.00 | 69.00 | 69.00 | 69.00 | 44.00 |
| 8,000.01—9,000.00 | 98.00 | 78.00 | 78.00 | 78.00 | 49.00 |
| 9,000.01—10,000.00 | 109.00 | 87.00 | 87.00 | 87.00 | 55.00 |
| 10,000.01—11,000.00 | 119.00 | 95.00 | 95.00 | 95.00 | 60.00 |
| 11,000.01—12,000.00 | 130.00 | 104.00 | 104.00 | 104.00 | 65.00 |
| 12,000.01—13,000.00 | 141.00 | 113.00 | 113.00 | 113.00 | 71.00 |
| 13,000.01—14,000.00 | 152.00 | 122.00 | 122.00 | 122.00 | 76.00 |
| 14,000.01—15,000.00 | 163.00 | 130.00 | 130.00 | 130.00 | 82.00 |
| 15,000.01—50,000.00 | 163.00 | 130.00 | 130.00 | 130.00 | 82.00 |
| Plus per \$1,000.00 over \$15,000.00 | 6.00 | 5.00 | 5.00 | 5.00 | 4.00 |
| 50,000.01—100,000.00 | 373.00 | 305.00 | 305.00 | 305.00 | 187.00 |
| Plus per \$1,000.00 | 5.00 | 4.00 | 4.00 | 4.00 | 3.00 |
| Over \$50,000.00 | | | | | |
| 100,000.01—500,000.00 | 623.00 | 505.00 | 505.00 | 505.00 | 312.00 |
| Plus per \$1,000.00 | 4.00 | 3.00 | 3.00 | 3.00 | 2.00 |
| Over \$100,000.00 | | | | | |
| 500,000.01—up | 2,223.00 | 1,705.00 | 1,705.00 | 1,705.00 | 1,112.00 |
| Plus per \$1,000.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |

| | | | | | |
|-------------------|--|--|--|--|--|
| Over \$500,000.00 | | | | | |
|-------------------|--|--|--|--|--|

Note:

- ~~(1) Mechanical—Air conditioning, heating, ventilation, exhaust and refrigeration systems.~~
- (21) Plumbing—All connections to a water, ~~or~~ sewerage or gas piping system. Fire sprinkler ~~and gas pipe~~ systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler ~~and gas piping~~ systems.
- (2) All plan review fees must be paid at time of application.
- (3) Permit fees are calculated individually by permit type. ~~All plan review fees must be paid at time of application.~~
- (de) *Miscellaneous.* The following miscellaneous fees shall be charged:
 - (1) Demolition/move structure, per structure \$50.00
 - (2) Failed inspection penalty (any kind), per inspection \$50.00
 - (3) Food dealer's permit, per year \$50.00
 - (4) Mobile food service permit, per unit \$5.00
 - (5) Temporary final utility service, per service (electric, water, or gas) \$35.00
 - (6) Temporary electric service pole, per pole \$35.00
 - (7) Mobile home park license, per year:
 - a. 1—20 units \$175.00
 - b. 21—50 units \$275.00
 - c. 51—120 units \$450.00
 - d. 121—200 units \$690.00
 - e. 201—300 units \$1,000.00
 - f. 301 units and above \$1,300.00
 - (8) Construction registration, per year \$80.00

Electrical and Plumbing contractors are exempt from fee pursuant to state law.

- (9) Appeals:
 - a. Construction board of appeals, per request \$275.00
 - b. Zoning board of adjustments and appeals, per request \$275.00
- (10) Certificate of occupancy:
 - a. New certificate of occupancy \$90.00
 - b. Partial ~~or temporary~~ certificate of occupancy (each) \$90.00

c. Temporary certificate of occupancy:

1. First 30 days \$90.00

2. Second extension of ~~15~~30 days...180.00

3. Third or more extensions of 1530 days each.....270.00

ed. Lost or replacement (reprint) certificate of occupancy \$5.00

(11) ~~Curb cut permit~~ Right-of-way permit ~~\$23~~50.00

~~(12) Street cut permit~~ \$56.00

~~(13)12~~ Floodplain permit ~~\$50.00~~

a. ~~Single~~ One and two family residential ~~lot~~lots.....\$35.00

b. Other lot.....\$70.00

~~(14)13~~ Landscape permit/R-3 and R-3F (with only one structure on one lot) \$35.00

~~(15)14~~ Landscape permit/commercial and R-3A \$50.00

~~(16)15~~ Residential-Temporary off-premises ~~real estate~~-sign:

a. First sign (per calendar year) \$25.00

b. Each sign tag thereafter in the same calendar year \$1.00

~~(17)16~~ Commercial kitchen hood permit (each):

a. Type I Hood (grease and smoke) \$75.00

b. Type II Hood (smoke and/or steam) \$35.00

~~(18)17~~ Partial inspection (each) \$35.00

~~(19)18~~ After hours inspections \$200.00 for first two hours and \$100.00 for each additional hour or fraction thereof. The minimum \$200.00 fee must be paid in advance of the inspection.

(ef) *Fee adjustment.* Owner of an expired permit may make written request within 30 days after date of expiration to the building official to reinstate said permit and shall be charged a fee of one-half the amount required for a new permit for such work, provided no changes have been made in the original plans and specifications for such work.

(fg) *Penalty.* Where construction is commenced before a permit is obtained, the permit fees shall be doubled.

(gh) *Occupy without a certificate of occupancy.* It shall be an offense for ~~any-registered~~ general~~the~~ contractor, whether commercial or residential, to allow an owner or tenant of property to occupy a new or remodeled building or space before the contractor obtains a certificate of occupancy. Upon conviction, a person violating this section shall be fined in an amount not less than two hundred fifty dollars (\$250.00), nor more than two thousand dollars (\$2,000.00). For the second or subsequent conviction within a twelve-month period, such person shall be fined not less than five hundred dollars (\$500.00), nor more than two thousand dollars (\$2,000.00). Each day a violation continues shall constitute a separate and distinct offense and shall be punishable as such.

(h) *Fees waived.* Projects for city owned facilities requiring permits shall be exempt from permit fees. However, contractors shall be responsible for contractor registration, construction trailers and/or other temporary construction structures, failed inspection penalties, or other penalties and fees.

(i) *Fee refunds.* The building official shall authorize the refund of fees as follows:

- (1) The full amount of any fee paid hereunder which was erroneously paid or collected.
- (2) Not more than fifty (50) percent of the permit fee paid when no work has been done under a permit issued in accordance with this chapter.
- (3) Not more than fifty (50) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

DIVISION 2. - BUILDING AND INSPECTIONS ~~DEPARTMENT~~DIVISION

Sec. 8-21. - Established.

There is hereby established a department to be called the building and inspections ~~department~~division and the person charged with the administration and enforcement of this chapter shall be known as the building official.

Sec. 8-26. - Permit application and plan review.

(a) *Application review time* . Construction permit applications shall be reviewed and either approved or disapproved within 45 calendar days from the date submitted. Such applications shall be submitted on forms furnished by the ~~permits-building~~ and inspections ~~department~~division. In addition, the applicant shall provide all necessary technical data sufficient to perform the permit review. The ~~permits-building~~ and inspections ~~department~~division shall provide written notice and reasons why the city is unable to grant the permit application.

(b) *Project submittals.*

(1) Project submittals for the construction of new buildings, additions and other development shall include documents necessary for the review and approval of the

proposed land use development, the proposed private and/or public water, sewer and drainage infrastructure to include the proposed connections to all public infrastructure, the proposed connectivity and access to public streets, the proposed landscaping plan, if required, and all details of the proposed building to include its plumbing, electrical, mechanical, energy and other system requirements for the project.

(2) Projects proposing the construction of one or more buildings at the same time will require a separate permit application for each building.

~~(3) — Permit applications for shell building construction shall not be combined with an interior finish out work permit.~~

ARTICLE IV. - CONSTRUCTION STANDARDS

DIVISION 1. - BUILDING CODE

Sec. 8-180. - Adopted.

There is hereby adopted by the city the International Building Code, 20182015 Edition, together with Appendices C [Group U—Agricultural Buildings], F [Rodent Proofing], H [Signs], I [Patio Covers], K [Administrative Provisions (Electrical)] and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-181. - Amendments.

The following sections of the International Building Code, 20182015 Edition, together with Appendices C [Group U—Agricultural Buildings], F [Rodent Proofing], H [Signs], I [Patio Covers], K [Administrative Provisions (Electrical)] and amendments, are hereby amended to read as follows:

(1) Section 101.1 of the International Building Code, 20182015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the building code of the City of Killeen, Texas, hereinafter referred to as "this code."

(2) Section 102 of the International Building Code, 20182015 Edition, is amended by adding section 102.7 as follows:

" *Section 102.7 Historic buildings.* All buildings or structures that are listed in the State or National Register of Historic Places; designated as a historic property under local or state

designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, are exempt from this code.

Permit applications for new construction, demolition, renovation or repair of any historic building, structure or site, including secondary buildings and landscape features, within the city shall be initially reviewed by the historic preservation officer and forwarded with a recommendation to the building official. If the property is determined by the historic preservation officer to be a contributing building or is potentially significant, the applicant shall be required to apply for a hearing before the historic preservation board for a determination of significance pursuant to article V, division 9, heritage preservation of the city's zoning ordinance prior to the application for any building permit."

(3) Section 105.2 of the International Building Code, ~~2018~~2015 Edition, is amended by deleting Building, item 6 and amending Building, items 1 and 2 to read as follows:

" *Building:*

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 20 square feet.
2. Fences not over 2 feet high."

(4) Section 107.1 of the International Building Code, ~~2018~~2015 Edition, is amended to read as follows:

" *107.1 Submittal documents.* Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more ~~paper~~ sets along with an electronic copy with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

1. Group A - assembly occupancies with a design occupant load over 100 persons.
2. Group E - educational occupancies with a design occupant load over 50.
3. All group H - hazardous and I - institutional occupancies.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code."

(5) Section 110 of the International Building Code, ~~2018~~2015 Edition, is amended by adding subsections 110.7.1, 110.7.2, and 110.7.3 to read as follows:

" *110.7.1 Reinspection.* Where any work or installation does not pass any initial inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for reinspection. A fee shall be paid to the department for each failed inspection.

110.7.2 Subsequent reinspection. Where any work or installation does not pass a reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A fee shall be paid to the department prior to each subsequent failed inspection. A failed inspection fee shall be paid to the department prior to any subsequent inspection.

110.7.3 Requirements prior to inspections. No inspection for new commercial or new residential construction shall occur if any of the following are not placed at each permitted construction site:

1. Trash receptacle. Such trash receptacle shall be sufficient in size for the project but not smaller than 24 square feet by 4 feet in height with openings no larger than 9 square inches and must be capable of containing construction debris. Such receptacles must be properly maintained and serviced.

2. Project address number posted and visible from street.

3. Construction worker toilet facilities as required in 311.1 of the ~~2018~~2015 IPC."

(6) Section 113 of the International Building Code, ~~2018~~2015 Edition, is amended by amending the title and section 113.1 to read as follows:

"SECTION 113 CONSTRUCTION BOARD OF APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a construction board of appeals. The construction board of appeals is established in this chapter. Where board of appeals appears in this code, it shall hereinafter read construction board of appeals."

(7) Section 114.1 of the International Building Code, ~~2018~~2015 Edition, is amended by adding section 114.1.1 to read as follows:

" 114.1.1 *Project nuisances*. A stop work order may be issued if any of the following occur:

1. Construction Litter and debris not kept in an approved receptacle designed in a manner so as not to allow it to be blown, carried, or deposited by the wind upon any private or public property or any right-of-way.
2. Project address is not posted or visible from the street or the Construction worker toilet facility missing or not in sanitary condition.
3. Excessive construction noise in violation of chapter 16 - miscellaneous provisions and offenses of the Killeen Code of Ordinances."

(8) Section 406.7.2 of the International Building Code, 20182015 Edition, is amended to read as follows:

" 406.7.2 Canopies. Canopies under which fuels are dispensed shall have a clear, unobstructed height of not less than 14 feet 0 inches (4,267.2 mm) to the lowest projecting element in the vehicle drive through area. [The remaining section in the code remains in effect and is not amended].~~Canopies and their supports over pumps shall be of noncombustible materials, fire-retardant-treated wood complying with Chapter 23, wood of Type IV sizes, or of construction providing 1-hour fire resistance. Combustible materials used in or on a canopy shall comply with one of the following:~~

~~1.—Shielded from the pumps by a noncombustible element of the canopy, or wood of Type IV sizes; or~~

~~2.—Plastics covered by aluminum facing having a minimum thickness of 0.010 inch (0.30 mm) or corrosion-resistant steel having a minimum base metal thickness of 0.016 inch (0.41 mm). The plastic shall have a flame spread index of 25 or less and a smoke developed index of 450 or less when tested in the form intended for use in accordance with ASTM E 84 or UL 723 and a self-ignition temperature of 650°F (343°C) or greater when tested in accordance with ASTM D 1929; or~~

~~3.—Panels constructed of light-transmitting plastic materials shall be permitted to be installed in canopies erected over motor vehicle fuel-dispensing station fuel dispensers, provided the panels are located at least 10 feet (3,048 mm) from any building on the same property and face yards or streets not less than 40 feet (12,192 mm) in width on the other sides. The aggregate areas of plastics shall not exceed 1,000 square feet (93 m²). The maximum area of any individual panel shall not exceed 100 square feet (9.3 m²)."~~

(9) Chapter 11 of the International Building Code, 20182015 Edition, is amended by deleting sections 1102 through 1111 in their entirety, and amending section 1101.2 to read as follows:

" *1101.2 Design.* Buildings and facilities shall be designed and constructed to be accessible in accordance with the Texas Accessibility Standards (TAS) of the Architectural Barriers Act. Buildings subject to the requirements of the Texas Accessibility Standards are described in Administrative Rules of the Texas Department of Licensing and Regulation, Title 16 Texas Administrative Code, Part 4, Chapter 68 Elimination of Architectural Barriers.

| *Exception:*-Buildings regulated under State Law and built in accordance with State certified plans, including any variances or waivers granted by the State, shall be deemed to be in compliance with the requirements of this chapter."

| (10) Section 1612.3 of the International Building Code, 20182015 Edition, is amended to read as follows:

" *1612.3 Establishment of flood hazard areas.* To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency an engineering report entitled "The Flood Insurance Study for the City of Killeen," as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section. (REF. Chapter 12 Flood Damage Prevention of the City of Killeen's Code of Ordinances)"

Secs. 8-182—8-185. - Reserved.

DIVISION 2. - EXISTING BUILDING CODE

Sec. 8-186. - Adopted.

| There is hereby adopted by the city the International Existing Building Code, 20182015 Edition, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-187. - Amendments.

| The following sections of the International Existing Building Code, 20182015 Edition, is hereby amended to read as follows:

| (1) Section 101.1 of the Existing International Building Code, 20182015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the existing building code of the City of Killeen, Texas, hereinafter referred to as 'this code.'"

(2) Section 105.2 of the International Existing Building Code, ~~2018~~2015 Edition, is amended by deleting Building, items 1, ~~4~~ and 5.

(3) Section 106.1 of the International Existing Building Code, ~~2018~~2015 Edition, is amended to read as follows:

" *106.1 Submittal documents.* Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his official seal to said drawings, specifications and accompanying data, for the following:

1. Group A - assembly occupancies with a design occupant load over 100 persons.
2. Group E - educational occupancies with a design occupant load over 50 persons.
3. All Group H - hazardous occupancies and I - institutional occupancies.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code."

(4) Section 109.6 of the International Building Code, ~~2018~~2015 Edition, is amended by adding subsections 109.6.1, 109.6.2, and 109.6.3 to read as follows:

" *109.6.1 Reinspection.* Where any work or installation does not pass any initial inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for failed reinspection. A fee shall be paid to the department for each failed inspection.

109.6.2 Subsequent reinspection. Where any work or installation does not pass a reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A failed inspection fee shall be paid to the department prior to any subsequent inspection.

109.6.3 Requirements prior to inspections. No inspection for new commercial or new residential construction shall occur if any of the following are not placed at each permitted construction site:

1. Trash receptacle. Such trash receptacle shall be sufficient in size for the project but not smaller than 24 square feet by 4 feet in height with openings no larger than 9

square inches and must be capable of containing construction debris. Such receptacles must be properly maintained and serviced.

2. Project address number posted and visible from street.
3. Construction worker toilet facilities as required in 311.1 of the ~~2018~~2015 IPC."
- (5) Section 112 of the International Existing Building Code, ~~2018~~2015 Edition, is amended by amending the title and section 112.1 to read as follows:

" SECTION 112 CONSTRUCTION BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a construction board of appeals. The construction board of appeals is established in this chapter. Where board of appeals appears in this code, it shall hereinafter read construction board of appeals."

- (6) Section 114.1 of the International Existing Building Code, ~~2018~~2015 Edition, is amended by adding section 114.1.1 to read as follows:

" 114.1.1 Project nuisances. A stop work order may be issued if any of the following occur:

1. Litter not kept in an approved receptacle designed in a manner so as not to allow it to be blown, carried, or deposited by the wind upon any private or public right-of-way.
2. ~~Project address is not posted or visible from the street or the~~ ~~Ec~~construction worker toilet facility missing or not in sanitary condition.
3. Excessive construction noise in violation of chapter 16 - miscellaneous provisions and offenses of the Killeen Code of Ordinances."

- (7) Section 110.1 of the Existing International Building Code, ~~2018~~2015 Edition, is amended by adding sections 110.1.2 and 110.1.3 to read as follows:

" 110.1.2 Change in tenancy. It shall be unlawful to make a change in tenancy of any existing commercial building or lease space without first making application for and obtaining approval for a certificate of occupancy.

110.1.3 Nontransferable. Once issued, a certificate of occupancy is not transferable to another owner, person, business or property."

Secs. 8-188—8-189. - Reserved.

DIVISION 3. - RESIDENTIAL CODE

Sec. 8-190. - Same—Adopted.

There is hereby adopted by the city the International Residential Code for One- and Two-Family Dwellings, 20182015 Edition, together with Appendices A [Sizing and Capacities of Gas Piping], B [Sizing of Venting Systems], C [Exit Terminals of Mechanical Draft and Direct-vent Venting Systems], D [Recommended Procedure for Safety Inspection of an Exiting Appliance Installation], E [Manufactured Housing used as Dwellings], F [Radon Control Methods], G [Piping Standards for Various Applications], H [Patio Covers], J [Existing Buildings and Structures], K [Sound Transmission], M [Home Day Care], N [Venting Methods], O [Automatic Vehicular Gates], P [Sizing of Water Piping], Q [~~ICC International Residential Code Electrical Provisions/NEC Code Cross Reference~~ Tiny Houses], T [~~Solar-Ready Provisions~~ and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-191. - Same—Amendments.

The following sections of the International Residential Code for One- and Two-Family Dwellings, 20182015 Edition and amendments, are hereby amended to read as follows:

(1) Section R101.1 of the International Residential Code for One- and Two-Family Dwellings, 20182015 Edition, is amended to read as follows:

" *R101.1 Title.* These provisions shall be known as the residential code of the City of Killeen, hereinafter referred to as "this code."

(2) Section R105.2 of the International Residential Code for One- and Two-Family Dwellings, 20182015 Edition, is amended by deleting Building, items 5 and 10 and amending Building, items 1 and 2 to read as follows:

" *Building:*

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 20 square feet (3.71 m2).

2. Fences not over 2 feet high."

(3) Section R109.4 of the International Residential Code for One- and Two-Family Dwellings, 20182015 Edition, is amended by adding subsections R109.4.1, R109.4.2, and R109.4.3 to read as follows:

" *R109.4.1 Reinspection.* Where any work or installation does not pass any initial inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for reinspection. A failed inspection fee shall be paid to the department for each failed inspection.

R109.4.2 Subsequent reinspection. Where any work or installation does not pass a reinspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for a subsequent reinspection. A failed inspection fee shall be paid to the department prior to any subsequent inspection.

R109.4.3 Requirements prior to inspections. No inspection for new residential construction shall occur if any of the following are not placed at each permitted construction site:

1. Trash receptacle. Such trash receptacle shall be sufficient in size for the project but not smaller than 24 square feet by 4 feet in height with openings no larger than 9 square inches and must be capable of containing construction debris. Such receptacles must be properly maintained and serviced.

2. Project address number posted and visible from street.

3. Construction worker toilet facilities as required in R306.5 of the 2009 IRC."

(4) Section R112 of the International Residential Code for One- and Two-Family Dwellings, ~~2018~~2015 Edition, is amended by amending the title and section R112.1, and by deleting sections R112.2 through R112.4 to read as follows:

" *SECTION R112 CONSTRUCTION BOARD OF APPEALS*

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a construction board of appeals. The construction board of appeals is established in this chapter. Where board of appeals appears in this code, it shall hereinafter read construction board of appeals."

(5) Section 114.1 of the International Residential Code for One and Two-Family Dwellings, ~~2018~~2015 Edition, is amended by adding section 114.1.2 to read as follows:

" *114.1.2 Project nuisances.* A stop work order may be issued if any of the following occur:

1. Litter not kept in an approved receptacle designed in a manner so as not to allow it to be blown, carried, or deposited by the wind upon any private or public property or right-of-way.

2. Project address is not posted or visible from the street or the ~~€~~construction worker toilet missing or not in sanitary condition.

3. Excessive construction noise in violation of chapter 16 - miscellaneous provisions and offenses of the Killeen Code of Ordinances."

(6) Section R301.1 of the International Residential Code for One- and Two-Family Dwellings, 2009 Edition, is amended by inserting the appropriate design criteria in Table R301.2(1) as follows:

| Ground Snow Load | Wind Speed ^d (mph) | Seismic Design Category ^f |
|----------------------|-------------------------------|--------------------------------------|
| 5 lb/ft ² | 115 (3-sec-gust) | A |

Subject to damage from

| Weathering ^a | Frost line depth ^b | Termite ^c | Decay ^d | Winter Design Temp ^f | Flood Hazards ^g |
|-------------------------|-------------------------------|----------------------|--------------------|---------------------------------|----------------------------|
| Moderate | 4" | Moderate to heavy | Slight to moderate | 26 °F | Local code |

(7) Section R306 of the International Residential Code for One- and Two-Family Dwellings, ~~2018~~2015 Edition, is amended by adding section 306.5 to read as follows:

" *R306.5 Toilet facilities for workers.* Each contractor shall provide toilet facilities for construction workers and such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to ANSI Z4.3. The path of travel to required facilities shall not exceed a distance of 150 feet (45.5 m)."

(8) Section R313.2 of the International Residential Code for One- and Two-Family Dwellings, ~~2018~~2015 Edition, is amended by deleting section 313.2 in its entirety.

(9) Section G2417.4.1 of the International Residential Code for One- and Two-Family Dwellings, ~~2018~~2015 Edition, is amended to read as follows:

" *G2417.4.1 Test pressure.* The test pressure to be used shall be no less than one and one-half times the proposed maximum working pressure but not less than 10 psig (68.9 kPa gauge) and the test gauge shall not be rated higher than 30 PSI, or at the discretion of the code official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer, low pressure diaphragm gauge or slope gauge. For welded piping, and for piping carrying gas at pressures in excess of 0.5 psig or fourteen (14) inches water column pressure (3.48 kPa), the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa)."

(10) Chapters 34 through ~~40~~43 of the International Residential Code for One- and Two-Family Dwellings, ~~2018~~2015 Edition [Electrical Requirements], are amended by deleting them in their entirety.

Secs. 8-192—8-209. - Reserved.

DIVISION 4. - ELECTRICAL CODE

Subdivision 1. - Code Adoption

Sec. 8-210. - Adopted.

There is hereby adopted by the city the National Electrical Code (NFPA 70), ~~2017~~2014 Edition, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Secs. 8-211—8-219. - Reserved.

Subdivision 2. - Additional Local Requirements

Sec. 8-220. - General installation requirements for residential and commercial buildings and structures.

(a) All electrical construction and all materials and appliances used in connection with the installation, maintenance, and operation of electrical wiring, apparatus or equipment for the utilization of electrical energy for light, heat or power shall conform to the rules and regulations of this section, the adopted electrical code, and in harmony with the electrical service guidelines of the local electrical utility provider.

~~(b) *Aluminum conductors - Minimum size.* Aluminum or copper clad aluminum #1/0 AWG and larger conductors may be used where the conductors terminate in an approved service or service feeder panel. The conductors shall be terminated according to manufacturer's recommendations and have a coating of oxidation inhibitor applied. (REF. NEC Articles 215 - Feeders, 230 - Services, 338 - Service Entrance Cable, and 310 - Aluminum Conductor Material)~~

~~(c) *Branch circuit conductors - Minimum size.* No copper conductor smaller than No. 12 AWG size shall be used in any branch circuit except as follows:~~

~~(1) Number 14 AWG conductors may be used for switch legs (dwelling units only).~~

~~(2) Number 14 AWG for control circuits operating line voltage contractors, relay and the like; (REF. NEC Article 210-19 Conductors - minimum ampacity and size).~~

~~(d) *GFCI receptacle identification* . All receptacles protected by one (1) or more ground fault circuit interrupter (GFCI) devices shall be identified with the manufacturer's labels. (REF. NEC Article 210-8—GFCI Protection for Personnel.)~~

(eb) *Abandoned wiring* . Whenever new wiring is replacing old wiring, the old wiring shall be completely removed where possible. Abandoned wiring that cannot be removed shall be rendered unusable for future use before final approval shall be given for the new wiring.

(fc) *Additions to existing wiring* . Where additions or extensions are made, and part of the existing wiring remains in use, and if defects exist in same, the existing wiring must be corrected and shall meet standards for new work.

(gd) *Electrical service upgrade required* . The electrical service shall be upgraded on a structure when electrical power is disconnected for any of the following conditions:

- (1) Dangerous or unsafe electrical hazards;
- (2) Substantial damage to electrical service over fifty percent (50%);
- (3) Loss of electrical power for a period of one (1) year or longer.

(eh) *Electrical system upgrade required (total rewire)* . The electrical system shall be upgraded on a structure when any of the following occur:

- (1) Dangerous or unsafe electrical hazards.
- (2) Substantial damage to electrical system over fifty percent (50%).
- (3) Change from residential use to commercial use. For the purpose of this section, apartment dwellings are considered residential use and hotel/motel structures are considered commercial use.

(fi) *Service masts as supports* . In addition to the requirements in the NEC, section 230-28, all service masts installed as support for service-drop conductors shall meet the following:

- (1) Only service-drop conductors shall be permitted to be attached to a service mast.
- (2) Service conduit extending through the roof and used for a service support shall be sealed at the roof with an approved flashing and extend a minimum of thirty of thirty-six (36) inches above the roof. Such service conduit shall be anchored just before entering the roof.
- (3) A minimum size of two (2) inches rigid conduit shall be used for service mast. E.M.T. or I.M.C are not acceptable for service masts supports.

(jg) *Services—general* . In addition to the requirements in the NEC, Section 230, all services installed shall meet the following:

- (1) All entrance service conductors shall be enclosed in galvanized conduit or electrical metallic tubing. A minimum of one and one-quarter inch (1-1/4") conduit shall be used for service other than for service masts.
- (2) Length of outside service wire extension beyond service weatherhead shall not be less than (1) one foot.

(3) Unless otherwise allowed in Section 230 of the adopted NEC, Multiple—tenant or lease space buildings shall have only (1) electrical service meter allowed for each individual

tenant space. Reconfigured tenant spaces that combine the interior, through doors or other access points, of two or more originally separate tenant spaces in order to serve one (1) tenant exclusively shall be required to remove all but one (1) electrical service meter.

~~(4) — Each service shall be supplied with two (2) five eighths inch by eight (8) feet ground rods spaced a minimum of six (6) feet apart. Other grounding methods may be used with special permission from the code building official.~~

(kh) *Electrical metallic tubing installation.* Electrical metallic tubing shall not be permitted for direct burial in earth or installed in or under concrete on grade or below grade. (REF. NEC Article 348-10 Uses Permitted.)

(li) *Main disconnects .* Service entrance conductors hereafter installed on all buildings, shall require a single main disconnect (limited to six (6) overcurrent devices) or manual shunt-trip device located outside the building or structure. When a remote shunt-trip button is installed, it shall be located on the exterior of the building or structure and shall have a visual indication that the service has been disconnected when the trip has been activated. The shunt-trip button shall be in a sturdy, exterior cabinet that can be secured with a padlock. The cabinet shall be permanently marked on the exterior, stating "shunt-trip disconnect."

(Ord. No. 02-24, § I, 5-28-02; Ord. No. 06-18, § I, 2-14-06; Ord. No. 09-016, § I, 2-24-09; Ord. No. 11-009, § I, 2-8-11; Ord. No. 15-061, § I, 10-27-15)

~~Sec. 8 221. — Additional residential requirements for one and two family dwellings, townhouses, and apartment use buildings.~~

~~(a) — Heating unit conductors . Feeders and branch circuits for heating units in dwelling units shall be copper conductors.~~

~~(b) — Appliance circuits and receptacles .~~

~~(1) — Receptacle outlets installed in the kitchen and dining room of each dwelling shall have a maximum of three (3) duplex receptacles on each 20 amp small appliance circuit. Such receptacles shall be rated twenty (20) amps. Note: Fifteen (15) amp rated receptacles shall not be allowed on such circuits.~~

~~(2) — Dedicated circuits shall be required for refrigerator, disposal, built in microwave, washing machine, furnace, bathroom heater, trash compactor, and dishwasher.~~

~~(3) — Single duty receptacle shall be required for each refrigerator, disposal, built in microwave, washing machine, trash compactor or dishwasher.~~

~~(c) — Circuit limitations . In areas other than kitchens and dining rooms, no more than eight (8) receptacle and/or lighting fixture outlets shall be connected to any one (1) circuit, whether the outlets are ceiling or wall outlets.~~

~~(Ord. No. 02 24, § I, 5 28 02; Ord. No. 09 016, § I, 2 24 09; Ord. No. 11 009, § I, 2 8 11)~~

Sec. 8-222. - Additional commercial requirements for hotel, motel, and other non-residential use buildings or structures.

- (a) *Wiring requirements* . ~~Service entrance cable shall be prohibited in all nonresidential buildings and residential buildings over three (3) stories tall. In addition, a~~ All electrical wiring installed in nonresidential buildings and dwelling buildings over three (3) stories tall shall be installed with code approved conduit materials and methods. Non-metallic sheathed cable (Romex type wire) shall not be used.~~one (1) of the following methods:~~

~~(1) — Electrical metallic tubing (EMT);~~

~~(2) — Surface metal raceway;~~

~~(3) — Electrical nonmetallic tubing (ENT) shall be allowed in walls only;~~

~~(4) — Metal clad cable (MC) shall be allowed in walls and used to connect to lighting fixtures with a maximum length of ten (10) feet;~~

~~(5) — Rigid metal pipe.~~

- (b) *Receptacle requirements* .

~~(1) — Minimum of one (1) receptacle shall be required for each interior wall four (4) feet or longer of occupied space. Walls over fifteen (15) linear feet shall have receptacles spaced no greater than thirty (30) feet apart, measured horizontally around the interior walls at the floor level.~~

~~(2) — Receptacle circuits and outlets for counter spaces in kitchen, break room or similar areas shall be installed in accordance with subsection 8-221(b) above.~~

~~(3) —~~ Receptacles and switches in commercial buildings shall be rated a minimum of twenty (20) ampere.

- (c) *Minimum building service* . Except for small unoccupied buildings and structures such as ATM booths, billboards, and similar uses ~~A~~all nonresidential buildings shall have a minimum of a two hundred (200) ampere service.

DIVISION 5. - PLUMBING CODE

Sec. 8-240. - Adopted.

Sec. 8-240. - Adopted.

There is hereby adopted by the city the International Plumbing Code, 2018~~2015~~ Edition, together with Appendices B (Rates of Rainfall for Various Cities, C (Structural Safety), D (Degree Day and Design Temperatures, and E (Sizing of Water Pipe System) and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in

full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-241. - Amendments.

| The following sections of the International Plumbing Code, ~~2018~~2015 Edition, together with Appendices B, C, D and E, and amendments, are hereby amended to read as follows:

| (1) Section 101.1 of the International Plumbing Code, ~~2018~~2015 Edition, is amended to read as follows:

“101.1 *Title*. These regulations shall be known as the plumbing code of the City of Killeen, hereinafter referred to as “this code.”

| (2) Section 305.4.1 of the International Plumbing Code, ~~2018~~2015 Edition, is amended to read as follows:

" 305.4.1 *Building Sewers*. Building sewers that connect to private sewage systems shall be a minimum of 6 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 6 inches below grade."

| (3) Section 903.1 of the International Plumbing Code, ~~2018~~2015 Edition, is amended to read as follows:

" 903.1 *Roof extension*. All open vent pipes that extend through a roof shall be terminated at least 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 terminate at least 7 feet (2,134 mm) above the roof."

Secs. 8-242—8-259. - Reserved.

DIVISION 6. - FUEL GAS CODE

Sec. 8-260. - Adopted.

| There is hereby adopted by the city the International Fuel Gas Code, ~~2018~~2015 Edition, together with Appendix A (Sizing and Capacities of Gas Piping), B (Sizing of Vent Systems), C (Exit Terminations), D (Recommended Procedures for Safety Inspections) and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-261. - Amendments.

The following sections of the International Fuel Gas Code, ~~2018~~2015 Edition, are hereby amended to read as follows:

(1) Section 101.1 of the International Fuel Gas Code, ~~2018~~2015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the fuel gas code of the City of Killeen, hereinafter referred to as "this code."

(2) Section 406.4.1 of the International Fuel Gas Code, ~~2018~~2015 Edition, is amended by amending sections 406.4.1 and 406.4.2 to read as follows:

" *406.4.1 Test pressure.* The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure but not less than 10 psig (69 kPa gauge) and the test gauge shall not be rated higher than 30 PSI, or at the discretion of the code official, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer, low pressure diaphragm gauge or slope gauge. For welded piping, and for piping carrying gas at pressures in excess of 0.5 psig or fourteen (14) inches water column pressure (3.48 kPa), the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa). Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

406.4.2 Test duration. Test duration for residential dwellings shall be not less than 10 minutes. For larger piping systems the code official may require a longer test duration, not to exceed 24 hours."

Secs. 8-262—8-279. - Reserved.

DIVISION 7. - MECHANICAL CODE

Sec. 8-280. - Adopted.

There is hereby adopted by the city the International Mechanical Code, ~~2018~~2015 Edition, together with Appendix A (Chimney Connector Pass-Throughs), and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-281. - Amendments.

The following sections of the International Mechanical Code, ~~2018~~2015 Edition, are hereby amended to read as follows:

(1) Section 101.1 of the International Mechanical Code, ~~2018~~2015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the mechanical code of the City of Killeen, hereinafter referred to as "this code."

Secs. 8-282—8-299. - Reserved.

DIVISION 8. - ENERGY CONSERVATION CODE

Sec. 8-300. - Adopted.

There is hereby adopted by the city the International Energy Conservation Code, ~~2018~~2015 Edition, together with Appendix RA (Solar-Ready Provisions) with amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-301. - Amendments.

The following sections of the International Energy Conservation Code, ~~2018~~2015 Edition, are hereby amended to read as follows:

(1) Section 101.1 of the International Energy Conservation Code, ~~2018~~2015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the energy conservation code of the City of Killeen, hereinafter referred to as "this code."

Secs. 8-302—8-309. - Reserved.

DIVISION 9. – SWIMMING POOL AND SPA CODE

Sec. 8-310. - Adopted.

There is hereby adopted by the city the International Swimming Pool and Spa Code, ~~2018~~2015 Edition, together with amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-311. - Amendments.

The following sections of the International Swimming Pool and Spa Code, 20182015 Edition, are hereby amended to read as follows:

(1) Section 101.1 of the International Swimming Pool and Spa Code, 20182015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the swimming pool and spa code of the City of Killeen, hereinafter referred to as "this code."

Secs. 8-312—8-319. - Reserved.

DIVISION 10. - PROPERTY MAINTENANCE CODE

Sec. 8-320. - Adopted.

There is hereby adopted by the city the International Property Maintenance Code, 20182015 Edition, and amendments, a copy of which is attached hereto and made a part of this chapter for all purposes, the same as if copied in full herein, with the exception of such sections thereof as are hereinafter deleted, modified or amended.

Sec. 8-321. - Amendments.

The following sections of the International Property Maintenance Code, 20182015 Edition, and amendments, are hereby amended to read as follows:

(1) Section 101.1 of the International Property Maintenance Code, 20182015 Edition, is amended to read as follows:

" *101.1 Title.* These regulations shall be known as the property maintenance code of the City of Killeen, hereinafter referred to as "this code."

~~(2)—Section 102.7 of the International Property Maintenance Code, 2015 Edition, is amended to read as follows:~~

~~" *102.7 Referenced codes and standards.* The codes and standards referenced in this code shall be those that are listed in this chapter, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where the requirements of referenced standards or manufacturer's installation instructions do not conform to minimum provisions of this code, the provisions of this code shall apply. 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."~~

(32) Section 103.5 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to read as follows:

" *103.5 Fees* . The fees for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for activities and services performed by the department in carrying out its responsibilities under the property maintenance code shall be as indicated in section 8-11 of the City of Killeen Code of Ordinances."

(43) Section 106.4 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to read as follows:

"*106.4 Violation penalties* . Persons who shall violate a provision of this code or fail to comply therewith, or fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit issued under the provisions of this code, shall be guilty of a Class C misdemeanor, punishable by a fine of not more than \$2,000 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(54) Section 107.1 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to read as follows:

" *107.1 Notice to owner or to person or persons responsible* . Whenever the ~~code~~building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in sections 107.2 and 107.3."

(65) Section 108 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended by amending section 108.1 and by deleting sections 108.1.1 through 108.7 to read as follows:

" *108.1 General*. When a structure or equipment is found by the ~~code~~building official to be unsafe, dilapidated, imminently dangerous, found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of article V of chapter 8 of the code of ordinances."

(6) Section 109 of the International Property Maintenance Code, 2018 Edition, is amended by deleting it in its entirety.

(7) Section 110 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended by deleting it in its entirety.

(8) Section 111 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended by amending section 111.1 and by deleting sections 111.2 through 111.8 to read as follows:

" SECTION 111 CONSTRUCTION BOARD OF APPEALS

111.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a construction board of appeals. The construction board of appeals is established in this chapter. Where board of appeals appears in this code, it shall hereinafter read construction board of appeals."

(9) Section 302.4 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to read as follows:

" *302.4 Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches (304.8 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens."

(10) Section 302.7 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to add Section 302.7.1 to read as follows:

" *302.7.1 Fence Maintenance.*

For the purposes of the chapter, fence shall be as defined in Chapter 31, Division 10 of the Killeen Code of Ordinances.

All fences shall be maintained as follows:

- a. Fences shall not be out of vertical alignment more than one (1) foot from the true vertical (90 degree angle from adjacent grade) measured at the top of the fence.
- b. Any and all broken, loose, damaged, insect damaged, or missing parts (i.e., slats, posts, wood rails, bricks, panels) shall be replaced or repaired within thirty (30) days of notification of non-compliance. Fences enclosing swimming pools or spas must be repaired immediately.
- c. Repairs of any nature shall be made with materials of comparable composition, color, size, shape, and quality of the original fence to which the repair is being made. Nothing herein shall be construed so as to prohibit the complete removal of a fence, unless such fence encloses a swimming pool or spa or the fence is required for screening purposes in accordance with Chapter 31 - Zoning."

(11) Section 304.14 of the International Property Maintenance Code, ~~2018~~2015 Edition, is amended to read as follows:

" *304.14 Insect screens.* Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be

included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitted screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every ~~swing~~screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

(12) Sections 602.3 and 602.4 of the International Property Maintenance Code, ~~2018~~2015 Edition, are amended to read as follows:

" 602.3 *Heat supply.* Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

602.4 *Occupied work spaces.* Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the space is occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities."

Secs. 8-322—8-339. - Reserved.

ARTICLE V. - UNSAFE BUILDINGS OR OTHER STRUCTURES

DIVISION 2. - ENFORCEMENT AND ABATEMENT

Sec. 8-385. - Notice of hearing.

- (a) Notice of the public hearing required under section 8-384 shall be sent to the owner of record, lienholder, and mortgagee of the affected property. The notice shall be served at least ~~fifteen~~^{thirty} (30~~15~~) calendar days there from prior to the hearing date. The notice may be served personally or by certified mail, return receipt. The executed return receipt shall be prima facie evidence of service. If the owner of record, lienholder, or mortgagee of the building cannot be identified, the city shall make a diligent effort, use its best efforts, or make a reasonable effort to determine the identity and address of an owner, a lienholder, or mortgagee. If a notice is mailed according to this subsection and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice shall be deemed to be delivered.

SECTION II. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V. That this ordinance shall be effective on January 1, 2019.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this _____ day of _____, 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lucy Aldrich, CITY SECRETARY

Kathryn H. Davis, CITY ATTORNEY