



City Council Agenda 10/02/2018

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on October 2, 2018 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Legislative Prayer

3. Pledges

4. Proclamations/Recognitions

- a. Proclamation declaring October 22-26, 2018 as Red Ribbon Week

5. Public Comment

Issues or items that are not on the agenda may be raised by the public at this time. Citizens should speak from the podium, begin by stating their name and limit remarks to less than three minutes. Council members may request that a discussed item be placed on a future agenda. The Council takes public comment on all Regular Agenda items during the discussion of those items.

6. Consent Agenda

- a. Consider approving the September 18, 2018 City Council regular meeting minutes (Antilley)
- b. Consider authorizing the sale of the following Lake Nasworthy properties to current residential lot leaseholder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties (Preas):
 - 1. 2894 Red Bluff Circle (\$130,000)
 - 2. 2590 Sleepy Hollow Road (\$104,657)
 - 3. 2854 Red Bluff Circle (\$62,414)
 - 4. 2169 Gun Club Road (\$54,290)
- c. Consider approving items related to a contract with AssetWorks, LLC, fleet management software:
 - 1. Ratification of payment made between May 6, 2017, and August 30, 2018, in an amount of \$60,480.46
 - 2. Continuation of GSA Contract #GS-35F-317G for fleet management software to AssetWorks, LLC, budgeted annually, not to increase more than 5% over the previous contract year price (Kramer)
- d. Consider approving an amendment to an existing Contract with Ener-Tel Services (through Buyboard) beyond the initial term that ends November 11, 2018 and extending through December 31, 2018 and authorizing City Manager to negotiate and execute all related documents (Lewis)

- e. Consider approving Tax Increment Reinvestment Zone (TIRZ) incentive funding for two private projects in the North TIRZ area for the properties located at 1102 N. Chadbourne and 2412 N. Chadbourne totaling \$71,881.58 (J. James)
- f. Consider ratifying COSADC's approval of a resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$225,000 to the San Angelo Chamber of Commerce for promotional and business recruitment services, a project authorized under Chapters 502 and 505 of the Texas Local Government Code (Andrews)
- g. Second reading of ordinances approving:
 - 1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street
 - 2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street (J. James)
- h. Second reading on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" (J. James)
- i. Second reading on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the city is required (J. James)

7. Regular Agenda

- a. Second reading and public hearing of ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)
- b. First public hearing and consideration of an ordinance amending Chapter 11 "Utilities," Article 11.02 "Water and Sewer Systems", Section 11.02.031 "Rates", by amending the conservation discounts - (Presentation made by Water Utilities Director Allison Strube)
- c. First reading and public hearing of an Ordinance amending Chapter 4, Article 4.03, to amend sections 4.03.032 and 4.03.033; and Chapter 4, Article 4.04, to adopt the 2015 editions of the International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, and the 2014 National Electric Code - (Presentation made by Construction Manager Al Torres)
- d. Consider awarding RFB PK-03-18 Renovation and Expansion of Ruffini Parking Lot to Symco Structural, Inc. of San Angelo, TX, in the amount of \$279,655, budgeted for purchase in FY19, and authorizing the City Manager to execute any related documents - (Presentation made by Construction Manager Alfonso Torres)

- e. Consider authorizing the San Angelo Fire Department to accept and execute the Staffing for Adequate Fire and Emergency Response (SAFER) grant for \$1,096,192 for 8 additional firefighters. This is a three year grant that the city will pay 25% of the salaries in year one, 25% year two, 65% in year three and the full amount of salaries and benefits starting the fourth year. Cost at the end of the fourth year will be \$592,536. - (Presentation made by Assistant Chief Todd Sanford)
- f. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for capital items, grants, and reimbursed expenses - (Presentation made by Finance Director Tina Dierschke)

8. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Sec. 551.072. Deliberation Regarding Real Property. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the solid waste contract
- c. Section 551.074(1) to deliberate the annual evaluation of the City Manager

9. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Consider approving various board nominations:
Development Corporation: Max Puello (SMD3) to an unexpired term ending February 2019
Parks and Recreation Advisory Board: Jon Mark Hogg (SMD5) to an unexpired term ending December 2019
- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 28th day of September 2018, at 11:45 a.m.

Bryan Kendrick, City Clerk

All agenda items are subject to action. All contracts/agreements may be subject to further negotiation prior to execution. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

City Council meetings are broadcast on Channel 17-Government Access at 10:30 A.M. and 7:00 P.M. every day for two weeks beginning on the Thursday after each meeting.

Proclamation

Substance use disorder is particularly damaging to children and contribute to the three leading causes of death for teens – accidents, homicides and suicides; and

It is imperative that visible, unified prevention education efforts by the community be launched to eliminate the demand for drugs; and

It is the goal of Red Ribbon Week and of the Alcohol and Drug Abuse Council of the Concho Valley to involve families, schools, businesses, churches, law enforcement agencies and service organizations in all aspects of this campaign and to establish an atmosphere that supports awareness, education and ongoing initiatives to prevent illegal drug use; and

The Red Ribbon Week Campaign promotes family and individual responsibilities for living healthy, drug-free lifestyles without illegal drugs or the unlawful use of legal drugs, and

Many activities are planned during Red Ribbon Week in Tom Green County,

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim October 22-26, 2018, as

Red Ribbon Week

in San Angelo, Texas, and call upon all citizens to support, and increase community awareness and prevention efforts in our community.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 2nd day of October, 2018.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 18, 2018

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:30 a.m. on Tuesday, September 18, 2018, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Legislative Prayer

An invocation was provided by Council Member Thomas.

3. Pledges

The pledges were led by Cub Scout Packs 22 and 374.

4. Proclamations/Recognitions

October 7 -13, 2018 was proclaimed Fire Prevention Week

October 1, 2018 was proclaimed World Habitat 2018 and Affordable Housing Day

Julia Antilley was recognized for underwriting orange cat adoptions at the Animal Shelter

CVB Vice President Diann Bayes and City Manager Daniel Valenzuela were recognized by Allie Nichols for their efforts related to San Angelo obtaining the Texas Film Commission's Film Friendly Designation

5. Public Comment

Mayor Gunter thanked the following: leadership and staff for their response to last week's water main break; Toni Brinker Pickens who organized Operation Blue Shield and all participants; and, Carl White and staff for organizing River Fest.

Citizen Steve Hampton requested more information on items 6e, 6f, and 6g.

Water Utilities Director Allison Strube thanked all employees for the team effort in responding to last week's water main break.

Health Director Sandra Villarreal and Recreation Manager Brent Casey announced September as Healthy Aging Month and invited everyone to the September 20th Healthy Aging Wellness Fair.

City Manager Daniel Valenzuela emphasized the importance of all staff, which all council members reiterated.

6. Consent Agenda

- a. Approval of the September 4, 2018 City Council regular meeting minutes
- b. Authorization of the sole source purchase of Hydra-Stop Insta-Valve tapping machine in the amount of \$67,214 plus delivery, budgeted in FY18 Water Capital Funds and authorizing the City Manager to execute any related documents
- c. Authorization of the San Angelo Fire Department to accept and execute an Assistance to Firefighter's Grant for \$254,991 to install diesel exhaust systems in 6 fire stations, the matching portion for the city is \$23,181
- d. Acceptance of vehicle extrication equipment received by the San Angelo Fire Department from the Firehouse Subs Foundation grant. This equipment consists of extrication tools, portable scene lights, collapsible chocks, airbag controller and accessories valued at \$24,487.75
- e. Adoption of resolutions authorizing the adoption of Investment Policies for the City of San Angelo, Lake Nasworthy, and COSADC (Pg. 367, #2018-104; Pg. 379, #2018-105; Pg. 390, 2018-106)
- f. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018 for equipment replacement, grants, reimbursed expenses, and obligations (Pg. 398, #2018-107)
- g. Adoption of a resolution regarding Atmos Energy Corporation's proposal to increase natural gas rates pursuant to its statement of intent filed around June 1, 2018 (Pg. 401, #2018-108)

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to approve the consent agenda, with the exception of items 6c, 6e, 6f, and 6g. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve item 6c, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve item 6e, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve item 6f, as presented. The motion carried unanimously (7) ayes to (0) nays.
Item 6g Citizen Steve Hampton expressed concern.

Motion: Council Member Gonzales made a motion, seconded by Council Member Hiebert, to approve item 6g, as presented. The motion carried unanimously (7) ayes to (0) nays.

7. Regular Agenda

- a. Public hearing and adoption of a resolution approving financing by Orchard Cultural Education Facilities Finance Corporation for the benefit of Baptist Memorials Ministries and related matters - (Presentation made by First Financial Bank Chairman, President & CEO Chris Evatt) (Pg. 419, #2018-109)

Motion: Council Member Carter made a motion, seconded by Council Member Thompson, to adopt the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- b. Adoption of a resolution authorizing the City Manager to execute a second amendment to the Texas Parks and Wildlife State Boating Access Program 75% matching fund reimbursement grant

program agreement and related documents that will require 25% matching funds for the construction and renovation of boat ramps and related facilities at Lake Nasworthy and Middle Concho Park - (Presentation made by Parks and Recreation Director Carl White) **(Pg. 426, #2018-110)**

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to adopt the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- c. First reading and public hearing of an ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- d. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member DeWitt, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. First reading and public hearing on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the City is required - (Presentation made by Planning and Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- f. First reading and public hearing of ordinances approving:
 - 1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street
 - 2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street - (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays.

- g. Final reading and public hearing to adopt an ordinance for Case Z18-13, a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the Heavy Commercial (CH) Zoning District, or alternatively to the Planned Development (PD18-04) Zoning District, being 2.053 acres located at 3014 Grape Creek Rd - (Presentation made by Planning & Development Services Director Jon James) **(Pg. 428, #2018-111)**

Citizen Randy Bannert spoke regarding responses to staff's notification letters.

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve the Planned Development Zoning District with a requirement of no buildings,

structures, or outdoor storage or heavy construction activities within 45 feet of the entire eastern property line and other conditions as presented by staff. The motion carried unanimously (7) ayes to (0) nays.

This item taken out of order.

- h. Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019. This budget will raise more total property taxes than last year's budget by \$626,546 (1.67%), and of that amount, \$383,414 is tax revenue to be raised from new property added to the tax roll - (Presentation made by Finance Director Tina Dierschke) (Pg. 432, #2018-112)

Citizen Steve Hampton expressed concern.

Motion: Council Member Hiebert made a motion, seconded by Council Member DeWitt, to adopt the ordinance as presented with the exception of increasing the expense budget to cover the equipment replacement items and to likewise increase the sales tax revenue. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

This item taken out of order.

- i. Final public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2018 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2018-2019 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation made by Finance Director Tina Dierschke) (Pg. 490, #2018-113)

Mayor Gunter commented that she hopes this is the highest level of property tax we have and we hope to address that going forward.

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to adopt an ordinance with a property tax rate that remains the same by the adoption of a tax rate of 0.7760 per \$100 valuation. The motion carried unanimously (7) ayes to (0) nays. A record vote was taken and the motion carried unanimously (7) ayes (Council Members Hiebert, Thompson, Thomas, Gonzales, Carter, DeWitt and Mayor Gunter) to (0) nays.

This item taken out of order.

- j. Update on Sales Tax revenue performance - (Presentation made by Finance Director Tina Dierschke)

No action taken on this item.

This item taken out of order.

- k. Discussion regarding the use of fiscal year 2018 sales tax revenue surplus - (Presentation made by Finance Director Tina Dierschke, Parks & Recreation Director Carl White, and Neighborhood & Family Services Assistant Director Morgan Chegvidden)

Citizens Steve Hampton spoke in favor of paying down debt and Lynette Lucas spoke in favor of prioritizing projects that impact the whole city.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, for direction to staff to move forward with funding the following: Concho Riverbank Stabilization, Police Cars, Tree Irrigation, Animal Services Old Garage, New Garage, and Processing Room, Station 618 Parking, and Traffic Signal Battery Backup budget items as discussed and to include the equipment replacement funding needs in the Fiscal Year 19 budget discussion (item 6h). The motion carried unanimously (7) ayes to (0) nays.

- I. Consider a resolution enacting Standard Conservation Level of the City's Water Conservation/Drought Contingency Plan - (Presentation made by Water Utilities Director Allison Strube) **(Pg. 493, #2018-114)**

Council Members Carter and Hiebert asked to revisit the City's Water Conservation/Drought Contingency Plan at a future meeting.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to approve the item as presented. The motion carried unanimously (7) ayes to (0) nays.

8. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Section 551.072 Deliberations about Real Property regarding:
 1. Lake Nasworthy residential lots
 2. Lot 9D, Block 2, Section 9A, Red Arroyo Hills Addition
 3. Lease at San Angelo Regional Airport
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding:
 1. Water Supply
 2. ~~West Texas Water Partnership~~

9. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session

Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, authorizing staff to begin the initial permitting process for a discharge from the Water Reclamation Facility Permit and Bed Banks Permit along the Concho River for the purpose of augmentation of the Concho River for water development. The motion carried unanimously (7) ayes to (0) nays.

- b. Consider approving various board nominations:

Design and Historic Review Commission: James Thomas (SMD2/Historian) to an unexpired term ending September 2019 and Lisa Wallace (SMD5/Designer) to an unexpired term ending September 2019

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to approve the nominations, as presented. The motion carried unanimously (7) ayes to (0) nays.

c. Announcements and consideration of Future Agenda Items

Council Member Thomas noted three upcoming Town Hall Meetings on Shaping the Future of Recycling for San Angelo.

d. Adjournment

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to adjourn the meeting. The motion carried (6) ayes to (1) nays with Mayor Gunter casting the dissenting vote.

There being no further business, the meeting adjourned at 1:40 p.m.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, Deputy City Clerk

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office or a video of the entire meeting may be purchased from the Public Information Officer at 481-2727. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4407

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Consider authorizing the sale of the following Lake Nasworthy properties to current residential lot leaseholder for the appraised value and authorizing the City Manager to execute all documents necessary to convey the surface estate only in the properties (Preas):

1. 2894 Red Bluff Circle (\$130,000)
2. 2590 Sleepy Hollow Road (\$104,657)
3. 2854 Red Bluff Circle (\$62,414)
4. 2169 Gun Club Road (\$54,290)

Summary/History:

If the sale is approved at the appraised value, title examination will be performed and legal staff will prepare Real Estate Contract of Sale, Special Warranty Deed, and Surrender of Lease.

Sale of the surface estate of city-owned Lake Nasworthy residential lots is governed by City of San Angelo Code of Ordinances, Article 9.03, Sec. 9.03.004.

Financial Impact:

Upon approval, proceeds from the sale of residential lots will be placed in the Lake Nasworthy Trust Fund.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------------------|-----------------------------|
| 1. | 2169 Gun Club Road | 2169 Gun Club Road.pdf |
| 2. | 2590 Sleepy Hollow Road | 2590 Sleepy Hollow Road.pdf |
| 3. | 2830 Red Bluff Cir | 2830 Red Bluff Cir.pdf |
| 4. | 2854 Red Bluff Circle | 2854 Red Bluff Circle.pdf |

Presentation:

Approvals/Reviews:

Cynthia Preas
Cynthia Preas
Theresa James
Anthony Wilson

Created/Initiated
Approved
Approved
Approved

Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

APPRAISAL OF REAL PROPERTY

LOCATED AT

2169 Gun Club Rd
San Angelo, TX 76904-7861
Lot 11, Block 1, Group 10, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

09/12/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
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09/18/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2169 Gun Club Rd
San Angelo, TX 76904-7861
Borrower: Linda Shoemaker
File No.: R18-0320

Opinion of Value: \$ 54,290
Effective Date: 09/12/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as though unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

Supplemental Addendum

File No. R18-0320

Borrower	Linda Shoemaker				
Property Address	2169 Gun Club Rd				
City	San Angelo	County	Tom Green	State	TX Zip Code 76904-7861
Lender/Client	City of San Angelo				

ADDENDA:

Stated Hypothetical Condition

Hypothetical condition is defined by The Dictionary of Real Estate Appraisal, fifth edition, copyright 2010, page 97, as being "That which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

You are requested to estimate the value of City of San Angelo's (City) interest (leased fee - subject to a current lease which will be furnished to Appraiser by City, or fee simple) in the subject property. The value of the City's interest should be developed under the hypothetical condition that annual rent is based upon the formula, fee simple market value $\times 0.08$ = annual rent, rather than the current ordinance that states annual rent will be based on fee simple market value $\times 0.015$ = annual rent. Because the City will agree to sell these lots only under circumstances in which the Lessee has 15 or fewer years remaining (which may require additional legal instruments to be executed), consideration (i.e., discount) shall be given to any stated lease terms that are remaining up to 15 years or until the point that the annual payment would be based on fee simple market value of the lot. No consideration shall be given to improvements made by Lessee, with the exception of grass and trees. The appraisal shall take into consideration the value of public improvements (including, but not limited to, water, sewer, streets, street lights).

The City acknowledges that using the hypothetical condition results in a value for the City's interest that is much greater than the value of City's interest without the hypothetical condition.

Comments on Market Data

Please note that the sales price for the Comparable Sales in the sales grid is for the Fee Simple Interest of the Land Only. If any building or site improvements were found on the comparable sale property, the contributory value of these improvements was subtracted from the total sales price to arrive at a Land Only value for the sale. Based upon the analysis of these Comparable Sales to the subject property, it is my opinion that the market value of the Fee Simple Interest - Land Only of the subject property is **\$84,300**.

Comments & Conditions of Appraisal

As authorized by the City of San Angelo this appraisal is being conducted to determine the value of the unimproved Land Only - Leased Fee Interest owned by the City of San Angelo. To obtain the value of the Leased Fee Interest, the unimproved Land Only - Fee Simple value (**\$84,300**) was first calculated. The Land Only - Fee Simple value adjustments were made to the comparable sales for dissimilarities when compared to the subject property. The factors of comparison adjusted for in this appraisal were location, site/view, site size, topography, lake frontage and access. The exact dollar amount of each adjustment is shown in the preceding market data analysis section of this report. After making these adjustments for dissimilarities between the subject and the comparable sales, an indicated market value of the Land Only - Fee Simple Interest was obtained.

This Fee Simple Interest value is utilized in calculating the reversionary value of the lot based upon the lease as of the effective date of this appraisal. The reversionary value of this lot (**\$36,599**) is then combined with the present value (**\$17,691**) of the lease to reach the value of the Leased Fee Interest owned by the City of San Angelo.

Final Reconciliation

It is my opinion that the market value of the unimproved Land Only - Leased Fee Interest in the subject property as of September 12, 2018, was:

\$54,290

Definitions:

Fee Simple Estate:	Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power and taxation.
Leased Fee Interest:	An ownership interest owned by a landlord with the right of use and occupancy conveyed by lease to others; usually consists of the right to receive rent and the right to repossession at the termination of the lease.
Leasehold Interest:	The right to use and occupy real estate for a stated term and under certain conditions; conveyed by a lease.
Reversionary Value:	The right to repossess and resume full and sole use and ownership of real property that has been temporarily alienated by a lease, an easement, etc.; may become effective at a stated time under certain conditions, e.g., the termination of a leasehold, the abandonment of a right of way, the end of the estimated economic life of the improvements.

*The Dictionary of Real Estate Appraisal by The American Institute of Real Estate Appraisers, copyright 1984.

APPRAISAL OF REAL PROPERTY

LOCATED AT

2590 Sleepy Hollow Rd
San Angelo, TX 76904-7877
Lot 32, Block 1, Section 1, Group Fishermans Road, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

09/18/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
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09/18/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2590 Sleepy Hollow Rd
San Angelo, TX 76904-7877
Borrower: Terry W Salling
File No.: R18-0340

Opinion of Value: \$ 104,657
Effective Date: 09/18/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as though unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

Supplemental Addendum

File No. R18-0340

Borrower	Terry W Salling				
Property Address	2590 Sleepy Hollow Rd				
City	San Angelo	County	Tom Green	State	TX Zip Code 76904-7877
Lender/Client	City of San Angelo				

ADDENDA:

Stated Hypothetical Condition

Hypothetical condition is defined by The Dictionary of Real Estate Appraisal, fifth edition, copyright 2010, page 97, as being "That which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

You are requested to estimate the value of City of San Angelo's (City) interest (leased fee - subject to a current lease which will be furnished to Appraiser by City, or fee simple) in the subject property. The value of the City's interest should be developed under the hypothetical condition that annual rent is based upon the formula, fee simple market value x 0.08 = annual rent, rather than the current ordinance that states annual rent will be based on fee simple market value x 0.015 = annual rent. Because the City will agree to sell these lots only under circumstances in which the Lessee has 15 or fewer years remaining (which may require additional legal instruments to be executed), consideration (i.e., discount) shall be given to any stated lease terms that are remaining up to 15 years or until the point that the annual payment would be based on fee simple market value of the lot. No consideration shall be given to improvements made by Lessee, with the exception of grass and trees. The appraisal shall take into consideration the value of public improvements (including, but not limited to, water, sewer, streets, street lights).

The City acknowledges that using the hypothetical condition results in a value for the City's interest that is much greater than the value of City's interest without the hypothetical condition.

Comments on Market Data

Please note that the sales price for the Comparable Sales in the sales grid is for the Fee Simple Interest of the Land Only. If any building or site improvements were found on the comparable sale property, the contributory value of these improvements was subtracted from the total sales price to arrive at a Land Only value for the sale. Based upon the analysis of these Comparable Sales to the subject property, it is my opinion that the market value of the Fee Simple Interest - Land Only of the subject property is **\$118,300**.

Comments & Conditions of Appraisal

As authorized by the City of San Angelo this appraisal is being conducted to determine the value of the unimproved Land Only - Leased Fee Interest owned by the City of San Angelo. To obtain the value of the Leased Fee Interest, the unimproved Land Only - Fee Simple value (**\$118,300**) was first calculated. The Land Only - Fee Simple value adjustments were made to the comparable sales for dissimilarities when compared to the subject property. The factors of comparison adjusted for in this appraisal were location, site/view, site size, topography, lake frontage and access. The exact dollar amount of each adjustment is shown in the preceding market data analysis section of this report. After making these adjustments for dissimilarities between the subject and the comparable sales, an indicated market value of the Land Only - Fee Simple Interest was obtained.

This Fee Simple Interest value is utilized in calculating the reversionary value of the lot based upon the lease as of the effective date of this appraisal. The reversionary value of this lot (**\$102,376**) is then combined with the present value (**\$2,281**) of the lease to reach the value of the Leased Fee Interest owned by the City of San Angelo.

Final Reconciliation

It is my opinion that the market value of the unimproved Land Only - Leased Fee Interest in the subject property as of August 18, 2018, was:

\$104,657

Definitions:

Fee Simple Estate:	Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power and taxation.
Leased Fee Interest:	An ownership interest owned by a landlord with the right of use and occupancy conveyed by lease to others; usually consists of the right to receive rent and the right to repossession at the termination of the lease.
Leasehold Interest:	The right to use and occupy real estate for a stated term and under certain conditions; conveyed by a lease.
Reversionary Value:	The right to repossess and resume full and sole use and ownership of real property that has been temporarily alienated by a lease, an easement, etc.; may become effective at a stated time under certain conditions, e.g., the termination of a leasehold, the abandonment of a right of way, the end of the estimated economic life of the improvements.

*The Dictionary of Real Estate Appraisal by The American Institute of Real Estate Appraisers, copyright 1984.

AN APPRAISAL REPORT
OF

A LAKE LOT
LOCATED AT 2894 RED BLUFF CIRCLE
SAN ANGELO, TEXAS

PREPARED FOR
CITY OF SAN ANGELO
REAL ESTATE DIVISION
OFFICE OF THE CITY ATTORNEY
72 W COLLEGE
SAN ANGELO, TEXAS 76903

PREPARED BY
ROBERT W. STRIBLING, MAI
AND
CHARMAINE SMITH
STRIBLING-PROBANDT APPRAISALS, LLC
502 SOUTH KOENIGHEIM, SUITE 3B
SAN ANGELO, TEXAS 76903

AS OF
AUGUST 24, 2018

Stribling-Probandt Appraisals, LLC

**Real Estate Appraisers & Consultants
502 South Koenigheim, Suite 3B
San Angelo, Texas 76903
(325) 658-2773**

Robert W. Stribling, MAI
Victor R. Probandt, ARA

August 31, 2018

Charmaine Smith
L. Dakota Armbruster, Trainee

R18-0970

Ms. Cindy Preas
City of San Angelo
Real Estate Division
Office of the City Attorney
72 W College Street
San Angelo, Texas 76903

RE: Appraisal of the fee simple interest in a lake lot located at 2894 Red Bluff Circle, City of San Angelo, Texas.

Dear Ms. Preas:

At your request, we have completed an appraisal report on the above referenced property. As such, it summarizes the data, reasoning and analyses that were used in the appraisal process to develop our opinion of value. Some of the supporting documentation concerning the data, reasoning, and analysis is retained in our file.

The appraisal was prepared for conformance with the Uniform Standard of Professional Appraisal Practice (USPAP). The intended user of the report is The City of San Angelo. The intended use of the appraisal was to assist The City of San Angelo with asset valuation of the subject property for purposes of offering it for sale to the current leaseholder or using the fee simple value to establish a new lease rate.

We have inspected the subject property and believe all data gathered by us is from reliable sources. The enclosed report describes the valuation methods utilized and gives pertinent data found in the investigation.

IDENTIFICATION OF THE PROPERTY

The subject property is located along an access easement that connects it to Red Bluff Circle and is known by municipal street address as 2894 Red Bluff Circle, San Angelo, Texas. The subject site is also adjacent to Lake Nasworthy in the City of San Angelo, Texas. Our client provided us with the subject legal description. The subject property is legally described as Lot 39, Block 2, Section 2, Group Red Bluff, Lake Nasworthy Addition, City of San Angelo, Tom Green County, Texas.

PURPOSE AND INTENDED USE THE APPRAISAL

The purpose of the appraisal was to estimate the fee simple market value as defined by the Board of Governors of the Federal Reserve System, in accordance with Title XI of FIRREA (1989). The intended use of the appraisal was to assist The City of San Angelo with asset valuation of the subject property for purposes of offering it for sale to the current leaseholder, or using the fee simple value to establish a new lease rate.

INTENDED USER OF THIS REPORT

The intended user of this report is The City of San Angelo.

DEFINITION OF MARKET VALUE

Market Value is defined by the federal financial institutions regulatory agencies as follows: "Market value" means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;

4. Payment is made in terms of cash in U.S. Dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

*As published in the Federal Register, in accordance with Title XI of the Financial Institution Reform, Recovery and Enforcement Act of 1989 (FIRREA), 12 CFR 34.42 (g), as adopted August 24, 1990.

EFFECTIVE DATE OF VALUE ESTIMATE

The effective date of this value estimate was August 24, 2018.

DATE APPRAISAL PREPARED

This appraisal was prepared on August 31, 2018.

PROPERTY RIGHTS APPRAISED

At present, there is a lease agreement involving the subject property between the City of San Angelo and Joe & Tammie Yarbrow. According to the terms of the lease, as of October 1, 2014, the annual rent payments, are to be based on market rent. The City of San Angelo has informed us that they will calculate annual lot rent as a percentage of the fee simple market value. Fee Simple Estate is defined by The Dictionary of Real Estate Appraisal, sixth edition, copyright 2015, page 90, by the Appraisal Institute, as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

SALES HISTORY AND OWNERSHIP

We are not professional abstractors and, if a thorough title search is needed, we recommend a qualified professional. The subject property has been owned by the City of San Angelo and leased to a third party for an extended period of time. There have been no arms-length transactions involving the subject property over the last three years.

SCOPE OF THE APPRAISAL AND APPRAISAL PROCESS

The subject property consists of a tract of land situated at Lake Nasworthy. At present, there are, among other improvements, a single-family residence on the site. Historically, these lake lots have had long-term lease agreements in place whereby the leaseholder could lease the land from the City and improve the lot with residential improvements. Over the last 15+ years, the City has been offering leaseholders the option to purchase the leased fee interest in their lots based on the remaining terms of their respective lease agreements. Many leaseholders have taken advantage of this opportunity. However, some have not.

Now that some leases are reaching the end of their terms, the City is allowing these leaseholders the option of purchasing their lots at fee simple value or continue to lease at an annual rental rate of 1.5% of the fee simple market value. The City has requested that we appraise the fee simple value of the subject property for purposes of establishing a sale price of the lot to the leaseholder or using the fee simple value to establish a new annual lease rate. The City has asked us to appraise the subject lot as if void of any existing improvements made by the Lessee, with the exception of grass and tress. The appraisal shall also take into consideration the value of public improvements (including, but not limited to, water, sewer, streets, street lights, etc).

As per the above instruction, the subject site is essentially a vacant tract of land available for development, the Sales Comparison Approach was considered the only applicable approach to value. To obtain comparable land sales, we researched our local Multiple Listing Service (MLS), our office databank, public records, and contacted various real estate professionals knowledgeable with the subject property type.

The report was prepared in compliance with Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it summarizes the data, reasoning, and analyses that were used in the appraisal process to develop our opinion of value. Some of the supporting documentation concerning the data, reasoning, and analyses is retained in our file. Additional scope of work items can be located in various appropriate sections throughout this report.

CITY, AREA AND NEIGHBORHOOD DATA

Due to the client's knowledge of the general economic conditions in San Angelo, we have not burdened the report with extensive City, Area and Neighborhood Data. Complete City, Area and Neighborhood Data is maintained in our files and is available to a user of this report upon request.

ZONING

According to the City of San Angelo, the subject property is zoned "RS-1", Single-Family Residential. Single-family development is the only use available under this zoning classification.

AD VALOREM TAXES

The subject property is owned by The City of San Angelo and, therefore, is not subject to ad valorem assessment.

SITE DATA

The subject site is situated along an access easement that connects it to the north side of Red Bluff Circle in the City of San Angelo. The tract is essentially rectangular-shaped with approximately 70 feet of frontage along the access easement and about 70 feet of frontage along the shoreline of Lake Nasworthy. Total size is approximately 18,445 square feet. Red Bluff Road is an asphalt-paved street while the access easement is primarily caliche.

The subject site is level with a slight slope toward the lake and is slightly below grade of Red Bluff Circle. There is an adequate area of level land out from the access easement that allows for reasonable development of the subject site with a residence. According to FEMA Flood Insurance Rate Map № 48451C0470E, dated June 19, 2012, the subject site is not located within a flood hazard area. Electricity, city water and city sewer are available at the site.

HIGHEST AND BEST USE

Highest and best use is defined by The Appraisal of Real Estate, fourteenth edition, copyright 2013, page 233, by the Appraisal Institute as being, "The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible and maximum productively." The highest and best use of land or a site as though vacant is a fundamental concept of valuation theory and the basis of the Cost Approach. If the land is, or were, vacant, what use should be made of it? What type of building or other improvement should be constructed on the land? When a change in the near future can be

forecasted, the present highest and best use is considered an interim use. It is possible for the highest and best use of a tract to be held for speculation or for subdivision into smaller parcels or assemblage with other land.

The highest and best use of a property as improved pertains to the use that should be made of an improved property in light of its improvements. The use that maximizes an investment property's return on a long term basis is its highest and best use as improved.

The highest and best use of both land as though vacant and property as improved must meet four criteria. The highest and best use must be:

1. Physically possible
2. Legally permissible
3. Financially feasible
4. Maximally productive

These criteria are usually considered sequentially: a use may be financially feasible, but this is irrelevant if it is physically impossible or legally prohibited. Only when there is a reasonable possibility that one of the prior, unacceptable conditions can be changed is it appropriate to proceed with the analysis.

AS VACANT

Physically, the subject site contains 18,445 square feet, or 0.423 acres of land. The tract has an average frontage to depth relationship and reasonable access from Red Bluff Circle. All municipal utilities and community services are available to the site.

Legally, the subject property is zoned RS-1, (Single-Family Residence) District which allows for development with a single-family residence. The area around Lake Nasworthy is developed predominantly with single-family homes. After considering legal limitations as well as surrounding uses and demand, it is our opinion that the highest and best use of the subject site, as vacant, would be for development with a single-family residence when market conditions warrant.

SALES COMPARISON APPROACH

To estimate the fee simple value of the subject property, we have researched our local Multiple Listing Service (MLS), our office databank, public records, and contacted various real estate professionals knowledgeable with the subject property type for recent sales to compare to the subject property. As previously mentioned, most of the property surrounding Lake Nasworthy is developed with single-family residences. We have located three residential land sales for comparison to the subject property. Those sales are briefly described as follows:

Comparable Lot Sale No. 1

Location:	2301 Palms Court, San Angelo, Texas.
Date of Sale:	May 22, 2017
Ownership Interest Conveyed:	Fee Simple
Consideration:	\$120,000
Financing:	All cash to the seller.
Size:	24,458 square feet
Improvements:	None

Comparable Lot Sale No. 2

Location:	2918 Red Bluff Circle, San Angelo, Texas.
Date of Sale:	December 29, 2017
Ownership Interest Conveyed:	Fee Simple
Consideration:	\$145,000
Financing:	All cash to the seller.
Size:	17,511 square feet
Improvements:	None

Comparable Lot Sale No. 3

Location:	2141 Mesquite Lane, San Angelo, Texas.
Date of Sale:	November 23, 2015
Ownership Interest Conveyed:	Fee Simple
Consideration:	\$186,000*
Financing:	All cash to the seller.
Size:	29,819 square feet
Improvements:	None

Comments: *This tract sold for \$155,000 but the sale was impacted by a more than typically motivated seller. This sale required an upward 20% adjustment for seller motivation.

Comparable Lot Sale No. 4

Location:	1918 Cove Road, San Angelo, Texas.
Date of Sale:	November 16, 2016
Ownership Interest Conveyed:	Fee Simple

Consideration:	\$310,000*
Financing:	All cash to the seller.
Size:	30,018 square feet
Improvements:	None

Comments: This lot sold for \$300,000, but a 1,200 square foot house and a boat garage were torn down to allow for construction of a new residence. The estimated cost of removal of those structures was added to the purchase price to arrive at an adjusted sale price of \$310,000. There was also a boat dock in disrepair that needed considerable renovation as well as broken concrete and rocks that formed a partial retaining wall. At the time of purchase, the buyer's didn't give any value to either the boat dock or retaining wall; therefore, the purchase price is reflective of land value only.

Adjustments were made to these sales in comparison to the subject property. The adjustment grid is located on the following page.

	SUBJECT	COMPARABLE No. 1		COMPARABLE No. 2		COMPARABLE No. 3		COMPARABLE No. 4	
Address:	2894 Red Bluff Circle	2301 Palms Ct		2918 Red Bluff Circle		2141 Mesquite Lane		1918 Cover Road	
Leasehold Sale Price:	N/A	N/A		N/A		N/A		N/A	
Contributory Value of Improvements:	N/A	N/A		N/A		N/A		N/A	
Estimated Leasehold Value of Land:	N/A	N/A		N/A		N/A		N/A	
Plus: Estimated Leased Fee Value:	N/A	N/A		N/A		N/A		N/A	
Estimated Fee Simple Land Value:	N/A	\$120,000		\$145,000		\$186,000		\$310,000	
VALUE ADJUSTMENT:	DESC.	DESC.	ADJ.	DESC.	ADJ.	DESC.	ADJ.	DESC.	ADJ.
Date of Sale:	08/18	05/17	-0-	12/17	-0-	11/15	-0-	11/16	-0-
Location:	Red Bluff/ city sewer	Palms Ct/ city sewer/inf	-0-	Red Bluff/ city sewer	-0-	Mesquite Ln/ city sewer	-0-	Cove Rd/city sewer/sup	-\$62,000
Site/View:	Avg - Good	Inferior	+\$36,000	Avg - Good	-0-	Good	-\$9,300	Good	-\$15,500
Topography:	Slit. Slope	Level	-\$12,000	Level/Mod. Slope	-\$14,500	Level	-\$18,600	Level	-\$31,000
Size/Shape:	18,445 SF/Avg	24,458 SF/ Avg	-\$12,026	17,511SF/ Avg	-0-	29,819 SF/Gd	-\$32,048	30,018 SF/Excell.	-\$54,146
Net Adjustment:			+\$11,974		-\$14,500		-\$59,948		-\$162,646
Indicated Fee Simple Value of Subject Property:			\$131,974		\$130,500		\$126,052		\$147,354

SUMMARY OF SALES COMPARISON APPROACH

All sales occurred fairly recently, and no time adjustments were deemed necessary. Sale No. 4 was considered superior for location due to having easier access to Knickerbocker as well as the quality/homogeneity of the homes. A large downward location adjustment was deemed necessary to Sale No. 4. Sale No. 1 required a large upward site/view adjustment as this lot was located along a channel. Sale Nos. 3 and 4 were considered slightly superior for view. Sale Nos. 1, 3 and 4 were considered superior for topography as these sites would not require any site work prior to construction of a residence. The subject site would require a built-up pad given the slightly below street grade nature of the lot. Sale Nos. 1, 3 and 4 also were large sites, requiring downward site size adjustments. Sale Nos. 3 and 4 also were superior for frontage/depth ratios and required additional downward adjustments.

After adjustments, the four sales indicated a relatively narrow range. Sale No. 4, however, is far superior to the subject site for all items of comparison. It was included, however, to show that there is still considerable desirability for lake lots. Primary consideration was given to Sale No. 2 as it is located within the immediate subject area and was overall very similar to the subject property. Very little emphasis was placed on Sale No. 4.

It is our opinion, subject to the Contingent and Limiting Conditions located in the Addenda of this report and based on the accompanying report, that the fee simple market value of the subject property, as of August 24, 2018, was:

ONE HUNDRED THIRTY THOUSAND DOLLARS
(\$130,000)

EXPOSURE TIME

Exposure time is defined by 2018-2019 USPAP as “estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.” It is our opinion that a reasonable exposure time for the subject property would be approximately one year.

We appreciate the opportunity to prepare this appraisal for you. If we may be of further assistance, please feel free to contact us.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "R. Stribling", written in a cursive style.

Robert W. Stribling, MAI
TX-1321617-G

A handwritten signature in black ink, reading "Charmaine Smith", written in a cursive style.

Charmaine Smith
TX-1328495-R

CERTIFICATION

We certify that, to the best of our knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial and unbiased professional analyses, opinions, and conclusions.

We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended user of this appraisal.

We have not performed services, appraisal or otherwise, involving the subject property within the three years prior to this assignment.

The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Robert W. Stribling and Charmaine Smith made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the person signing this certification.

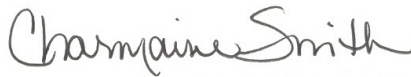
As of the date of this report, Robert W. Stribling has completed the continuing education program of the Appraisal Institute.

Respectfully Submitted,



Robert W. Stribling, MAI
TX-1321617-G

August 31, 2018
Date



Charmaine Smith
TX-1328495-R

August 31, 2018
Date

ADDENDA

CONTINGENT AND LIMITING CONDITIONS

This report is subject to the following conditions:

The legal description furnished to us is assumed to be correct.

We assume no responsibility for matters legal in character nor do we render any opinion as to the title, which is assumed to be good. All existing liens and debt encumbrances have been disregarded and the property is appraised as though free and clear under responsible and competent management.

We have made no survey of the property and assume no responsibility in connection with such matters.

We believe to be reliable the information identified in this report as furnished to us by others, but we assumed no responsibility for its accuracy.

The use of the term "inspection" within the attached report only refers to the act of visiting and/or viewing the property or properties being appraised or a property or properties used as comparables. We are not licensed real estate inspectors in the State of Texas and are not qualified to render opinions required of those who are licensed real estate inspectors.

Robert W. Stribling is a member of the American Institute of Real Estate Appraisers of the National Association of Realtors. The Bylaws and Regulations of the Institute require each member and candidate to control the use and distribution of each appraisal report signed by such member or candidate. Therefore, except as hereinafter provided, the party for whom this appraisal report was prepared may distribute copies of this appraisal report, in its entirety, to such third parties as may be selected by the party for whom this appraisal report was prepared; however, portions of this appraisal report shall not be given to third parties without the prior written consent of the signatories of this appraisal report. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of advertising media, public relations media, news media, sales media or other media for public communication without the prior written consent of the signatories of this appraisal report.

We are not required to give testimony or attendance in court by reason of this appraisal, with reference to the property in question, unless arrangements have been previously made therefore.

The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

Unless otherwise stated in this report, the existence of hazardous material used in the construction, such as the presence of urea-formaldehyde foam insulation, asbestos, the existence of Radon gas which may or may not be present on the property, and/or the existence of petroleum underground storage tanks, was not observed by the us. We have no knowledge of the existence of such materials on or in the property. We are not, however, qualified to detect such substances. The existence of any such hazardous construction materials or potentially hazardous waste material may have an effect on the value of the property. If such is present, the value of the property may be adversely affected.

The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

QUALIFICATIONS

Robert W. Stribling
502 South Koenigheim, Suite 3B
San Angelo, Texas 76903
Ph: 325-658-2773
Fax: 325-659-4192
bob.stribling@suddenlinkmail.com

EDUCATION

Bachelor of Business Administration, Texas Tech University, Finance Major -1979
Successfully completed all required courses for the MAI designation of the Appraisal Institute; plus numerous elective courses and seminars.

PROFESSIONAL AFFILIATIONS AND LICENSES

Member - Appraisal Institute, MAI member No. 7078; received February 26, 1985.
State Certified General Real Estate Appraiser, number TX-1321617-G.
Real Estate Broker's License/State of Texas

PROFESSIONAL EXPERIENCE

December, 1987 to current - Self-employed associated with Stribling-Probandt Appraisals, an independent fee appraisal firm in San Angelo, Texas.

Clients have included numerous banks, savings and loans institutions, government agencies, attorneys, real estate development companies and numerous individuals. Professional assignments have included the valuation of single-family and multi-family residential, commercial (office, retail, hotel, self-storage), industrial, rural and special purpose properties.

October, 1980 to November, 1987 - Self-employed associated with Appraisal Services, Incorporated, Fort Worth, Texas. Appraisal assignments included many types of income producing real estate, and the management of two staff appraisers.

September, 1979 to October, 1980 - Employed by Crosson Dannis, Incorporated, an independent fee appraisal firm in Dallas, Texas. Appraisal assignments included single-family residential, duplexes and condominium units.

Robert W. Stribling is currently certified under the Continuing Education Program of the Appraisal Institute.

Current President (2016) of the Texas Plains Chapter of the Appraisal Institute.

Texas Appraiser Licensing and Certification Board

P.O. Box 12188 Austin, Texas 78711-2188

Certified General Real Estate Appraiser

Number:

TX 1321617 G

Issued:

12/17/2015

Expires:

12/31/2017

Appraiser:

ROBERT WRIGHT STRIBLING

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.


Douglas E. Oldmixon
Commissioner

QUALIFICATIONS

Charmaine Denise Smith
502 South Koenigheim, Suite 3B
San Angelo, Texas 76903
Ph: 325-658-2773
Fax: 325-659-4192
charmaine.smith@suddenlinkmail.com

EDUCATION

Bachelor of Business Administration Degree from Angelo State University, San Angelo, Texas in May, 1995. Major - Finance with a Real Estate Option.

Courses/Continuing Education

02/15 - The Sales Comparison Approach
02/15 - Residential Appraisal Review
08/15 - Understanding Green in Real Estate
08/15 - FHA SFR Appraising - Handbook 4000.1
12/16 - 2016 - 2017 7-Hour National USPAP Update Course
02/17 - Supporting Your Adjustments: Methods for Residential Appraisers
02/17 - Residential Property Inspection for Appraisers
02/18 - Intro to Disaster Appraising
02/18 - 2018 - 2019 7-Hour National USPAP Update Course

PROFESSIONAL AFFILIATIONS AND CERTIFICATIONS

Residential Certification from State of Texas, TX-1328495-R
FHA Approved Appraiser as of August, 2000
Association of Texas Appraisers

PROFESSIONAL EXPERIENCE

October 16, 1996 to Present - Stribling-Probandt Appraisals, San Angelo, Texas (Fee Appraiser)

May 1, 1995 to October 15, 1996 - Emerald Point Apartments, San Angelo, Texas (Apartment Manager)

April 28, 1993 to April 30, 1995 - Stribling-Probandt Appraisals, San Angelo, Texas (Clerical Assistant)

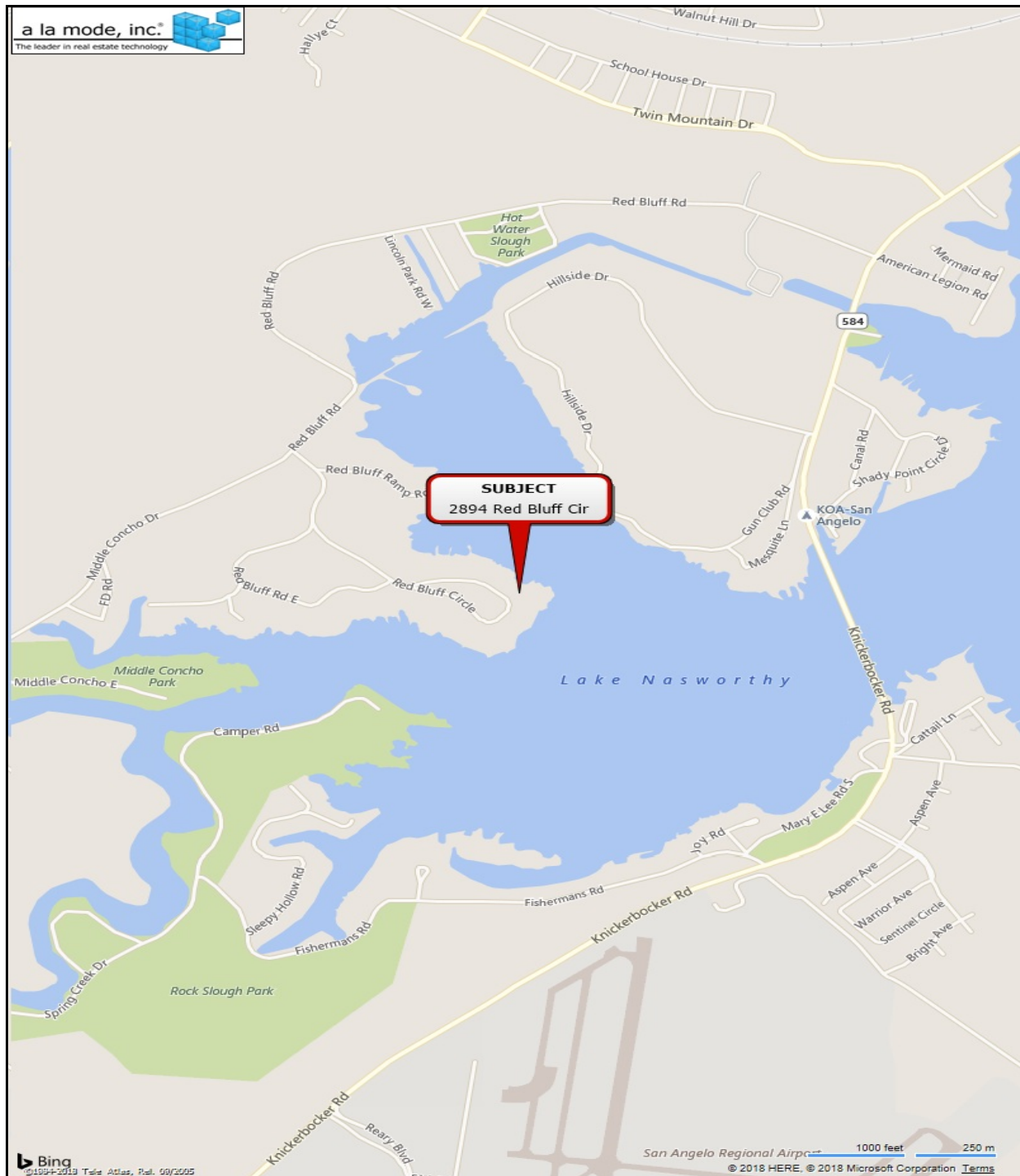
Texas Appraiser Licensing and Certification Board
P.O. Box 12188 Austin, Texas 78711-2188
Certified Residential Real Estate Appraiser

Number: **TX 1328495 R**
Issued: **03/03/2017** Expires: **02/28/2019**
Appraiser: **CHARMAINE DENISE SMITH**

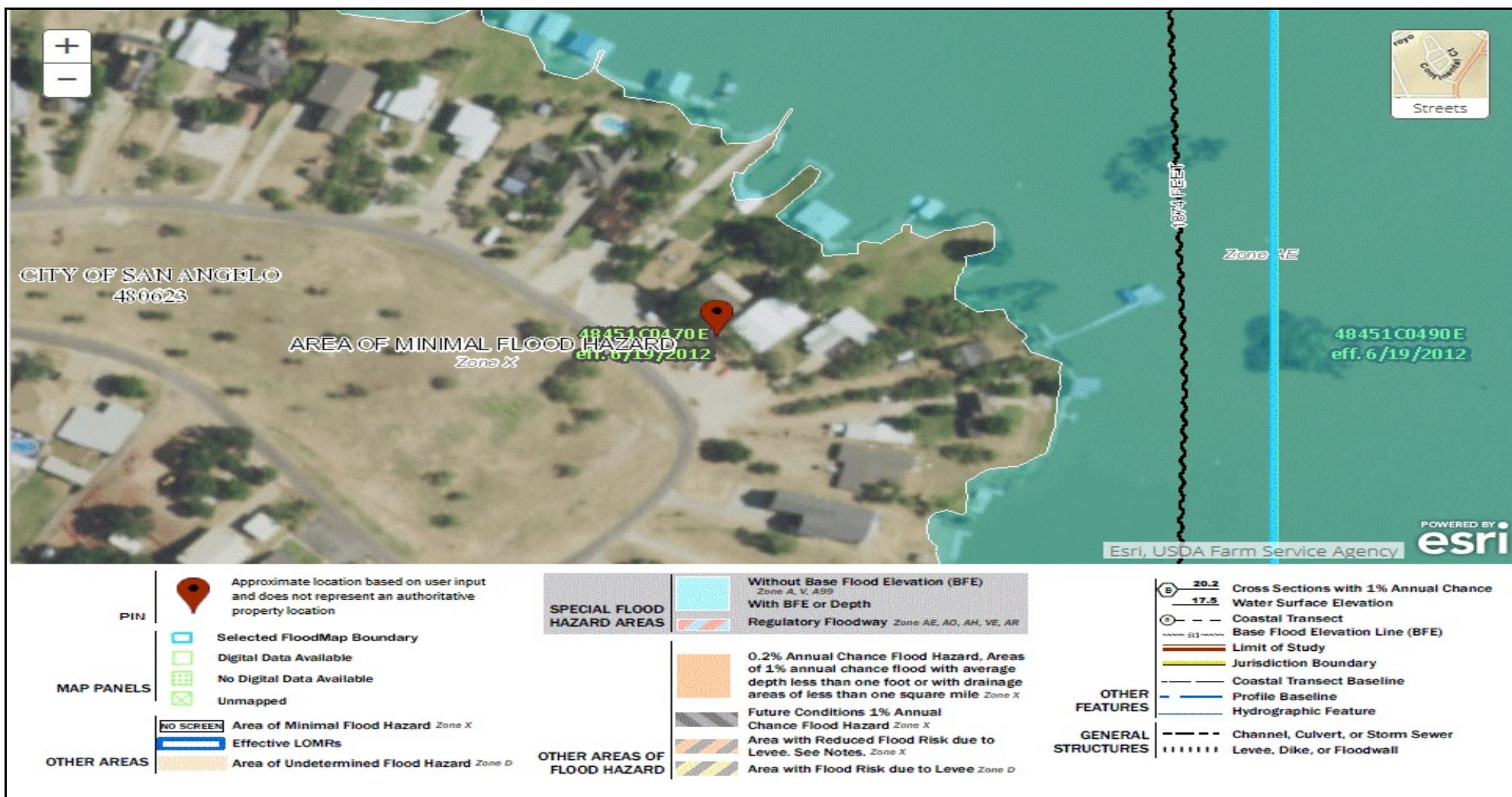
Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified Residential Real Estate Appraiser.


Douglas E. Oldmixon
Commissioner

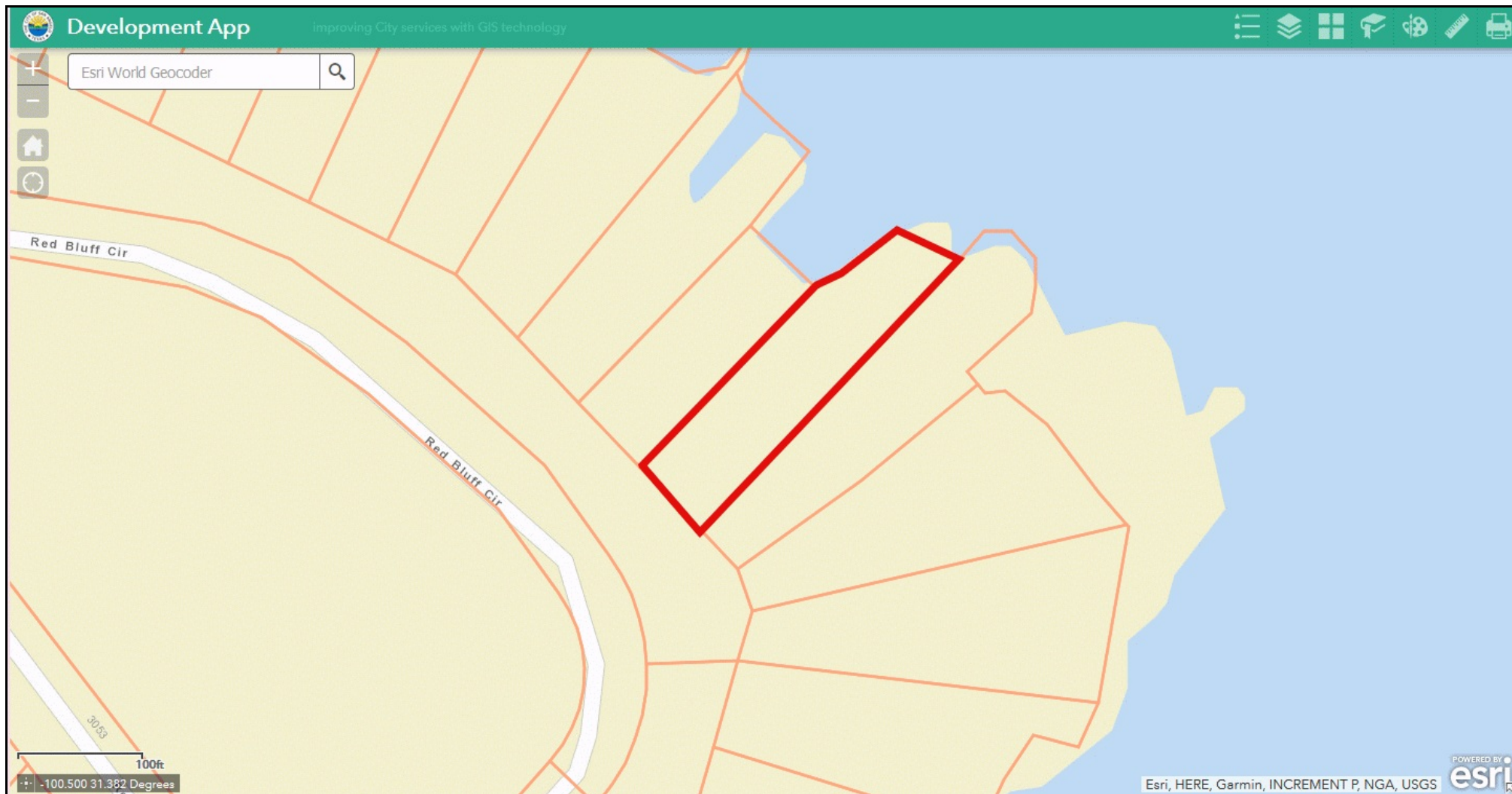
LOCATION MAP



FLOOD HAZARD MAP



PLAT OF SUBJECT SITE



AERIAL PHOTOGRAPH OF SUBJECT SITE



SUBJECT PHOTOGRAPHS



View of subject

site from street.



View of subject site from lake area.

SUBJECT PHOTOGRAPHS



View of Lake Nasworthy.



View of access easement and subject street.

APPRAISAL OF REAL PROPERTY

LOCATED AT

2854 Red Bluff Cir
San Angelo, TX 76904-7846
Lot 29, Block 2, Section 2, Group Red Bluff, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

09/12/2018

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

Halfmann Appraisals
133 W Concho Ave Ste 110
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

09/18/2018

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 2854 Red Bluff Cir
San Angelo, TX 76904-7846
Borrower: Kralyn & Christine Thomas
File No.: R18-0310

Opinion of Value: \$ 62,414
Effective Date: 09/12/2018

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as though unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2020
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2019
(325)655-1278
kevin@halfmannrealty.com

Supplemental Addendum

File No. R18-0310

Borrower	Kralyn & Christine Thomas				
Property Address	2854 Red Bluff Cir				
City	San Angelo	County	Tom Green	State	TX Zip Code 76904-7846
Lender/Client	City of San Angelo				

ADDENDA:

Stated Hypothetical Condition

Hypothetical condition is defined by The Dictionary of Real Estate Appraisal, fifth edition, copyright 2010, page 97, as being "That which is contrary to what exists but is supposed for the purpose of analysis. Hypothetical conditions assume conditions contrary to known facts about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

You are requested to estimate the value of City of San Angelo's (City) interest (leased fee - subject to a current lease which will be furnished to Appraiser by City, or fee simple) in the subject property. The value of the City's interest should be developed under the hypothetical condition that annual rent is based upon the formula, fee simple market value x 0.08 = annual rent, rather than the current ordinance that states annual rent will be based on fee simple market value x 0.015 = annual rent. Because the City will agree to sell these lots only under circumstances in which the Lessee has 15 or fewer years remaining (which may require additional legal instruments to be executed), consideration (i.e., discount) shall be given to any stated lease terms that are remaining up to 15 years or until the point that the annual payment would be based on fee simple market value of the lot. No consideration shall be given to improvements made by Lessee, with the exception of grass and trees. The appraisal shall take into consideration the value of public improvements (including, but not limited to, water, sewer, streets, street lights).

The City acknowledges that using the hypothetical condition results in a value for the City's interest that is much greater than the value of City's interest without the hypothetical condition.

Comments on Market Data

Please note that the sales price for the Comparable Sales in the sales grid is for the Fee Simple Interest of the Land Only. If any building or site improvements were found on the comparable sale property, the contributory value of these improvements was subtracted from the total sales price to arrive at a Land Only value for the sale. Based upon the analysis of these Comparable Sales to the subject property, it is my opinion that the market value of the Fee Simple Interest - Land Only of the subject property is **\$112,800**.

Comments & Conditions of Appraisal

As authorized by the City of San Angelo this appraisal is being conducted to determine the value of the unimproved Land Only - Leased Fee Interest owned by the City of San Angelo. To obtain the value of the Leased Fee Interest, the unimproved Land Only - Fee Simple value (**\$112,800**) was first calculated. The Land Only - Fee Simple value adjustments were made to the comparable sales for dissimilarities when compared to the subject property. The factors of comparison adjusted for in this appraisal were location, site/view, site size, topography, lake frontage and access. The exact dollar amount of each adjustment is shown in the preceding market data analysis section of this report. After making these adjustments for dissimilarities between the subject and the comparable sales, an indicated market value of the Land Only - Fee Simple Interest was obtained.

This Fee Simple Interest value is utilized in calculating the reversionary value of the lot based upon the lease as of the effective date of this appraisal. The reversionary value of this lot (**\$48,972**) is then combined with the present value (**\$13,442**) of the lease to reach the value of the Leased Fee Interest owned by the City of San Angelo.

Final Reconciliation

It is my opinion that the market value of the unimproved Land Only - Leased Fee Interest in the subject property as of September 12, 2018, was:

\$62,414

Definitions:

Fee Simple Estate:	Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power and taxation.
Leased Fee Interest:	An ownership interest owned by a landlord with the right of use and occupancy conveyed by lease to others; usually consists of the right to receive rent and the right to repossession at the termination of the lease.
Leasehold Interest:	The right to use and occupy real estate for a stated term and under certain conditions; conveyed by a lease.
Reversionary Value:	The right to repossess and resume full and sole use and ownership of real property that has been temporarily alienated by a lease, an easement, etc.; may become effective at a stated time under certain conditions, e.g., the termination of a leasehold, the abandonment of a right of way, the end of the estimated economic life of the improvements.

*The Dictionary of Real Estate Appraisal by The American Institute of Real Estate Appraisers, copyright 1984.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Kramer, Fleet Services Superintendent, Fleet Services, (325) 657-4329

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Consider approving items related to a contract with AssetWorks, LLC, fleet management software:

1. Ratification of payment made between May 6, 2017, and August 30, 2018, in an amount of \$60,480.46
2. Continuation of GSA Contract #GS-35F-317G for fleet management software to AssetWorks, LLC, budgeted annually, not to increase more than 5% over the previous contract year price (Kramer)

Summary/History:

Ratification of payment requested for payments made to AssetWorks, LLC under the contract for fleet management software. Due to conflicting information in the contract terms and the original Council approval, the binding language in the original contract provided an annual automatic renewal, but the original council approval only allowed funding through the initial three years ending May 6, 2017. Three payments totaling \$60,480.46 for software hosting and maintenance fees were paid between the dates of May 6, 2017, and August 30, 2018.

Due to this discrepancy, Council's approval for the ratification of the three payments totaling \$60,480.46 made after May 6, 2017, is requested. The contract through GSA #GS-35F-317GA has remained valid and thus the ratification is allowable under purchasing laws and guidelines.

Staff additionally requests approval to continue the original agreement through GSA Contract #GS-35F-317GA, allowing for the annual renewal of the contract and approval of funding, budgeted annually, for said software until the time that the contract is terminated in accordance with the contract provisions.

Financial Impact:

Payments made after the initial three-year funding originally approved by Council on May 6, 2014, and ending in May 2017, total \$60,480.46 and have been paid out of the appropriate fiscal years.

Any future payments are not to increase more than 5% over the previous year. FY18 annual expenses are \$45,701.

Other Information/Recommendation:

Staff requests approval of ratification of payments in the amount of \$60,480.46 made to AssetWorks, LLC from the time period of May 6, 2017 until August 30, 2018.

Staff requests approval of the continuation of the Contract with AssetWorks, LLC with automatic annual renewal, not to increase more than 5% each year.

Attachments:

- | | | |
|----|--|--|
| 1. | Background Memo VM-06-14 - Fleet Management Software | Background Memo VM-06-14 - Fleet Management Software.doc |
|----|--|--|

- | | | |
|----|---|--|
| 2. | Amendment & Original Contract - AssetWorks, LLC;
Org. 5-6-14 | Amended Contract - AssetWorks, LLC; Org. 5-6-14.pdf |
| 3. | 18-898 RES ratifying payments to assetworks and
authorizing continuation of services | 18-898 RES ratifying payments to assetworks and
authorizing continuation of services.docx |

Presentation:

Approvals/Reviews:

Ryan Kramer	Created/Initiated
Theresa James	Approved
Patrick Frerich	Approved
Shane Kelton	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

Memo

Date:	April 21, 2014
To:	Mayor and Councilmembers
From:	Ryan Kramer, Superintendent of Vehicle Maintenance
Subject:	Agenda Item for May 6, 2014
Contact:	Ryan Kramer, Vehicle Maintenance, 325-657-4329 x.1651
Caption:	Consent Agenda
	Consideration of awarding VM-06-14 Fleet Management Software to AssetWorks LLC under the purchasing co-op U.S. General Services Administration (GSA) Contract #GS-35-4731G, in substantially attached form, and authorizing City Manager to execute the said contract
Summary:	The Vehicle Maintenance Division has researched an alternative to the fleet software module currently being used (HTE, used since October of 1998). FleetFocus (software) by AssetWorks has been selected after searching for a quality upgrade and enhancement to HTE. FleetFocus is available to the City through a U.S. General Services Administration (GSA) Contract. Several other software platforms were considered with AssetWorks' FleetFocus program demonstrating to be the most beneficial for the division's long term goals and for the City.
History:	The Vehicle Maintenance Division has used the HTE Fleet Module since its implementation in 1998. The HTE program is a Finance-based system with an add-on module provided for fleet management. This program has a strong foundation, and has been adequate in years' past, but lacks appropriate fleet reporting and workflow processes. In evaluating the processes of the Vehicle Maintenance Division, the overall nature of the division's interaction with the fleet and its subsequent processes were identified as lacking. The division was identified to be a reactive department, allowing the City's fleet to dictate its actions instead of proactively analyzing data and other resources to mold the fleet into an efficient, cost effective, and productive asset. To effectively gather and mine critical data, a comprehensive Fleet management software is crucial for tracking the fleet and individual units in detail, monitoring repair or failure trends within the fleet, aiding in the distribution of jobs to department employees, tracking and updating division workflow, and evaluating employee work practices. While the HTE Fleet Module has the functionality to perform a portion of the tasks listed, it lacks the ability to: report requested fleet details in a clear and efficient manner; provide up-to-the-minute job order and vehicle repair tracking; facilitate technician performance tracking; provide effective shop workflow procedures; create comprehensible, simple reports for fleet analysis; and communicate seamlessly with other available programs such as NAPA parts inventory software or fuel vending programs.

	A fleet management program specifically designed for fleet applications is a necessity to maintain industry standard work practices and to increase productivity across the city from reducing vehicle and equipment downtime to providing up-to-date reporting measures to correctly assess one of the City's largest assets. Additionally, vehicle and equipment annual replacement is carefully budgeted, and actions need to be taken to ensure funds are used properly to replace the appropriate equipment, procure proven, cost-effective makes, models, and designs, and determine possible elimination or reassignment of under-utilized vehicles or equipment. AssetWorks' FleetFocus program is a fleet-specific software designed to meet the detailed needs of fleets of varying sizes and is customizable by the users to fill needs that occur "on-demand". FleetFocus allows the City to move to a paperless environment by utilizing electronic reporting formats that are easy for any recipient to comprehend. While providing a proven method for workflow within the Vehicle Maintenance shop, the program also provides up-to-the-minute tracking of all repair statuses and technician performance. When evaluating fleet management programs, the division's long term goals were foremost in the selection process. FleetFocus is an adaptable platform with the ability to support the division's long term fleet management and fleet-specific needs. It allows an extension to other platforms such as: GPS Telematics, Fuel Monitoring, Motor Pool management, Parts Sales Integration, and Asset Management Programs. As part of this contract, all historical fleet information currently stored within the HTE platform will be uploaded into FleetFocus by the AssetWorks team. Onsite training is included for all Vehicle Maintenance staff during pre-implementation set-up as well as during the initiation of the program. AssetWorks will be contracted to "host" the needed database and server for the City causing no expected workload shift for the City's IT department.
Financial Impact:	The implementation of the software including all first year costs will not exceed \$215,000 and available funds have been identified within the Vehicle Maintenance fund balance. The annual software maintenance and hosting expense will fluctuate slightly with changes in fleet size, but will not exceed \$45,000 each year in the second and third years and will be funded through existing budgeted funds.
Other Information/ Recommendation:	Staff recommends authorization to execute a GSA contract between the City of San Angelo and AssetWorks LLC for an initial three (3) year contract term.
Attachments:	AssetWorks LLC Sample Contract (GSA Procurement)
Presentation:	None
Publication:	None
Reviewed by Director:	Shane Kelton, Director of Operations

**FIRST AMENDMENT TO SOFTWARE LICENSE, MAINTENANCE,
PROFESSIONAL SERVICES AND HOSTING AGREEMENT
BY AND BETWEEN CITY OF SAN ANGELO AND ASSETWORKS, LLC**

This First Amendment to Software License, Maintenance, Professional Services and Hosting Agreement ("First Amendment") is made and entered into this 23rd day of March, 2015 (but effective as of 3-23-15) ("Effective Date"), by and between the City of San Angelo, a Texas home-rule municipality ("City") and AssetWorks, LLC, a Delaware Limited Liability Company ("AssetWorks").

WHEREAS, AssetWorks and City entered into Software License, Maintenance, Professional Services Agreement ("Original Agreement") on May 6, 2014, a copy of which is attached to this First Amendment as Attachment A hereto, which by this reference is incorporated into and made a part of this First Amendment; and

WHEREAS, AssetWorks and City now desire to amend said Original Agreement to provide for the addition of necessary products and services and provide consequent compensation for said additional products and services.

NOW THEREFORE, in consideration of the premises and of the mutual promises, covenants and agreements of the parties hereinafter set forth, it is hereby agreed between the parties that Original Agreement shall be and the same is hereby amended as follows:

FIRST. Exhibit A to Original Agreement is supplemented by the additional products and services described in Exhibit A-1 attached hereto and made a part of this First Amendment for all purposes. The products and services described in Exhibit A-1 shall be in addition to and shall not replace the products and services described in Exhibit A to Original Agreement.

SECOND. All references to Exhibit A in Original Agreement shall be amended to read: "Exhibit A and Exhibit A-1".

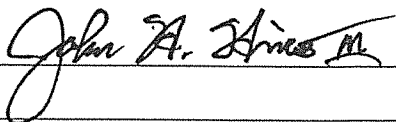
THIRD. All remaining terms, conditions, clauses and provisions of Original Agreement to the extent not changed, altered or specifically amended by this instrument, shall remain in full force and effect in all respects and are hereby ratified by the parties hereto.

[Signature Page to Follow]

EXECUTED in duplicate originals on this the ____ day of _____, 2015.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized, this the day and year above written.

ASSETWORKS, LLC

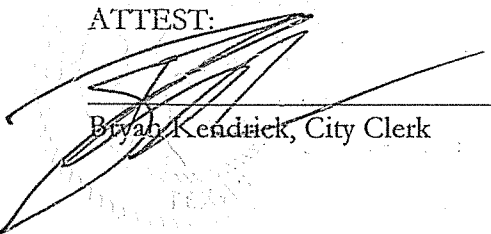
By: 
Name: _____
Title: _____

ATTEST:

CITY OF SAN ANGELO

By: 
Daniel Valenzuela, City Manager

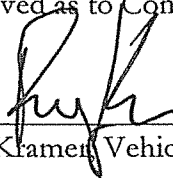
ATTEST:



Bryan Kendrick, City Clerk

**FIRST AMENDMENT TO SOFTWARE LICENSE, MAINTENANCE,
PROFESSIONAL SERVICES AND HOSTING AGREEMENT
BY AND BETWEEN CITY OF SAN ANGELO AND ASSETWORKS, LLC**

Approved as to Content:



Ryan Kramer, Vehicle Maintenance

Approved as to Form:



Maxwell Branham, Assistant City
Attorney

EXHIBIT A-1

AssetWORKS

SOFTWARE- FASUITE

Modules:

Napa TAMS Integration Module	\$ 4,543	Unlimited Users
Subtotal	\$	4,543

SOFTWARE MAINTENANCE

Includes product updates and enhancements, unlimited phone and email support for 12 months

	\$	909
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Task and Description

Est. Hours	Standard Rate	Est. Cost
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NAPA Deployment	24	\$198.79	\$ 4,771
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Services Totals

hours	24	\$	4,771
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Total	\$	10,223
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Assumptions:

Estimated costs are for a time and materials project and do not include applicable taxes

Actual effort may be greater or lesser than the estimate provided

Services for Project Management, software install, training and deployment will use hours from SANANGELO-FA-P001.

Napa training and go live to coincide with Fleet project go live.

2/19/2015

Software Services

AssetWorks

ATTACHMENT A
SOFTWARE LICENSE, MAINTENANCE, PROFESSIONAL SERVICES
AND HOSTING AGREEMENT
BY AND BETWEEN CITY OF SAN ANGELO AND ASSETWORKS, LLC
EXECUTED MAY 6, 2014

Dept

**SOFTWARE LICENSE, MAINTENANCE, PROFESSIONAL SERVICES AND HOSTING
(GSA PROCUREMENT)**

These terms ("Terms") are between AssetWorks LLC, a Delaware Limited Liability Company ("AssetWorks") and City of San Angelo, a municipal corporation of the State of Texas ("Customer"), for AssetWorks to provide Customer with perpetual licenses to AssetWorks proprietary software application and provide the Customer with related maintenance, professional implementation and hosting services for the application in accordance with AssetWorks GSA Contract #GS-35-4731G (end date May 19, 2017) ("GSA") as follows:

1. PRICING

AssetWorks will provide the products and services as set forth in Exhibit A.

2. SOFTWARE LICENSE

AssetWorks will license its proprietary software to Customer set forth on Exhibit A ("Software") in accordance with the terms in Exhibit B.

3. SOFTWARE MAINTENANCE

Maintenance of the Software will be accordance with Exhibit C.

4. PROFESSIONAL SERVICES

Professional services to implement the Software will be in accordance with Exhibit D.

5. HOSTING SERVICES

AssetWorks will host the Software in accordance with Exhibit E.

Accepted by:

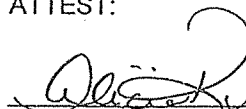
CUSTOMER
CITY OF SAN ANGELO, a municipal
corporation

By:



Daniel Valenzuela, City Manager

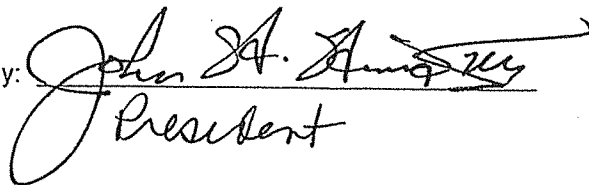
ATTEST:


Alicia Ramirez, City Clerk

Accepted by:

AssetWorks LLC
a Delaware Limited Liability Company

By:


President

ATTEST:


Vice President

EXHIBIT A

Item	Qty				Total
SOFTWARE- FASUITE					
FleetFocusFA, licensed by vehicle equipment units	1030	\$ 38.21	\$	39,356	Unlimited Users
component/ other asset licenses	3090				Unlimited Users
FleetFocusFA, fuel only transit and ISD units	450	\$ 13.50	\$	6,075	Unlimited Users
		Total	\$	45,431	
Includes the following modules:					
Shop Scheduling Module			Included		Unlimited Users
Replacement Planning (Includes Performance Modeling)			Included		Unlimited Users
Production Planning Module			Included		Unlimited Users
Equipment Planning Module			Included		Unlimited Users
Service Level Agreement Module			Included		Unlimited Users
Ad Hoc Query Module			Included		Unlimited Users
MaxQueue	5%	\$	2,272		Unlimited Users
Shop Activity Portal (technician, parts and supervisor portals)	10%	\$	4,543		Unlimited Users
Customer Access Portal (service request)	5%	\$	2,272		Unlimited Users
Reporting Portal	5%	\$	2,272		Unlimited Users
KPI/Dashboard Portal	5%	\$	2,272		Unlimited Users
Telematics Module	10%	\$	4,543		Unlimited Users
Network/teel Adaptor	10%	\$	4,543		Unlimited Users
Enterprise Portal (0-client GUI)			Included		Unlimited Users
			Subtotal	\$	68,147
Crystal Professional 2008 embedded edition (server license)	1	\$ 2,893	\$	2,893	1 report writer
			Subtotal	\$	71,040
SOFTWARE MAINTENANCE					
Annual Maintenance & Support					
Includes product updates and enhancements, unlimited phone and email support for 12 months from contract execution					
			Year One	\$	14,208
Software, not including Database Licenses or Hardware				\$	85,248

City of San Angelo, TX		Estimated Hours	Hourly Rate	Estimated Costs
A	FleetFocus Implementation			
A.1	Project Management Services	56	\$ 198.79	\$ 11,132.24
A.2	Hardware Acquisition Services		\$	\$
A.3	Software Installation Services	12	\$ 198.79	\$ 2,385.48
A.4	Business Process Services	64	\$ 198.79	\$ 12,722.56
	System Configuration Services	32	\$ 198.79	\$ 6,361.28
A.5	Technical Services	80	\$ 198.79	\$ 15,903.20
	Automated Fuel Interface			
	Data Extract for HTE			
A.6	Data Load Assistance Services	72	\$ 198.79	\$ 14,312.88
	(Work Order Summary, Equipment and Parts Master Records)			
A.7	Training Services	32	\$ 198.79	\$ 6,361.28
A.8	Roll-out Services	32	\$ 198.79	\$ 6,361.28
Estimated Services Total		380	Subtotal	\$ 75,540.20
			Travel Budget	\$ 10,500.00
			Total	\$ 86,040.20

Estimated costs are for a time and materials project and do not include applicable taxes
Actual costs may be less than or greater than estimated costs.
Travel costs assume six (6) on-site visits

City of San Angelo**OPTIONAL HOSTING SERVICES**FleetFocus Hosting Environment Setup
External Reporting Database

One-time setup fee	\$	5,000	\$	4,912
One-time setup fee	\$	2,500	\$	2,456
One-time setup fees, excluding relevant taxes:			\$	7,368

FleetFocus Hosting
Reporting Database

Fixed monthly fee up to 1000 units			\$	1,470
Fixed monthly fee, per server	\$	500	\$	491
Monthly hosting fee, excluding relevant taxes:			\$	1,961

36 month agreement

One time set up fees	\$	7,368
1st year hosting	\$	23,534
1st year total	\$	30,902

EXHIBIT B

ASSETWORKS SOFTWARE LICENSE

This License applies to software, more specifically defined in Exhibit A, provided to Customer by AssetWorks LLC, a Delaware limited liability company ("AssetWorks") including software owned by AssetWorks and software owned by other parties that is embedded in software owned by AssetWorks or that is included in hardware provided by AssetWorks.

1. LICENSE. AssetWorks grants to Customer a non-exclusive, perpetual non-transferable license to make use of the software specified in Exhibit A (herein "Software") on the Customer's database servers, and application servers and/or web servers (referred to as the "Enterprise") or AssetWorks data center in accordance with the Hosting terms set forth in Exhibit E.

Customer shall have the right to use only one copy or image of the Software for production purposes to the limits set forth in Exhibit A. Customer may increase those limits by executing a subsequent quotation or PO and paying in full the applicable fees.

Customer may make one copy of the Software for backup purposes. The backup copy must contain the complete program name, copyright and trademark notices. Backup copies are for Customer's use only and cannot be assigned or transferred to another person or used on another computer.

2. RESTRICTIONS. Customer cannot sell, rent, lease, loan, transfer, distribute, copy electronically, or transfer any copy or part of this software without prior written consent of AssetWorks and the payment of additional license fees. Customer cannot modify, translate, disassemble, decompile, or create derivative works of the software or any copy in whole or in part.

3. INTELLECTUAL PROPERTY. Customer acknowledges and agrees that the Software consists of proprietary source code developed and owned by AssetWorks ("AssetWorks Software"). It may also include contributions made by third parties whose source code ("Third Party Software") is incorporated into and made a part of the Software.

The current list of Third Party Software, if any, is listed in electronic documentation available upon request. Customer acknowledges and agrees that future updates, enhancements and upgrades to the Software may include additional Third Party Software, which will be identified in the revised documentation furnished to Customer with such updates, enhancements and upgrades to the Software. Customer agrees to be bound by the terms and conditions, if any, imposed by the developer/owner of each component of the Third Party Software, which may be found at web site(s) listed in the documentation, as amended from time to time.

Customer agrees that AssetWorks is the owner of all right, title and interest in all AssetWorks Software, including (i) any Source Code, Object Code, enhancements and modifications; (ii) all files, including input and output materials pertaining to the AssetWorks Software; (iii) all documentation related to the AssetWorks Software; (iv) all media upon which any such computer programs, files and documentation are located (including tapes, disks and other storage media); and (v) all related material that is furnished by AssetWorks.

Customer agrees that, notwithstanding inclusion of Third Party Software in the Software, neither the AssetWorks Software nor the Software shall enter the public domain by reason of the terms and conditions of this License or the inclusion of Third Party Software in the Software, and Customer shall do nothing to cause any infringement of AssetWorks' proprietary rights or to cause the AssetWorks Software or the Software to enter the public domain.

Customer agrees that it will not remove or alter any legends, trademarks, trade names, service marks, copyrights, logos, markings or other brand designations of the AssetWorks Software, the Third Party Software or the Software.

Neither Party grants to the other Party under this License any actual or implied license to use its trademarks, trade names, service marks, copyrights, logos, markings or other brand designations.

4. FEES AND PAYMENT. All fees for Software set forth in Exhibit A are payable by Customer within thirty (30) days of receipt of invoice.

5. NO OTHER RIGHTS. Except as stated herein, this License does not grant Customer any rights to patents, copyrights, trade secrets, trade names, trademarks, (whether registered or unregistered), or any other rights or franchises in respect to the software and its documentation.

6. TERM. This license is effective upon the date it is first fully executed by both parties and continue until terminated. Customer can terminate it at any time by destroying the software including all media and documentation and erasing any copies residing on Customer system. Or, AssetWorks can terminate this License immediately for nonpayment of license fees or if Customer fail to comply with the terms and conditions of this License.

7. TRANSFER. Customer cannot transfer, sublicense, or assign the license or the software except as expressly provided in this License. Any attempt otherwise to sublicense, assign or transfer any of the rights, duties, or obligations hereunder is void and will terminate Customer license.

8. WARRANTY DISCLAIMER/LIMITED WARRANTY. ASSETWORKS WARRANTS FOR A PERIOD OF NINETY (90) DAYS FROM THE DATE OF DELIVERY THE SOFTWARE WILL CONFORM TO THE DOCUMENTATION PUBLISHED OR PROVIDED BY ASSETWORKS. EXCEPT AS PROVIDED IN THE FOREGOING SENTENCE, THIS SOFTWARE IS PROVIDED AS IS WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE. THE ENTIRE RISK AS TO THE USE, PERFORMANCE AND RESULTS OF USING THE SOFTWARE AND ITS DOCUMENTATION IS WITH CUSTOMER.

9. LIMITATION OF LIABILITY. In the event of any claim brought by one party against another hereunder, a party will be liable only for actual, direct losses or damages incurred, limited to the amount of fees for which AssetWorks contracted under the PO that is the subject of the claim provided, the claiming party shall be obliged to take reasonable steps to mitigate its losses or damages.

Irrespective of the basis of the claim, neither party will be liable for any special, punitive, exemplary, indirect, incidental or consequential damages of any kind, including, without limitation, lost profits or loss of data, even if it has been advised of the possibility of such damages.

10. ENTIRE AGREEMENT. Customer further agrees that it is the complete and exclusive statement of the License between us which supersedes any proposal or prior agreement, oral, or written, and any other communications between us relating to the subject matter of this License.

11. THIRD PARTY SOFTWARE. Any third party software is provided subject to the terms and conditions of license of such third party. The additional terms and conditions that apply to such third party software may be included in printed materials delivered by AssetWorks or available online or through electronic documentation delivered by AssetWorks.

12. GENERAL. This License will be governed by the laws of the state of Texas. If any provisions of this License shall be held by any court of competent jurisdiction to be contrary to the law, the provisions will be enforced to the maximum extent permissible, and the remaining provisions of this License will remain in full force and effect. Neither party will assign or transfer its interest in this License without the prior written consent of the other party.

13. EXPORT. Customer must comply fully with all laws and regulations of the United States and other countries ("Export Laws") to assure that neither the Software, nor any direct products thereof are (1) exported, directly or indirectly, in violation of Export Laws, or (2) are used for any purpose prohibited by Export Laws, including, without limitation, nuclear, chemical, or biological weapons proliferation.

14. ADDITIONAL PROVISIONS. No other party or company may make any warranty, either express or implied, regarding the software, its merchantability or its fitness for any particular purpose.

15. Notices Addresses:

AssetWorks LLC
Attn.: John Hines
Division President
998 Old Eagle School Rd. - Suite 1215
Wayne, PA 19087

City of San Angelo
Attn: Ryan Kramer
Vehicle Maintenance Superintendent
1727 St. Ann St.
San Angelo, TX 76905

EXHIBIT C

ASSETWORKS SOFTWARE MAINTENANCE TERMS

1. TERM. Maintenance shall commence on the date first fully executed by both parties and shall have a term of twelve (12) months. The term shall automatically renew each year thereafter for an additional twelve (12) month period unless terminated as set forth below.

2. CORRECTION OF DEVIATIONS. In the event that the Customer encounters an error and/or malfunction ("Deviation") in the Software, Customer shall communicate the circumstances and any supporting information to AssetWorks. Upon receipt, AssetWorks will respond as follows:

a. In the event that there exists a Deviation that does not constitute a serious impediment to the normal intended use of the Software, AssetWorks will correct the Deviation and distribute the correction to the Customer in accordance with AssetWorks' normal Software revision schedule.

b. In the event that, in the mutual and reasonable opinion of AssetWorks and the Customer, there exists a Deviation that does constitute a serious impediment to the normal intended use of the Software, AssetWorks will take such steps as are reasonably required to correct the Deviation and promptly correct the Deviation or provide a commercially reasonable work around.

3. SOFTWARE REVISIONS AND NEW VERSIONS.

a. The Software may be revised by AssetWorks as a result of the correction of Deviations and/or the release of upgrades or improvements or modifications designed to improve the performance of the Software and/or to increase the capabilities of the Software (hereafter "Revisions"). Revisions shall be of two kinds:

- i. Revisions that the Customer is obliged to implement ("Mandatory Revisions");
- ii. Revisions that may be implemented by the Customer at its option ("Optional Revisions").
- iii. No charge shall be made to the Customer for either Mandatory Revisions or Optional Revisions.

b. New versions ("New Versions") of the Software may be issued by AssetWorks from time to time. Compared to a Revision, a New Version substantially improves the performance of the Software and/or substantially increases its functionality and capability. Customer, in its sole discretion, may elect to purchase any New Versions.

4. TELEPHONE HOTLINE ASSISTANCE. AssetWorks, at its expense, shall make available technically qualified personnel to respond to all reasonable telephone requests from Customer, Monday through Friday, excluding holidays, during normal business hours, relating to the application and operation of the Software. At other times such personnel of AssetWorks are available by beeper for emergencies.

5. TECHNICAL LITERATURE. AssetWorks shall make available electronically to the Customer technical literature that is considered by AssetWorks to be relevant to the Software.

6. TRANSMISSION. All Revisions and New Versions will be available for download or transmitted to the Customer electronically as mutual agreed. The Customer shall be solely responsible executing the appropriate instructions in order to transfer the Revisions or New Versions onto to its system.

7. REMOTE DIAGNOSTIC ACCESS. The Customer shall provide appropriate remote access where AssetWorks may, with the permission of the Customer, use for the purpose of remote diagnostics and support of the Software.

8. PROPER USE

- a. The Customer agrees that all reasonable effort shall be taken to ensure that neither the Software nor data files are misused.
- b. In the event that the Customer or its agents misuses the Software or data files, including, but not limited to, inserting, updating, deleting or otherwise modifying data through a means other than the Software. AssetWorks is not obligated to correct such misuse, however, as mutually agreed, AssetWorks may attempt to correct the situation, if possible, at Customer's expense.
- c. In the event that diagnostic assistance is provided by AssetWorks, which, in the reasonable opinion of AssetWorks and the Customer, relates to problems not caused by a Deviation in the Software, such assistance shall be at the Customer's expense.

9. SOFTWARE MAINTENANCE FEE. In consideration of the Maintenance services to be provided by AssetWorks for the Software each twelve month period hereunder, Customer shall pay to AssetWorks an amount equal to twenty percent (20%) of the total amount of the non-discounted License Fee for the Software in effect at the time of the renewal.

10. ADDITIONAL SOFTWARE MAINTENANCE FEE. In the event the Customer acquires additional software to that indicated in the attached PO from AssetWorks (the "Additional Software"), the Maintenance set forth herein shall be extended to cover the Additional Software, and the Customer shall pay an additional annual Maintenance fee in an amount equal to twenty percent (20%) of the then current license fee for the Additional Software starting with the next renewal date unless otherwise agreed by the parties in writing.

11. OTHER FEES AND EXPENSES. If onsite maintenance is required, AssetWorks will provide a quotation an estimate of fees and expenses; if quotation is approved by Customer, Customer will pay reasonable travel and living expenses of AssetWorks' employees or agents, which shall be billed and paid as the expenses are incurred.

12. PAYMENT TERMS

- a. Annual payments for Maintenance will be due in advance of the commencement of the initial one-year term of the Maintenance and each anniversary thereafter. Invoices are due thirty (30) days after date of the invoice.
- b. AssetWorks reserves the right to change the annual Maintenance fee by providing Customer written notice of the increase at least thirty (30) days prior to any scheduled renewal date.
- c. AssetWorks reserves the right to apply a late payment charge of 1.5% per month to amounts outstanding more than thirty (30) days after the date of the invoice.

13. DEFAULT AND TERMINATION

- a. The Customer shall have the right to terminate Maintenance upon delivery of written notice at least ninety (90) days prior to any scheduled renewal date.
- b. AssetWorks may cancel Maintenance in the event that the Customer does not implement a Mandatory Revision within sixty (60) days of receipt thereof or such longer period as AssetWorks may consent to in writing. In the event that Customer does not implement a Mandatory Revision within thirty (30) days following receipt of written notice from AssetWorks of Customer's failure to implement a Mandatory Revision, AssetWorks may then cancel Maintenance, effective immediately, by notice in writing to the Customer.
- c. In the event of any breach of the terms and conditions of this Exhibit by the Customer, AssetWorks will, by written notice to the Customer, give the Customer a period of thirty (30) days within which to institute remedies to correct such breach. In the event that such breach has not been corrected to AssetWorks' satisfaction within said thirty (30) day period, AssetWorks may then cancel Maintenance, effective immediately, by notice in writing to the Customer.
- d. In the event that Maintenance is terminated by AssetWorks, AssetWorks shall have no continuing obligations to the Customer of any nature whatsoever with respect to Maintenance. Furthermore, termination by AssetWorks pursuant to the provisions hereof shall be without

prejudice to any right or recourse available to AssetWorks, and without prejudice to AssetWorks' right to collect any amounts, which remain due to it hereunder.

14. LIMITATION OF LIABILITY

- a. In the event of any claim brought by one party against another hereunder, a party will be liable only for actual, direct losses or damages incurred (including cost of cover), limited to the amount of fees paid to AssetWorks for maintenance services; provided, the claiming party shall be obliged to take reasonable steps to mitigate its losses or damages.
- b. Irrespective of the basis or theory of the claim, neither party will be liable for any special, punitive, exemplary, indirect, incidental or consequential damages of any kind, including, without limitation, lost profits or loss of data, even if it has been advised of the possibility of such damages.

15. GENERAL TERMS

- a. Neither AssetWorks nor Customer will assign or transfer its interest in this Exhibit or any Attachment without the prior written consent of the other party.
- b. All provisions of this Exhibit, which by their nature should survive termination of this Exhibit, will so survive.
- c. No delay or failure by either party to exercise any right hereunder, or to enforce any provision of this Exhibit will be considered a waiver thereof. No single waiver will constitute a continuing or subsequent waiver. To be valid, a waiver must be in writing, but need not be supported by consideration.
- d. If any provision of this Exhibit is held to be illegal, invalid or unenforceable, in whole or in part, such provision will be modified to the minimum extent necessary to make it legal, valid and enforceable, and the remaining provisions of this Exhibit will not be affected.
- e. This Exhibit, including its interpretation and enforcement, will be governed by the substantive laws of the laws of the state of Texas excluding its conflict of laws rules.
- g. In the event of any dispute arising in the performance of this Exhibit, AssetWorks and the Customer will seek to resolve such dispute through good faith, amicable discussions and negotiations. Any specific agreed upon problem escalation procedure will be stated in the related Attachment. In the event of a conflict between the terms of an Attachment and this Exhibit, the Attachment shall control unless otherwise provided in the Attachment. In any action at law or in equity to enforce or interpret the terms of this Exhibit, the prevailing party will be entitled to recover its reasonable attorneys' fees and costs, in addition to any other relief ordered by the court. Such fees and costs will include those incurred in connection with the enforcement of any resulting judgment or order, and any post judgment order will provide for the right to receive such attorneys' fees and costs.
- h. Neither party will be liable for any failure to perform or any delay in performing any of its obligations hereunder when such failure or delay is due to circumstances beyond its reasonable control and without its fault (Force Majeure), including, without limitation, any natural catastrophe, fire, war, riot, strike, or any general shortage or unavailability of materials, components or transportation facilities, or any governmental action or inaction. Upon the occurrence of such event of Force Majeure, the affected party will immediately give notice to the other party with relevant details, and will keep the other party informed of related developments.
- i. This Exhibit constitutes the entire agreement between the parties and supersedes all prior or contemporaneous oral, and all prior written, negotiations, commitments and understandings of the parties relating to the subject matter hereof. This Exhibit may not be modified except by a writing executed by both parties.

EXHIBIT D

ASSETWORKS PROFESSIONAL SERVICES TERMS

1. SERVICES.

This Exhibit shall apply each time Customer engages AssetWorks to provide services. All services provided will be described in an AssetWorks' quotation or a mutually agreed upon "Statement of Work" ("SOW") as applicable (hereinafter referred to as "Services"), if attached.

2. TERMS

2.1 Requests for Service; Quotes and Orders. Customer shall sign and return this Exhibit for the initial order for Services. All subsequent orders for Services must specify AssetWorks' quotation (if any), and reference the Service(s) requested and invoice address. All orders are subject to acceptance by AssetWorks.

2.2 Prices. The prices charged for Services purchased under this Exhibit will be AssetWorks' then current charges for such services in each AssetWorks region or as quoted by AssetWorks. If the Services are being performed on a time and materials basis, any estimates provided by AssetWorks are for planning purposes only.

2.3 Additional Fees; Taxes. Prices are exclusive of all country, provincial, state and local sales, use, value added, excise, privilege, franchise and similar taxes. Taxes imposed on AssetWorks (other than taxes related to AssetWorks' income) in connection with the Services purchased under this Exhibit will be paid by Customer and will appear as separate items on AssetWorks' invoices.

2.4 Invoicing and Payment. Customer's payment terms will be net thirty (30) days from the date of invoice.

2.5 Term. This Exhibit will begin on the effective date stated above and will continue until terminated in accordance with its terms. Each SOW will continue for the term stated therein, unless otherwise terminated pursuant to this Exhibit.

2.6 Termination. Either party may terminate this Exhibit by providing at least thirty (30) days prior written notice to the other. Termination of the Exhibit will not terminate any outstanding SOWs and the terms of this Exhibit will survive such termination to the extent that such terms are incorporated into any outstanding SOWs. Either party may terminate an individual SOW if the other party commits a material breach of such an agreement and the breach is not cured within thirty (30) days of receipt of written notice from the injured party. Termination of one or more SOW will not terminate this Exhibit. Upon termination, all rights and obligations of the parties under this Exhibit will automatically terminate except for rights of action accruing prior to termination, payment obligations and any obligations that expressly or by implication are intended to survive termination.

3. PROPRIETARY RIGHTS

AssetWorks will retain exclusive ownership in all deliverables created by AssetWorks hereunder and will own all intellectual property rights, title and interest in any ideas, concepts, know how, documentation or techniques developed by AssetWorks under this Exhibit. AssetWorks will also retain all intellectual property rights with respect to the tools and/or software that AssetWorks uses to deliver the Services. Subject to payment in full for the applicable Services, AssetWorks grants Customer a perpetual, non-exclusive, non-transferable, royalty-free right to use the deliverables solely for Customer's internal use.

4. EXPORT; REGULATORY REQUIREMENTS

Customer acknowledges that the Services sold under this Exhibit, which may include technology and software, are subject to the customs and export control laws and regulations of the United States ("U.S.") and may also be subject to the customs and export laws and regulations of the country in which the Services are rendered and/or received. Customer agrees to abide by those laws and regulations. Customer further represents that any software provided by Customer and used as part of the Services contains no encryption or, to the extent that it contains encryption, such software is approved for export without a license. If Customer cannot make the preceding

representation, Customer agrees to provide AssetWorks with all of the information needed for AssetWorks to obtain export licenses from the United States government and to provide AssetWorks with such additional assistance as may be necessary to obtain such licenses. Notwithstanding the foregoing, Customer is solely responsible for obtaining any specific licenses relating to the export of software if a license is needed. AssetWorks may also require export certifications from Customer for Customer provided software. AssetWorks' acceptance of any order for Services is contingent upon the issuance of any applicable export license required by the United States Government; AssetWorks is not liable for delays or failure to deliver Services or a product resulting from Customer's failure to obtain such license or to provide such certification.

5. CUSTOMER RESPONSIBILITIES

It is the Customer's responsibility to backup data on Customer's system. AssetWorks WILL NOT BE RESPONSIBLE FOR LOSS OF OR DAMAGE TO DATA OR LOSS OF USE OF ANY COMPUTER OR NETWORK SYSTEMS. Customer acknowledges that AssetWorks' performance and delivery of the Services are contingent upon: (i) Customer providing safe and hazard-free access to its personnel, facilities, equipment, hardware, software, network and information and (ii) Customer's timely decision-making, notification of relevant issues or information and granting of approvals and/or permission. Customer will promptly obtain and provide to AssetWorks any required licenses, approvals or consents necessary for AssetWorks' performance of the Services. Information disclosed by Customer pursuant to a separate Nondisclosure Exhibit ("NDA") signed by both parties will be protected under the terms of the NDA. Customer acknowledges that any information or data disclosed or sent to AssetWorks that is not protected under a separate NDA is not confidential or proprietary to Customer.

6. LIMITED WARRANTY & LIMITATION OF LIABILITY

6.1 Limited Warranty. ASSETWORKS WARRANTS THAT SERVICES WILL BE PERFORMED IN A GOOD AND WORKMANLIKE MANNER. EXCEPT AS EXPRESSLY STATED IN THE PRECEDING SENTENCE, ASSETWORKS MAKES NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SERVICES, INCLUDING BUT NOT LIMITED TO, ANY WARRANTY RELATING TO THIRD PARTY PRODUCTS OR THIRD PARTY SERVICES; ANY WARRANTY WITH RESPECT TO THE PERFORMANCE OF ANY HARDWARE OR SOFTWARE USED IN CONDUCTING SERVICES; ANY WARRANTY CONCERNING THE RESULTS TO BE OBTAINED FROM THE SERVICES OR THE RESULTS OF ANY RECOMMENDATION ASSETWORKS MAY MAKE; AND, ANY IMPLIED WARRANTIES CONCERNING THE PERFORMANCE, MERCHANTABILITY, SUITABILITY, NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR PURPOSE OF ANY OF THE DELIVERABLES OR OF ANY SYSTEM THAT MAY RESULT FROM THE IMPLEMENTATION OF ANY RECOMMENDATION ASSETWORKS MAY PROVIDE.

6.2 Limitation of Liability. NEITHER CUSTOMER, ASSETWORKS NOR ASSETWORKS'S SUBCONTRACTORS WILL BE LIABLE FOR ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH THE SERVICES PROVIDED BY ASSETWORKS EVEN IF A PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. ASSETWORKS SHALL NOT HAVE LIABILITY FOR (I) LOSS OF INCOME, PROFIT, OR SAVINGS, WHETHER DIRECT OR INDIRECT, (II) LOST OR CORRUPTED DATA OR SOFTWARE, OR (III) PRODUCTS NOT BEING AVAILABLE FOR USE. EXCEPT FOR CLAIMS THAT THE SERVICES (EXCLUDING THIRD PARTY PRODUCTS) CAUSED BODILY INJURY (INCLUDING DEATH) DUE TO ASSETWORKS'S NEGLIGENCE OR WILLFUL MISCONDUCT, ASSETWORKS'S TOTAL LIABILITY ARISING OUT OF, OR IN CONNECTION WITH, ANY SERVICES PURCHASED PURSUANT TO THIS EXHIBIT SHALL NOT EXCEED THE AMOUNTS PAID BY CUSTOMER FOR THE SPECIFIC SERVICE(S) GIVING RISE TO SUCH CLAIM DURING THE PRIOR TWELVE MONTH PERIOD.

7. INDEMNIFICATION

CUSTOMER accepts responsibility for, and agrees to indemnify and hold AssetWorks harmless from, any and all liability, damages, claims or proceedings arising out of (i) the failure of

CUSTOMER to obtain the appropriate license, intellectual property rights, or any other permissions, regulatory certifications or approvals required to support any SOW or AssetWorks' performance of the Services, or (ii) any inaccurate representations regarding the existence of an export license.

8. MISCELLANEOUS ITEMS

8.1 Assignment; Subcontracting. Unless otherwise provided in the SOW, CUSTOMER may not assign this Exhibit without the prior written consent of AssetWorks. AssetWorks has the right to hire subcontractors to perform the Services provided that AssetWorks shall remain responsible for the performance of Services under this Exhibit, or to assign Services to its affiliates.

8.2 Entire Agreement; Severability. This Exhibit is the entire agreement between AssetWorks and CUSTOMER with respect to its subject matter and supersedes all prior oral and written understandings, communications or agreements between AssetWorks and CUSTOMER. No amendment to or modification of this Exhibit, in whole or in part, will be valid or binding unless it is in writing and executed by authorized representatives of both parties. If any provision of this Exhibit is void or unenforceable, the remainder of this Exhibit will remain in full force and will not be terminated.

8.3 Independent Contractor. The parties are independent contractors. Neither party will have any rights, power or authority to act or create an obligation, express or implied, on behalf of another party except as specified in this Exhibit.

8.4 Force Majeure. Neither party shall be liable hereunder by reason of any failure or delay in the performance of its obligations hereunder (except for the payment of money) on account of strikes, shortages, riots, insurrection, fires, flood, storm, explosions, earthquakes, acts of God, war, governmental action, labor conditions, material shortages or any other cause which is beyond the reasonable control of such party.

8.5 Dispute Resolution. The parties will seek a fair and prompt negotiated resolution within ten (10) days of the initial notice of the dispute. If the dispute has not been resolved after such time, the parties will escalate the issue to more senior levels. Nothing herein shall prevent either party from seeking a preliminary or permanent injunction to preserve the status quo or prevent irreparable harm during the negotiation process or diminish the respective rights of the parties to pursue any and all remedies available in law and/or equity at any time.

8.6 Notices. To give notice under this Exhibit, the notice must be in writing and sent by postage prepaid first-class mail, receipted courier service, facsimile telecommunication or electronic mail to the address which appears below each party's signature below or to such other address as any party shall specify by notice in writing to the other party and will be effective upon receipt.

8.7 Section Headings. The section headings contained in this Exhibit are inserted for reference purposes only and shall not affect the meaning or interpretation of this Exhibit.

8.8 Governing Law, Jurisdiction and Language. The laws of the State of Texas will govern this Exhibit.

8.9 Limitation Period. Neither party may institute any action in any form arising out of this Exhibit more than two (2) years after the cause of action has arisen, or in the case of nonpayment, more than two (2) years from the date of last payment.

8.10 Counterparts. This Exhibit may be executed in counterparts, each of which shall be deemed an original, but all such counterparts shall together constitute one and the same instrument.

EXHIBIT E
HOSTING TERMS

1. AGREEMENT OVERVIEW

AssetWorks uses a Data Center ("Data Center"), located at 998 Old Eagle School Rd., Wayne, PA 19087, and provides associated services to support customers that wish to outsource the operation and maintenance of computer applications listed in the Scope of Services as referenced in Attachment 1.

This Agreement describes the services to be provided by AssetWorks ("Services") the respective responsibilities of the parties, the service level objectives ("SLOs"), and the problem management process. This Agreement incorporates the following Attachments that shall be considered an integral part of this Agreement:

Attachment 1 Scope of Services
Attachment 2 Service Level Objectives

2. SERVICES

AssetWorks will perform the services ("Services") as described in the Scope of Services, set forth in Attachment 1.

The general scope of services addressed by this Agreement includes the operation, maintenance, and support of the:

Database software for the Applications hosted under this agreement
Database security
Data Center server operation

The scope of services specifically excludes operation and maintenance of the following:

Customer hardware, including Customer's servers, printers, network hardware (including routers and switches) and other Customer site computing equipment;
Customer application software other than noted in the Scope of Services; and
Customer Local Area Networks ("LAN")
Customer network infrastructure for connecting to the Internet and to the AssetWorks Data Center

The Services shall be provided subject to the Terms and Conditions, which follow.

3. TERM

The Term of the Agreement shall commence as of the Effective Date and shall continue for three (3) years ("Initial Term") unless terminated earlier as set forth below. At the end of the Initial Term, the Agreement shall automatically renew for successive one-year terms unless or until either party provides the other party with written notice of non-renewal at least ninety (90) days prior to the end of the then current term.

4. FEES AND PAYMENT

Customer shall pay AssetWorks the applicable fees as set forth in the Fee Schedule set forth in Exhibit A to which this Exhibit E is attached.

AssetWorks shall invoice Customer monthly, in advance, and all invoiced fees shall be due and payable within 30 days of the date of an invoice. Monthly invoices shall include charges defined in set forth in Exhibit A to which this Exhibit E is attached. All payments shall be made in United States Dollars without deduction for any taxes or withholding or other offset.

Any amounts not paid when due will be subject to interest accrued at twelve percent (12%) per annum compounded quarterly, which interest will be immediately due and payable from the due date for payment until the date of actual receipt of the amount in cleared funds by AssetWorks. Interest payments that are accrued during billing disputes should be credited back to the Customer if said dispute is found to be through no fault of the Customer.

A Customer will be considered delinquent if payment in full is not received forty-five (45) days from the date of the invoice. AssetWorks reserves the right to suspend or terminate this Agreement and Customer access to the Service if the Customer account becomes delinquent and is not cured within ten (10) days. Customer will continue to be charged and hereby agrees to pay for Service during any period of suspension. Customer's failure to pay any invoice after this ten (10) day period shall constitute a material default hereunder and shall entitle AssetWorks to exercise any and all rights and remedies provided herein or at law including a suspension of Services under the Agreement. If Customer or AssetWorks initiate termination under any provision of the Agreement, Customer will be obligated to pay the balance due on their account computed in accordance with the Fee Schedule in set forth in Exhibit A to which this Exhibit E is attached. Customer agrees that they may be billed for such unpaid fees. In the event of a dispute between the parties that does not result in a termination of the Agreement, Customer agrees to make all Monthly Service Fee payments due under the Agreement pending the resolution of the dispute.

Upon termination for whatever reason and regardless of the nature of the default (if any), Customer agrees to pay AssetWorks in full for Services provided to Customer under this Agreement within 30 days of the invoice date.

5. CUSTOMER RESPONSIBILITIES

The Customer is responsible for:

- Assigning a primary and alternate Customer representative to coordinate all communications and activities related to AssetWorks services.
- Providing user identification data and determining the appropriate security profile for each user. Customer will control security at the Application level.
- All printing. No print job will print at the Data Center and all physical printing requirements will be handled by the Customer.
- The purchase and installation of printers at Customer's sites for the Application being utilized as defined in the Scope of Services.
- Installation, operation and maintenance of all workstation software (and Customer's LAN, existing data communications configuration, hardware, or software required at the Customer's site except as otherwise stipulated in the Scope of Services. AssetWorks network and network responsibility extends from the AssetWorks routers at AssetWorks' sites to all connected equipment at AssetWorks' sites.
- Testing updates and fixes applied by AssetWorks to Applications used by Customer. With the exception of emergency fixes, Customer will test updates and fixes prior to their introduction to the Production environment within a mutually agreed upon time frame.
- Testing upgrades. Upgrades will be moved to production by the AssetWorks at the end of the Customer testing period unless specific problems are documented in writing to AssetWorks.
- Diligent analysis of suspected problems to determine their specific nature and possible causes before calling the AssetWorks for assistance. Notwithstanding this diligence

requirement, Customer is responsible for informing AssetWorks of any problems encountered in a timely manner.

6. OWNERSHIP OF SOFTWARE AND DATA

Customer shall not obtain any ownership rights, title or interest in the software, hardware or systems developed or employed by AssetWorks in providing Services under the Agreement. AssetWorks shall not obtain any ownership rights, title or interest to Customer's data files. Upon expiration or termination of the Agreement for any reason, AssetWorks agrees to provide Customer with a copy of Customer's data files, as they exist at the date of expiration or termination. If this Agreement for Hosting, nothing contained herein is intended to modify the Customer's rights under any separate license agreement between Customer and AssetWorks.

7. WARRANTY DISCLAIMER/LIMITATION OF LIABILITY

Except as expressly set forth herein, provider disclaims all warranties relating to the services or deliverables provided hereunder, including but not limited to any warranty of fitness for a particular purpose or merchantability. Provider shall not be liable for any punitive, indirect, incidental, special or consequential damages, including but not limited to lost data or lost revenues or profits, however arising, even if provider has been advised of the possibility of such damages. AssetWorks' liability for any and all damages (including attorneys' fees) under this Agreement (whether in contract or tort) shall in no event exceed fees paid to provider during the previous 12-month period. The parties acknowledge and agree to the foregoing liability risk allocation. Any claim by Customer against AssetWorks relating to this agreement must be made in writing and presented to AssetWorks within six (6) months after the date on which this Agreement expires or is otherwise terminated.

8. TERMINATION FOR DEFAULT

A Default shall occur if: (1) a party fails to perform any of its material obligations under the Agreement and such failure remains uncured for 30 days after receipt of written notice thereof; or (2) a party ceases to conduct business, becomes or is declared insolvent or bankrupt, is the subject of any proceeding relating to its liquidation or insolvency which is not dismissed within 90 days or makes an assignment for the benefit of creditors.

If Default occurs, the non-defaulting party, in addition to any other rights available to it under law or equity, may withhold its performance hereunder or may terminate the Agreement by written notice to the defaulting party. Unless otherwise provided in the Agreement, remedies shall be cumulative and there shall be no obligation to exercise a particular remedy.

9. GOVERNING LAW; VENUE

The Agreement shall be governed and construed in accordance with the laws of the State of Delaware without regard to choice of law principles. Subject to Section 20 below, the parties agree that the sole jurisdiction and venue for actions related to the subject matter hereof shall be the state and U.S. Federal courts in the State of Texas. Both parties consent to the jurisdiction of such courts and waive any objections regarding venue in such courts.

10. ASSIGNMENT

Neither the Agreement nor any duties or obligations hereunder shall be assigned or transferred by Customer without the prior written approval of AssetWorks, which approval may be withheld in the reasonable judgment of the AssetWorks. Customer agrees that AssetWorks may assign its obligations to a third party subject to Customer's written approval of such change, but AssetWorks shall remain responsible for performance under the Agreement. All fees will remain intact as outlined in set forth in Exhibit A to which this Exhibit E is attached.

11. SEVERABILITY

If any provision of the Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any manner.

12. ENTIRE AGREEMENT

The Agreement and any schedules and exhibits thereto contain the entire agreement and understanding of the parties with respect to the subject matter hereof, and supersedes and replaces any and all prior or contemporaneous proposals, discussions, agreements, understandings, commitments, representations of any kind, whether oral or written, relating to the subject matter hereof or the Services to be provided hereunder.

13. FORCE MAJEURE

Neither party shall be liable for any failure of or delay in performance of its obligations (except for payment obligations) under this Agreement to the extent such failure or delay is due to acts of God, acts of a public enemy, fires, floods, power outages, wars, civil disturbances, sabotage, terrorism, accidents, insurrections, blockades, embargoes, storms, explosions, labor disputes (whether or not the employees' demands are reasonable and/or within the party's power to satisfy), failure of common carriers, Internet Service Providers, or other communication devices, acts of cyber criminals, terrorists or other criminals, acts of any governmental body (whether civil or military, foreign or domestic), failure or delay of third parties or governmental bodies from whom a party is obtaining or must obtain approvals, authorizations, licenses, franchises or permits, inability to obtain labor, materials, power, equipment, or transportation, or other circumstances beyond its reasonable control (collectively referred to herein as "Force Majeure Occurrences"). Any such delays shall not be a breach of or failure to perform this Agreement or any part thereof and the date on which the obligations hereunder are due to be fulfilled shall be extended for a period equal to the time lost as a result of such delays. Neither party shall be liable to the other for any liability claims, damages or other loss caused by or resulting from a Force Majeure Occurrence.

14. WAIVER

No provision of the Agreement may be waived unless in writing, signed by both of the parties hereto. Waiver of default of any provision of the Agreement shall not operate or be construed as a waiver of any subsequent default of such provision, nor shall a waiver of any one provision of the Agreement be deemed to be a waiver of any other provision.

15. AMENDMENTS, SUPPLEMENTS

The Agreement may be amended or supplemented only by the mutual written consent of the parties' authorized representative(s).

16. BINDING EFFECT, BENEFITS

The Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Notwithstanding anything contained in the Agreement to the contrary, nothing in the Agreement, expressed or implied, is intended to confer on any person other than the parties hereto or their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of the Agreement.

17. NOTICES

All notices under the Agreement will be in writing and will be delivered by personal service, certified mail, postage prepaid, or overnight courier to such address as may be designated from time to time by the relevant party, which initially shall be the addresses set forth on the signature page to the Agreement. Any notice sent by certified mail will be deemed to have been given five (5) days after the date on which it is mailed.

18. HEADINGS

The Section headings in the Agreement are inserted only as a matter of convenience, and in no way define, limit, or extend or interpret the scope of the Agreement or of any particular Article or Section.

19. AUTHORIZATION

Each of the parties represents and warrants that the Agreement is a valid and binding obligation enforceable against it and that the representative executing the Agreement is duly authorized and empowered to sign the Agreement.

20. DISPUTE RESOLUTION

The parties will seek a fair and prompt negotiated resolution within ten (10) days of the initial notice of the dispute (Dispute). If the dispute has not been resolved after such time, the parties will escalate the issue to more senior levels. If the parties are unable to resolve any dispute at the senior management level, then any controversy, claim or Dispute arising out of or relating to this Agreement shall be resolved by binding arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association then in effect. Before commencing any such arbitration, the parties agree to enter into negotiations to resolve the Dispute. If the parties are unable to resolve the Dispute by good faith negotiation, either party may refer the matter to arbitration. The arbitration shall take place in the Commonwealth of Virginia. The arbitrator(s) shall be bound to follow the provisions of this Agreement in resolving the dispute, and may not award any damages, which are excluded by this Agreement. The decision of the arbitrator(s) shall be final and binding on the parties, and any award of the arbitrator(s) may be entered or enforced in any court of competent jurisdiction. Any request for arbitration of a claim by either party against the other relating to this Agreement must be filed no later than six (6) months after the date on which AssetWorks concludes performance under this Agreement.

21. RELATIONSHIP OF PARTIES

The relationship of the parties shall at all times be one of independent contractors. Nothing contained herein shall be construed as creating any agency, partnership or other form of joint enterprise between the parties.

22. CONFLICTING PROVISIONS

This Agreement and all of the exhibits, schedules, and documents attached hereto are intended to be read and construed in harmony with each other, but in the event any provision in any attachment conflicts with any provision of this Agreement, then this Agreement shall be deemed to control, and such conflicting provision to the extent it conflicts shall be deemed removed and replaced with the governing provision herein.

23. COUNTERPARTS

The Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

24. COUNSEL

By execution of this Agreement, each of the Parties acknowledges and agrees that it has had an opportunity to consult with legal counsel and that it knowingly and voluntarily waives any right to a trial by jury of any dispute pertaining to or relating in any way to the transactions contemplated by the Agreement, the provisions of any federal, state or local law, regulation or ordinance notwithstanding.

Attachment 1 - Scope of Services

All of the services, functions, processes, and activities described below will be collectively described as the "Services" for purposes of this Agreement. All Services will be provided by AssetWorks to and for the Customer's benefit in a manner that will meet the objectives outlined in Attachment 2.

Application

Application refers to the Customer's software licensed from AssetWorks pursuant to the License set forth in Exhibit B to which this Exhibit E is attached which software may include 3rd Party Software. The Application is hosted by AssetWorks pursuant to this Agreement.

Support Software

Support Software includes the operating system, utilities, database software, and all necessary licenses required to operate the Application and provided by AssetWorks as part of the Services.

Hardware

Server infrastructure located in Wayne, PA, to maximize uptime.

If required by Customer, Customer shall provide the telecommunications equipment (including the routers to be installed at the Data Center), communication line, and services for connection from Customer's site to the Data Center.

Database Instances

AssetWorks will maintain a single Production Database instance. This Production Database will provide the daily, real-time transaction data to the Application users.

In addition to the Production Database, AssetWorks will maintain one additional, non-production Database (Test). Upon request by Customer, AssetWorks will populate these additional Databases with Customer's Production data up to 4 times in any 12 month period at no additional cost.

Backups

Full database and incremental file system backups are taken each night and stored at an offsite facility. Backup data is retained for 14 days.

Hours of System Operations

The Application will be accessible and available to the Customer and capable of any and all normal operating functions 24 hours a day, seven days a week except for periods of Scheduled Maintenance and previously approved outages. AssetWorks will not be held responsible for inaccessibility arising from communications problems occurring anywhere beyond the AssetWorks side of the router resident at the Data Center, nor will these hours of unavailability be counted as unavailable.

Data Center Maintenance

AssetWorks will complete routine maintenance on the Application according to the published schedule. AssetWorks will publish schedules for subsequent years on its Customer Support web site. AssetWorks will provide at least 30 days notice to any changes in the schedule.

If AssetWorks is required to perform additional maintenance outside of the Scheduled Maintenance window, it will notify the Customer in writing of its request. The Customer and the AssetWorks will mutually agree on the downtime, which will then be considered a period of Scheduled Maintenance.

Attachment 2 - Service Level Objectives

This Service Level Agreement ("SLA") is intended to provide an understanding of the level of service to be delivered by the AssetWorks for the Services specified in Attachment 1. The service levels set forth below apply to the Services provided by AssetWorks under the Agreement.

AVAILABILITY

AssetWorks will use commercially reasonable efforts to provide Services with an average of 95% Availability (as such term is hereinafter defined) for each quarter during the Term. For purposes of the Agreement, "Availability" during any quarter refers to an Authorized User's ability to log into the Application during such quarter, and will be calculated in accordance with the following formula:

$$x = (y - z) / y * 100$$

Where,

"x" is the Availability of the Application during the quarter;

"y" is the total number of hours in such quarter minus the number of hours during such quarter that the Customer is unable to log into the Application because of (a) regularly scheduled maintenance windows for the Application and for times in which Customer has been notified in writing (including e-mail) by AssetWorks in advance thereof; (b) a Force Majeure Event; (c) non-performance of hardware, software, ISP connections, and other equipment that is not provided by AssetWorks or certified by AssetWorks for use in conjunction with the Services (except as such non-performance is directly or indirectly caused by AssetWorks).

"z" is the number of hours in such month during which the Customer is unable to log into the Application (other than for reasons set forth in the definition of "y" above); provided that AssetWorks has been notified or is otherwise aware (or reasonably should be aware) of Customer's inability to utilize the Application.

FEE ADJUSTMENT

In the event that AssetWorks does not meet the Availability levels set forth below, the amount of fees payable by Customer will be reduced as follows:

In the event the average Availability for the Application is less than ninety five percent (95%) during any two consecutive quarters, Customer will receive a credit to its account with AssetWorks of five percent (5%) of the amount of a quarter's aggregate Services Fees paid or payable by Customer to AssetWorks.

AssetWorks' obligation to provide Customer with fee adjustments as set forth above is conditioned on Customer providing detailed written notice to AssetWorks of its contention that AssetWorks was unable to meet the applicable Availability levels. Upon receipt of such notice, AssetWorks shall have thirty (30) calendar days to investigate the contention. If, at the end of the thirty (30) calendar day period it is determined that AssetWorks did in fact fail to meet the applicable Availability levels, Customer will receive the appropriate credit to its account during the next invoice cycle.

The remedies set forth in this Section of this Attachment shall be Customer's sole remedy and AssetWorks' entire liability in the event of a breach of this Agreement, including the failure of any Availability measurements to meet the thresholds set forth above.

RESOLUTION # _____

**A RESOLUTION OF THE SAN ANGELO CITY COUNCIL RATIFYING PAST
PAYMENTS TO ASSETWORKS, LLC AND AUTHORIZING THE CONTINUATION
OF THE CURRENT AGREEMENTS ON A YEAR TO YEAR BASIS**

WHEREAS, the City of San Angelo entered into a software license, and maintenance, professional service, and hosting agreement with Assetworks, LLC on May 6, 2014; and

WHEREAS, pursuant to those documents the services and licenses automatically renewed unless notice of termination was provided in advance of the expiration date;

WHEREAS, on May 6, 2014 the San Angelo City Council authorized those agreements for a term of three years; and,

WHEREAS, three years as authorized per council action would have expired in May, 2017; and

WHEREAS, the City of San Angelo continued to pay Assetworks, LLC beyond May, 2017 without receiving additional authorization of Council; and

WHEREAS, the services provided by Assetworks, LLC are still necessary for the efficient management of the City Fleet Services Division.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANGELO, TEXAS:

1. That the City Council hereby ratifies all past payments to Assetworks, LLC that extended from May 2017 to present.

2. That the licenses and agreements with Assetworks as previously executed and amended are hereby authorized to continue on a year to year basis as needed.

PASSED, ADOPTED AND APPROVED by the City Council of the City of San Angelo, Texas this the 2nd day of October, 2018.

ATTEST:

Bryan Kendrick, City Clerk

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ron Lewis, Facilities Maintenance Manager, Facilities Maintenance, 325-657-4472

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Consider approving an amendment to an existing Contract with Ener-Tel Services (through Buyboard) beyond the initial term that ends November 11, 2018 and extending through December 31, 2018 and authorizing City Manager to negotiate and execute all related documents (Lewis)

Summary/History:

The existing contract with Ener-Tel Services is for Burglar Alarm systems, Security Cameras, Fire Sprinkler and Alarm systems and Monitoring services of same and ends November 11, 2018. This contract is through the BuyBoard Coop. Ener-Tel Services has submitted a new proposal to BuyBoard in accordance with their requirements. However, BuyBoard's approval is not expected to come early enough for COSA to ensure that there is no disruption of services.

Financial Impact:

The existing contract with Ener-Tel services is for Burglar Alarm systems, Security Cameras, Fire Sprinkler and Alarm systems and Monitoring services of same and ends November 11, 2018. The additional cost is budgeted and expended through several COSA department budgets. The aggregate amount requested for authorization by City Council is approximately \$6,000. However, any new equipment or additional repairs required during the extension period may require additional expenditures.

Other Information/Recommendation:

Staff recommends City Council Approval to extend the existing contract through December, 31, 2018.

Attachments:

Presentation:

Approvals/Reviews:

Ron Lewis	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, Development Services, 325.653.7197

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Consider approving Tax Increment Reinvestment Zone (TIRZ) incentive funding for two private projects in the North TIRZ area for the properties located at 1102 N. Chadbourne and 2412 N. Chadbourne totaling \$71,881.58 (J. James)

Summary/History:

At the monthly TIRZ Board meeting conducted August 28th, 2018, the TIRZ Board approved funding 2 TIRZ North Projects out of the North TIRZ Private funds for a total of \$71,881.58. The details of these projects include:

1102 N. Chadbourne (San Angelo Insurance). The funding amount requested from the applicant is \$52,131.58 and the TIRZ Board approved unanimously 8-0 to fund 100% of the project. The summary of work to be performed by the applicant includes demolition and removal of the existing parking area, installation of a new 6" concrete slab, installation of 4 new windows, a new awning, stonework, stucco, and painting of the façade.

2412 N. Chadbourne (Skyway Motel). The funding amount requested from the applicant is \$18,750 and the TIRZ Board approved unanimously 8-0 to fund 100% of the project in the amount of \$19,750. The additional \$1,000 was approved by the Board to include the extension of an existing sidewalk approximately 6' to reach 24th street. The summary of work to be performed by the applicant, along with the extension of the sidewalk, includes removing the existing concrete and asphalt, adding base materials and laying new asphalt for the parking lot as well as landscaping that would include a new sprinkler system, grass, and bushes around the complex.

Financial Impact:

2 TIRZ North Projects out of the North TIRZ private incentive funds for a total of \$71,881.58

Other Information/Recommendation:

At their monthly meeting on August 28th, 2018, the TIRZ Board approved funding these 2 TIRZ North Projects for a total of \$71,881.58.

Attachments:

- | | | |
|----|---|---|
| 1. | 8-28-18 TIRZ Board Project Presentation | 8-28-18 TIRZ Board Project Presentation.pdf |
|----|---|---|

Presentation:

Approvals/Reviews:

Shannon Scott
Jon James
Theresa James

Created/Initiated
Approved
Approved

Anthony Wilson
Candice Blake
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Final Approval

1102 N. Chadbourne – San Angelo Insurance

Funding Requested: \$52,131.58

Match: \$17,377.20 (25%)

Total Project Cost: \$69,508.78

Summary of Work: Demolition and removal of existing parking area, installation of a new 6" concrete slab, installation of 3 new windows, a new awning, stone work, stucco and painting of the facade

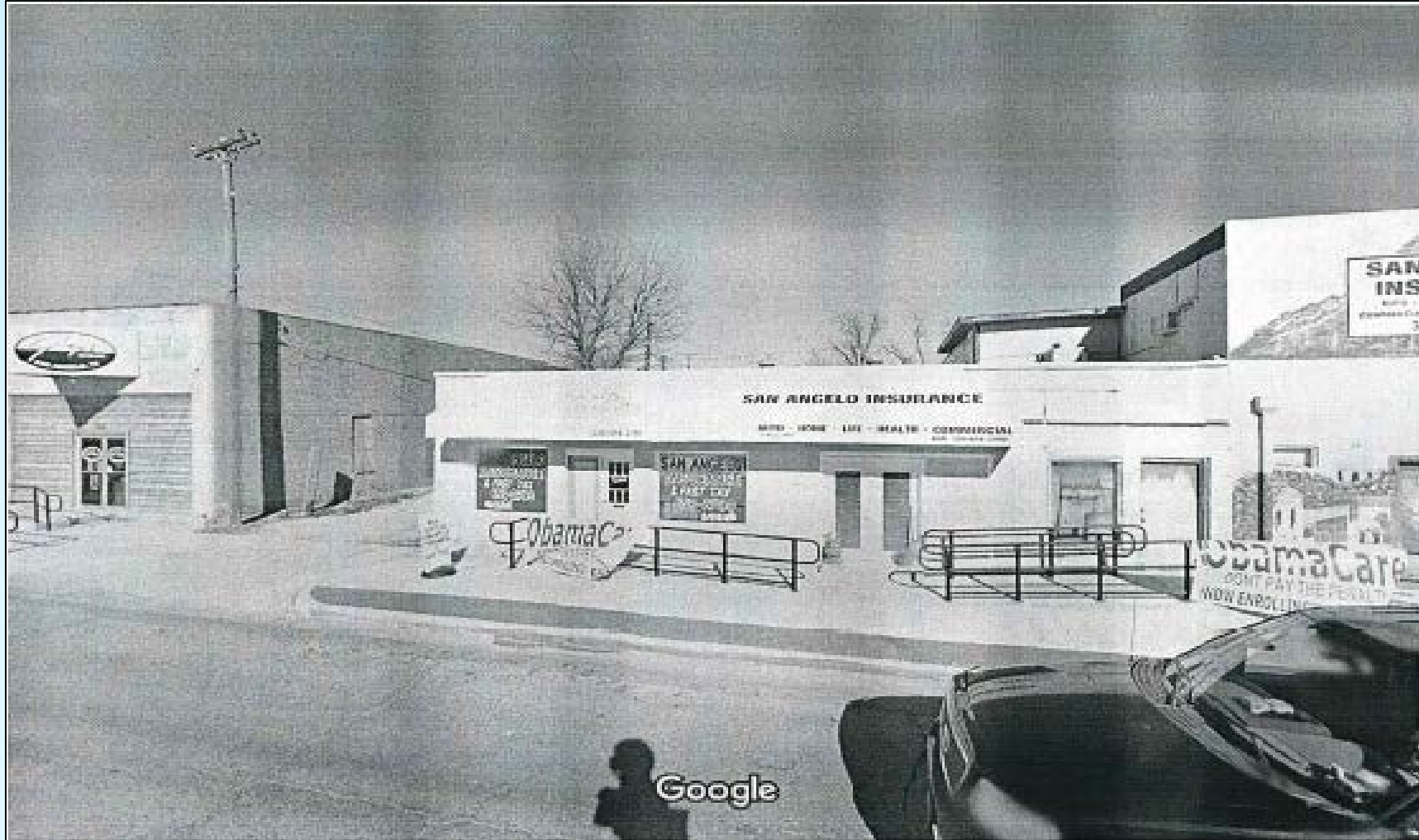
Project Criteria: Meets 5 of 14



1102 N. Chadbourne – San Angelo Insurance



1102 N. Chadbourne – San Angelo Insurance



1102 N. Chadbourne – San Angelo Insurance



2412 N. Chadbourne – Skyway Motel

Funding Requested: \$18,750

Match: \$6,250 (25%)

Total Project Cost: \$25,000

Summary of Work: Removing the existing concrete and asphalt, adding base materials and laying new asphalt for the parking lot as well as landscaping that would include a new sprinkler system, grass and bushes around the complex

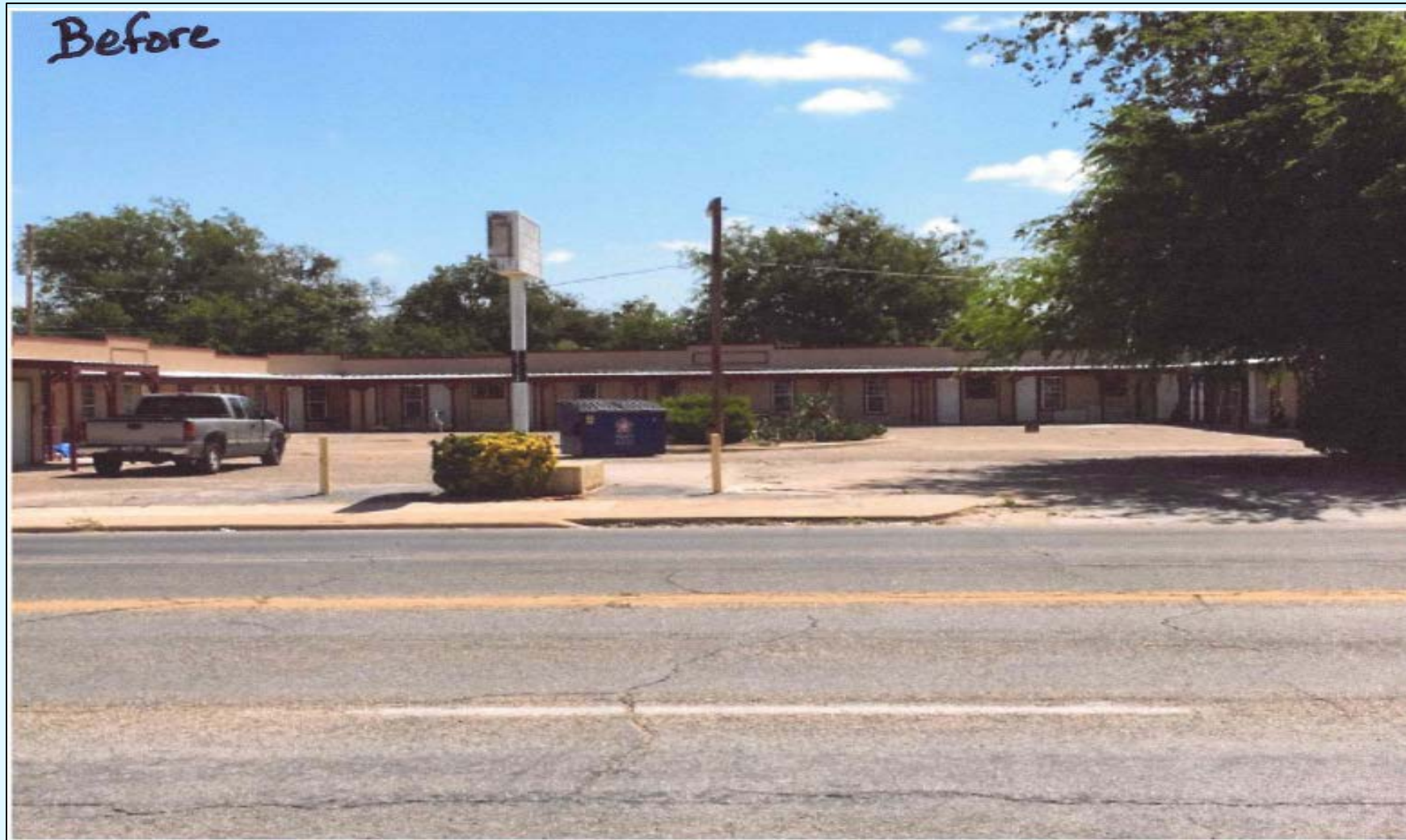
Project Criteria: Meets 5 of 14



2412 N. Chadbourne – Skyway Motel



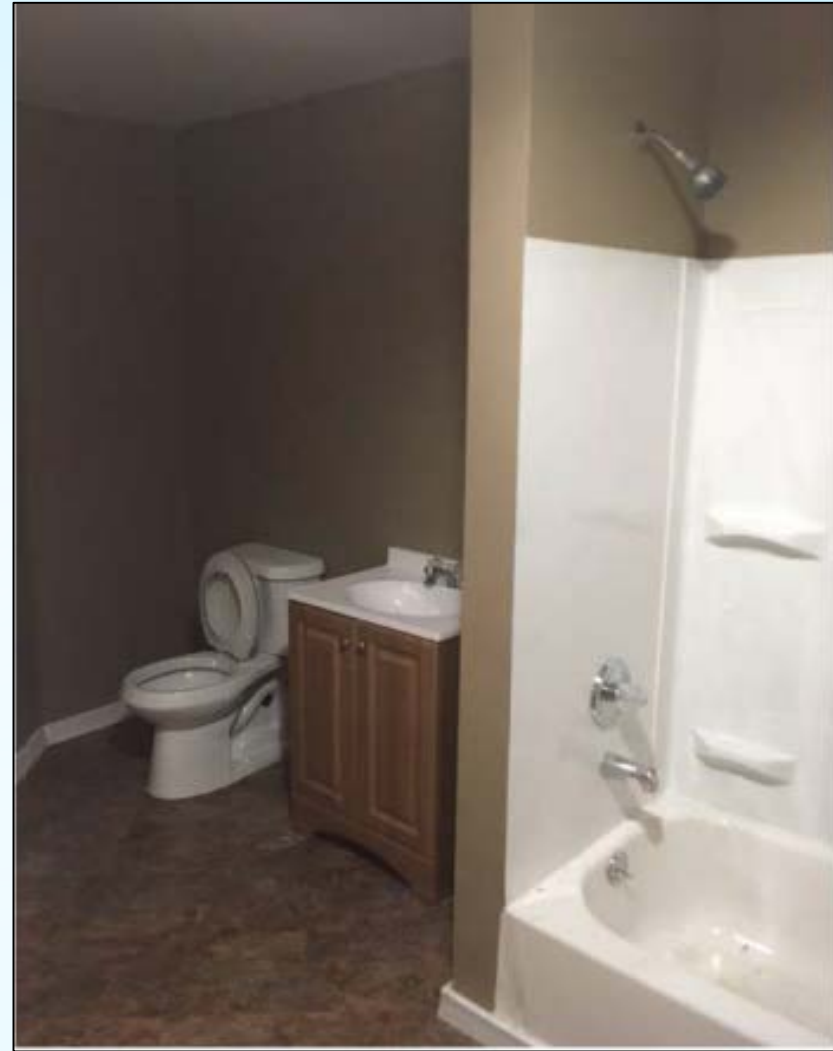
2412 N. Chadbourne – Skyway Motel



2412 N. Chadbourne – Skyway Motel



2412 N. Chadbourne – Skyway Motel



2412 N. Chadbourne – Skyway Motel



2412 N. Chadbourne – Skyway Motel



2412 N. Chadbourne – Skyway Motel



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shannon Scott, Economic Development Specialist, COSADC, 325.653.7197

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Consider ratifying COSADC's approval of a resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed \$225,000 to the San Angelo Chamber of Commerce for promotional and business recruitment services, a project authorized under Chapters 502 and 505 of the Texas Local Government Code (Andrews)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|--------------------------------------|--|
| 1. | 18-XXX_COSADC_CHAMBER_K_2018_FINAL | 18-XXX_COSADC_CHAMBER_K_2018_FINAL.docx |
| 2. | 18-431_COSADC_CHAMBER_2018-19_K_RESO | 18-431_COSADC_CHAMBER_2018-19_K_RESO.pdf |

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Theresa James	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Guy Andrews	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

2018-2019 COSADC-CHAMBER OF COMMERCE

PROFESSIONAL SERVICES AGREEMENT

This Agreement is entered into this 1st day of October 2018 by and between the City of San Angelo Development Corporation, a Texas nonprofit economic development corporation (“COSADC”) and the San Angelo Chamber of Commerce, Inc. a non-profit corporation (“Provider”).

RECITAL

A. COSADC is in need of professional economic development marketing and recruitment services to develop and implement an economic development marketing and recruitment program which will be conducive to ensuring the continued economic growth of the City of San Angelo (“Services”).

B. Provider possesses all necessary qualifications and expertise to perform Services.

C. COSADC wishes to engage the services of Provider, and Provider wishes to perform Services for COSADC, under the terms and conditions set forth herein (“Agreement”).

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, COSADC and Provider agree as follows:

TERMS

1. **RECITAL:** The recitals are true and correct and are hereby incorporated into and made a part of this Agreement.

2. **TERM:** The term of this Agreement shall commence on the effective date and shall be in effect for one (1) year, with the approval of the COSADC Board and ending

September 30, 2019 (“Term”), provided unless either COSADC or Provider terminates this Agreement in accordance with 7. “TERMINATION” hereunder.

3. SCOPE OF SERVICE:

A. Provider agrees to provide Services as prescribed in Exhibit “A”, “SCOPE OF SERVICES”.

B. Provider represents and warrants to COSADC that: (i) it possesses all qualifications, licenses and expertise required by COSADC for the performance of Services; (ii) it is not delinquent in the payment of any sums due COSADC, including payment of permit fees, occupational licenses, etc., nor in the performance of any obligations to COSADC; (iii) all personnel assigned to perform Services are and shall be, at all times during the term hereof, fully qualified and trained to perform the tasks assigned to each; and (iv) Services will be performed in the manner prescribed in Exhibit “A”.

4. COMPENSATION:

A. The total compensation payable by COSADC to Provider shall be \$225,000 annually. In no event shall the total amount of compensation under Agreement exceed Two Hundred Twenty Five Thousand and No/100 Dollars (\$225,000.00) per fiscal year.

B. Provider shall maintain supporting documentation that contains sufficient detail to reflect work performed under Agreement to allow a proper audit of expenditures should COSADC require one to be performed.

C. Compensation payable by COSADC to Provider under 4(A) “COMPENSATION” shall be paid quarterly according to the following schedule:

October 1, 2018 - \$56,250

January 1, 2019 - \$56,250

April 1, 2019 - \$56,250

July 1, 2019 - \$56,250

D. Provider shall refund and remit to COSADC any and all compensation paid to Provider by COSADC, not later than sixty (60) days after expiration of each fiscal year or after termination of Agreement under 7. “TERMINATION” hereunder, which are verified as being attributable to Services not actually performed or rendered by Provider under Agreement.

5. AUDIT AND INSPECTION RIGHTS: Provider shall allow COSADC to, upon five (5) days advance notice, audit all books and records of Provider directly pertinent to Agreement.

6. INDEPENDENT PROVIDER: Agreement is not intended to create a joint enterprise. Provider is and shall at all times be considered as an independent provider and is in no way an employee of the COSADC or City of San Angelo (“City”).

A. Provider agrees that this Agreement does not entitle Provider or its employees, agents, or volunteers to workers’ compensation benefits, unemployment compensation benefits, or any other benefits or protections that accrue from an employment relationship, all of which shall remain the sole and exclusive responsibility of Provider or its employees or agents.

B. Provider, its employees or agents shall be responsible for any business registration or licenses required by any governmental entity.

C. Neither Provider nor its employees, agents or volunteers are to be considered agents or employees of COSADC or City for any purpose, including that of federal and state taxation, and neither Provider nor its employees or agents are entitled to any of the benefits that the COSADC or City may provide to its employees.

7. **TERMINATION:** It is understood and agreed that either COSADC or Provider may terminate this Agreement upon thirty (30) days prior written notice.

8. **AMENDMENT:** Agreement constitutes the sole and entire agreement between COSADC and Provider. No modification or amendment hereto shall be valid unless in a written instrument entered into by COSADC and Provider, approved by COSADC and City Council.

9. **CONTINGENCY CLAUSE:** Funding for Agreement is contingent on the availability of funds and continued authorization for Services and Agreement is subject to amendment or termination due to lack of funds, reduction of funds or change in regulations, upon thirty (30) days notice by COSADC.

10. **ASSIGNMENT:** This Agreement is not to be assigned by Provider, in whole or in part, and Provider shall not assign any part of its operations.

11. **REPORTING:** Provider shall report to COSADC on its activities in relation to this Agreement as described in Exhibit "D" or when otherwise requested by COSADC.

12. **HOLD HARMLESS:** Each party agrees to indemnify, hold harmless, and defend the other from any and all claims, causes of action, and damages of every kind arising from the

operations of the other, its officers, agents and employees, carried out in furtherance of this Agreement.

EXECUTED in duplicate originals this day of _____, 2018.

**CITY OF SAN ANGELO DEVELOPMENT
CORPORATION**

By: _____
Edward Carrasco, President

ATTEST:

By: _____
Nora Nevarez, Corporate Secretary

**SAN ANGELO CHAMBER OF
COMMERCE, INC.**

By: _____
Bruce Partain, President

ATTEST:

By: _____
Corporate Secretary, San Angelo Chamber of Commerce

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Guy D. Andrews, Economic Development Director

Dan T. Saluri, Deputy City Attorney

EXHIBIT “A”

SCOPE OF SERVICES

The scope of services provided under this agreement includes marketing and recruitment activities to targeted industries mentioned in the COSADC Strategic Plan and specific NAICS Codes as outlined in Exhibit “B”, herein defined as “Task(s)”. The task descriptions below contain a number of prescribed actions.

Task 1

Marketing and Recruitment Services

- A. Provide professional economic development marketing and recruitment services to develop and implement an economic development marketing and recruitment program with all necessary qualifications and expertise to perform services.
- B. Provide Public Relations services.
- C. Participate in marketing efforts with the Governor’s Office, Texas Economic Development Council, and other economic development organizations to promote San Angelo for job creation and capital investment.
- D. Meet with the COSADC Economic Development Director prior to presenting to the Board for consideration and final adoption of the Provider’s *Plan of Action* as it relates to economic development marketing and recruitment to solicit comments and input on desired outcomes and activities related to COSADC funding.
- E. Present, no later than the October meetings of each year, such *Plan of Action* as it relates to economic development marketing and recruitment for approval at a regular meeting of the

COSADC. COSADC and Provider staff will review the Provider's Plan of Action as it relates to evaluating the success of efforts in the plan.

- F. Present a written report, in January, April, July and October of each year, at a regular meeting of COSADC concerning the status of each task.
- G. Maintain and publish a Community Profile, cost of living index, specialized media advertising land and buildings, general community information necessary for the site selection process.
- H. Provide background information for any projects including, but not limited to, the site requirement form, economic impact analysis (which may be written in cooperation with COSADC on a case-by-case basis), prospect summary reports for use by COSADC staff in their preparation of a formal incentive application, financial due diligence reviews and/or presentations to the COSADC Board of Directors and City Council. Upon award of financial incentives as recommended by COSADC and approved by the City Council, COSADC shall become the primary point of contact for said business.
- I. Work in cooperation with local economic development partners through the One-Stop-Shop Business Resource Center model.
- J. Maintain a cross-branded website between COSADC and Provider website, with links as deemed appropriate by Provider, to other local, state, and federal business resources, that will direct traffic to other partner websites including but not limited to: San Angelo Development Corporation, Downtown San Angelo, The Business Factory, Concho Valley Workforce Development, the ASU Small Business Development Center, Howard College/West Texas Training Center, and the San Angelo Chamber of Commerce, and any other economic development partner.

- K. Coordinate San Angelo responses to all prospect leads, ensuring complete information sharing and involvement of all relevant economic development partners. All contacts and actions on leads, existing and potential companies/employers will be maintained and organized by Provider using a mutually-agreeable project management system.
- L. Maintain current community information and other relevant information required by business prospects. This information is to be updated as soon as relevant new market data is available each year and coordinated with COSADC Staff to ensure consistency of data provided by COSADC and Provider.

Task 2

Internet & Print Marketing

This may include websites, subscriptions to online interactive sites, internet advertising costs, and any print media.

Task 3

Marketing Campaigns

Provide marketing materials to prospective primary job creators. Provider will provide information to potential prospective employers highlighting the benefits of the regional market, labor pool, facilities, amenities, etc. encouraging them to consider San Angelo for expansion, relocation or merger/acquisition with existing primary employers. Consider and encourage, when feasible, cooperative working and supply relations between prospective employers and existing San Angelo companies.

Task 4

Prospect Meetings and Coordination

Encourage personal visits to San Angelo to discuss investment in the City with Provider, COSADC staff, City/County staff, Workforce and all other economic development partners.

Task 5

Trade Shows

Provider may engage in attendance at, exhibitor participation in, or the hosting of national, regional or local trade shows.

Task 6

Site Selector/Prospect Generation Services

Provider may utilize website services and electronic advertising and engage the services of qualified professional site selection/prospect generation services to create greater awareness of the benefits of the San Angelo market, workforce, facilities and incentives.

Task 7

Goodfellow AFB Outreach

Coordinate with personnel at Goodfellow AFB, Department of Defense, Department of the Air Force, NSA and related personnel to retain and increase the AFB facility size and missions.

Task 8

Third Party Services

Provider may engage third-party expert consultants when appropriate to assist in the capture of new employers or the expansion of existing employers into San Angelo.

Task 9

Maintain Professional Memberships

Maintain professional memberships and contact with economic development allies, and resource providers, such as the Governor's Economic Development Office, Southern Economic Development Council, Texas Economic Development Council, Private Lead Generation/Site Selector Companies, Utility Companies and other economic development organizations.

EXHIBIT “B”

NAICS CODE – ELIGIBLE “TARGETED INDUSTRIES”

NAICS code-eligible “targeted industries” that provide “Primary jobs” as approved under the Development Corporation Act of 1979 are listed in the table below. A “Primary job” means; (A) a job that is: (i) available at a company for which a majority of the products or services of that company are ultimately exported to regional, statewide, national, or international markets infusing new dollars into the local economy; and, (ii) included in one of the following sectors of the North American Industry Classification System (NAICS):

<u>Sector Number</u>	<u>Description</u>
111	Crop Production
112	Animal Production
113	Forestry and Logging
115	Support Activities for Agriculture and Forestry
211-213	Mining
221	Utilities
311-339	Manufacturing
42	Wholesale Trade
48-49	Transportation and Warehousing
523-525	Securities, Commodity Contracts, and other Financial Investments and related activities; Insurance Carriers and Related Activities; Funds, Trusts, and Other Financial Vehicles
5413, 5415	Scientific Research and Development Services
5416, 5417, 5419 and 551	Management of Companies and Enterprises
56142	Telephone Call Centers
922140	Correctional Institutions

(B)

<u>Sector Number</u>	<u>Description</u>
928110	A job that is included in NAICS sector number 928110, National Security, for the corresponding index entries for Armed Forces, Army, Navy, Air Force, Marine Corps, and Military Bases.

EXHIBIT “C”

TASK SUMMARY

Task 1	Marketing and Recruitment Services	
Task 2	Internet & Print Marketing	
Task 3	Marketing Campaigns	
Task 4	Prospect Meetings and Coordination	
Task 5	Trade Shows	
Task 6	Site Selector/Prospect generation services	
Task 7	Goodfellow AFB outreach	
Task 8	Third Party Services	
Task 9	Professional Memberships	

EXHIBIT “D”
REPORTING REQUIREMENTS

- 1. Weekly written update from the Chamber on all economic development related activities.**
- 2. Monthly oral and written report to the COSADC Board of projects under negotiation with prospects.**
- 3. Quarterly oral and written summary to the COSADC Board.**
- 4. Annual oral and written report to the COSADC Board.**
- 5. Other reports and meetings as requested by the COSADC Board.**

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING A CONTRACT BY AND BETWEEN THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION (COSADC) AND THE SAN ANGELO CHAMBER OF COMMERCE FOR PROMOTIONAL AND BUSINESS RECRUITMENT SERVICES, A PROJECT AUTHORIZED UNDER CHAPTERS 502 AND 505 OF THE TEXAS LOCAL GOVERNMENT CODE.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and

WHEREAS, COSADC is in need of professional economic development marketing and recruitment services to develop and implement an economic development marketing and recruitment program which will be conducive to ensuring the continued economic growth of the City of San Angelo (“Services”), and

WHEREAS, the San Angelo Chamber of Commerce agrees to provide Services as specifically described, and subject to the special terms and conditions set forth in a professional services agreement, and

WHEREAS, the Agreement shall be effective from October 1, 2018, the effective date, and shall be in effect one (1) year, ending September 30, 2019, unless earlier terminated in accordance with the agreement terms, in a sum not to exceed \$225,000;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANGELO, TEXAS THAT:

The City Council for the City of San Angelo hereby approves the 2018-2019 COSADC – CHAMBER OF COMMERCE PROFESSIONAL SERVICES AGREEMENT by and between the City of San Angelo Development Corporation and the San Angelo Chamber of Commerce for the Provision of

Marketing Services in a sum not to exceed \$225,000, in substantially the form of **Exhibit “A”** attached to this Resolution.

PASSED and APPROVED THIS 2nd DAY OF October, 2018.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Guy Andrews, Director of
Economic Development

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Second reading of ordinances approving:

1. Case CP18-07, an amendment to the Comprehensive Plan, changing the Future Land Use designation from "Neighborhood" to "Neighborhood Center," being 0.22 acres located at 1520 Bryan Street
2. Case Z18-16, a rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District, being 0.22 acres located at 1520 Bryan Street (J. James)

Summary/History:

The applicant has submitted two concurrent applications to rezone and amend the Future Land Use of a property located at the corner of South Bell Street and Bryan Street. The applicant is intending to begin retail sales and service or vehicle services limited on the subject property which has frontage along South Bell Street. Properties west along Bryan Street are predominately residential but South Bell Street is a mix of residential and commercial zoning. Section 310 of the Zoning Ordinance does not permit the proposed uses by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212.G of the Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018, the Planning Commission unanimously recommended APPROVAL of the Comprehensive Plan Amendment and the Rezoning.

On September 18, 2018, the City Council voted 7-0 to approve this item on first reading, as recommended by staff and the Planning Commission.

Attachments:

- | | |
|---------------------------|--|
| 1. Draft Ordinance (RZ) | Z18-16 Ord.docx |
| 2. Draft Ordinance (CP) | CP18-07 ORD.docx |
| 3. Staff Report (CP & RZ) | cc Staff Report CP18-07 & Z18-16 Galvan.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker
Jon James

Created/Initiated
Approved

Theresa James
Anthony Wilson
Jon James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Approved
Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **1520 BRYAN STREET, CITY of SAN ANGELO, TEXAS, compromising a total of 0.218 ACRES**, FROM SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z18-16

WHEREAS, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Neighborhood Commercial (CN) Zoning District; and,

WHEREAS, on the 18th day of September, 2018, City Council held a public hearing on Z18-16, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned NEIGHBORHOOD COMMERCIAL (CN) Zoning District:

The real property located at 1520 Bryan Street, compromising a total of 0.218 acres in Fairview Addition, Block 13, The South Half of Lots 13 and 14, City of San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **18th day of September, 2018**, and finally PASSED,
APPROVED AND ADOPTED on this the **2nd day of October, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

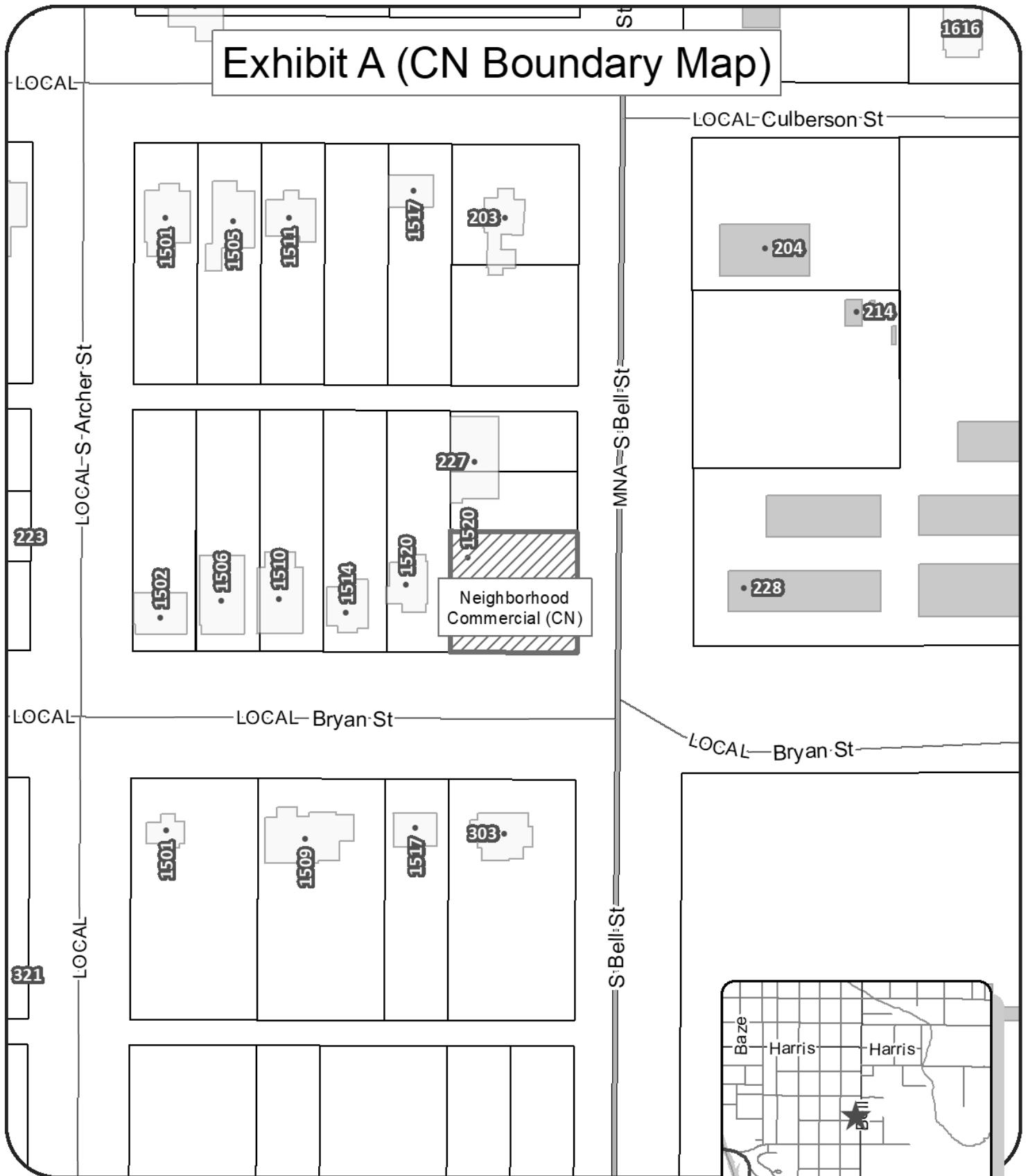
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A (CN Boundary Map)



CP18-07/Z18-16: Galvan

1520 Bryan Street

Council District: SMD #3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 100 ft

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: CN

Vision: Neighborhood



AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS, BEING **1520 BRYAN STREET, CITY of SAN ANGELO, TEXAS, compromising a total of 0.218 ACRES**, FROM "NEIGHBORHOOD" TO "NEIGHBORHOOD CENTER;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-18-07

WHEREAS, the City Council for the City of San Angelo, Texas, in accordance with the City Charter and Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan (Vision Plan and Future Land Use Map within the San Angelo Strategic Plan adopted by City Council as updated on October 20, 2009) to guide the long-range development of the City, manage the future growth of the City and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, inconsistencies have developed between current long standing land use and development patterns and development envisioned by the Future Land Use Map, which inconsistencies call for compatible revisions to the Future Land Use Map; and

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map changes should be made as set out herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to change the Future Land Use designations of the following described parcels as outlined below:

1520 Bryan Street, comprising 0.218 acres in Fairview Addition, Block 13, The South Half of Lots 13 And 14, City of San Angelo, Texas, from “Neighborhood” to “Neighborhood Center;”

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to amend the Future Land Use Planning Map maintained in the Office of the Director to incorporate the foregoing amendments, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **18th day of September, 2018**, and finally PASSED,
APPROVED AND ADOPTED on this the **2nd day of October, 2018**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

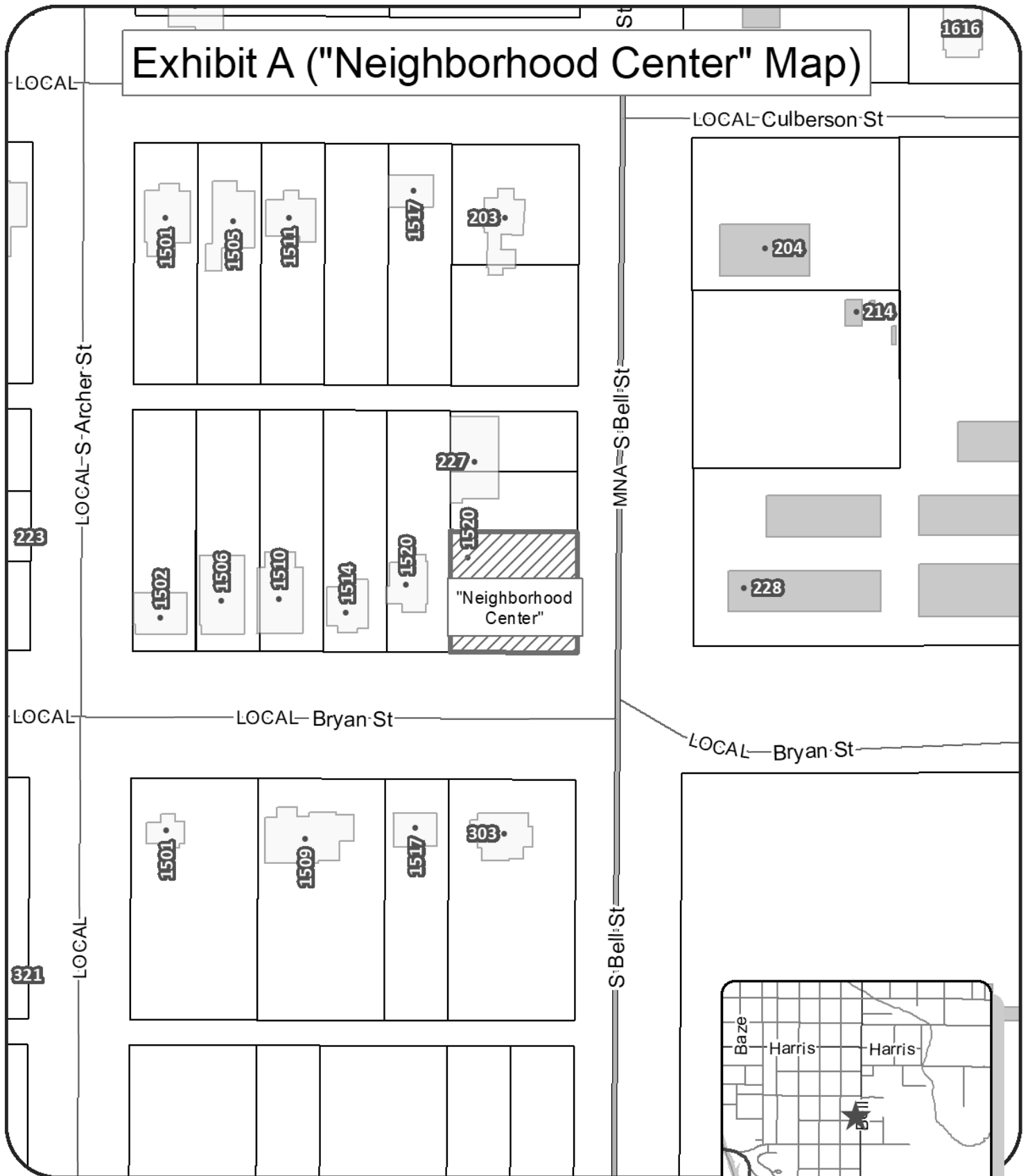
ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit A ("Neighborhood Center" Map)



CP18-07/Z18-16: Galvan

1520 Bryan Street

Council District: SMD #3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 100 ft

Legend

Subject Properties: —

Current Zoning: RS-1

Requested Zoning Change: CN

Vision: Neighborhood



CITY COUNCIL – September 18 & October 2, 2018
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP18-07/Z18-16: Galvan	
SYNOPSIS:			
A request for approval of an amendment to the Comprehensive Plan for the City of San Angelo to change the Future Land Use from Neighborhood to Neighborhood Center on the subject property, and a request for approval of a Rezoning from the Single Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property. The applicant is intending to begin retail sales and service or vehicle services limited. Section 310 of the Zoning Ordinance does not permit such use by right in the existing zoning district. A rezoning to the property would also warrant a Comprehensive Plan amendment as part of the criteria for approval per Section 212.G of the Zoning Ordinance.			
LOCATION:		LEGAL DESCRIPTION:	
1520 Bryan Street		Being The South Half of Lots 13 And 14, Block 13, Fairview Addition, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho East Neighborhood	RS-1 – Single Family Residential	Neighborhood	0.218 acres
THOROUGHFARE PLAN:			
<u>South Bell Street</u> –Urban Minor Arterial Street, Required 80’ min. ROW (92’ Existing), 64’ min. pavement width (48’ Existing). <u>Bryan Street</u> –Urban Local Street, Required 50’ min. ROW (100’ Existing), 36’ min. pavement with sidewalk or 40’ without sidewalk (40’ Existing).			
NOTIFICATIONS:			
15 notifications were mailed within a 200-foot radius on August 3, 2018. Zero response has been received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from “Neighborhood” to “Neighborhood Center,” and APPROVAL of a Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District			
PROPERTY OWNER/PETITIONER:			
Miguel Galvan			
STAFF CONTACT:			
Hillary Bueker Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.* The Comprehensive Plan amendment from Neighborhood to Neighborhood Center would allow transition between the existing Future Land Use designations in the adjacent area and also allow for compatibility with the associated rezoning to Neighborhood Commercial. Section 304 of the Zoning Ordinance states that the intent of the Neighborhood Commercial Zoning District is to “provide opportunities for development of commercial development that serves and is supported by a relatively small surrounding area” The rezoning will allow a transition from the heavier commercial development in the area, and more specifically, allow the applicant to construct the proposed retail use.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The proposed development would comply with the Neighborhood Commercial development standards. The 9,500 square foot property exceeds the minimum lot area of 6,000 square feet, minimum lot frontage of 50 feet, and minimum lot depth of 80 feet in the Neighborhood Commercial district. Any future buildings will be required to comply with all required setbacks including 25-foot front yard setbacks from Bryan Street and South Bell Street, as well as a 10-foot side yard setback to the west and north.
3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* The property is located within an area that has mixed uses, but is comprised of mostly residential to the west and commercial/industrial along South Bell Street. The subject parcel will be adjacent to residential lots on the west and north side but will remain at a neighborhood scale in the proposed CN zoning district. This type of commercial use is similar to other uses already existing along Bell Street to the east.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The property has been zoned Single Family Residential District since the 1954 Zoning Ordinance. Where the Zoning Ordinance may have initially anticipated more residential development, the area has not developed that way, so allowing the Comprehensive Plan amendment and rezoning would make better use of the land in a manner consistent with existing adjacent development.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The Comprehensive Plan amendment and rezoning are anticipated to have little to no adverse impact on the natural environment. There may be minor air and noise pollution as the proposed improvements are built, but those would be temporary. Although there will be a heavier footprint with a commercial development as opposed to a residential development, staff will be able to mitigate this during the site plan and permitting processes.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There has not been any demonstrated community need for a use on the site to be residential. The site has been vacant for some time and the potential tenant would not be allowed in the RS-1 Zoning District. Allowing the site to rezone to Neighborhood Commercial would be reflective of the continuing need for commercial in the area, rather than allowing a continuance of a zoning designation that has not been fully utilized in the past.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area along South Bell Street is considerably commercial. This parcel will keep in continuity with the adjoining lots directly adjacent to along this corridor.

Planning Commission Recommendation:

On August 20, 2018 the Planning Commission recommended APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation to “Neighborhood Center,” and APPROVAL of a Rezoning to the Neighborhood Commercial (CN) Zoning District. The following is the complete excerpt of the minutes from the meeting for this case:

Hillary Bueker, Senior Planner, presented the proposed Comprehensive Plan Amendment and Rezoning request. She explained that the current Comprehensive Plan designation was “Neighborhood” and the current zoning “Single-Family Residential (RS-1)” for the property. Ms. Bueker outlined Staff’s recommendation for approval which included that the proposed amendments to Neighborhood Center and CN would be a good transition from the nearby commercial uses; that the proposed amendments were consistent with the Future Land Use of Neighborhood Commercial; and that the area has not developed residentially.

Chair Stribling opened the meeting for public comment.

Mr. Galvan, the owner of the property, spoke in support of the requests.

Ms. Sanders indicated that she believed the amendments would be beneficial to the City allowing more businesses on Bell Street.

Mr. Galvan explained that he sees potential in the property for future development.

Ms. Becky De Marinis, a nearby resident asked what the hours of operation would be for a future business on the property.

Mr. Galvan indicated that he plans to sell tacos and does not want to create a negative environment.

Commissioner Smith made a Motion to recommend APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing the “Neighborhood” Future Land Use to the “Neighborhood Center” Future Land Use on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.

Commissioner Smith made a Motion to recommend APPROVAL of a Rezoning from the Single Family (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0

Recommendation:

Staff’s recommendation is for the City Council to:

1. **APPROVE** the Comprehensive Plan Amendment, changing the Future Land Use designation from “Neighborhood” to “Neighborhood Center.”
2. **APPROVE** the Rezoning from the Single-Family Residential (RS-1) Zoning District to the Neighborhood Commercial (CN) Zoning District.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Application
Photographs
Notification Map



CP18-07/Z18-16: Galvan

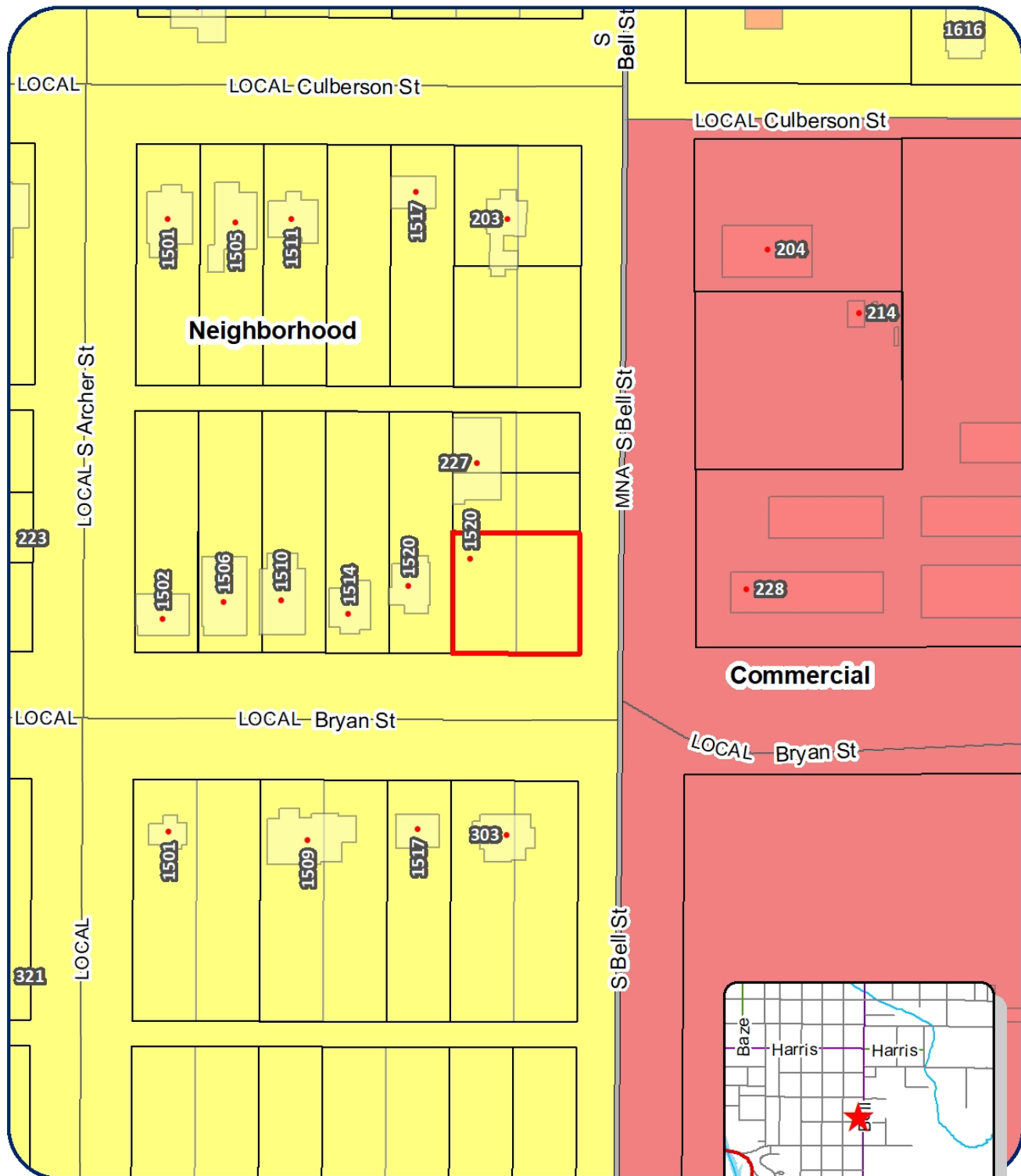
1520 Bryan Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
 Current Zoning: **RS-1**
 Requested Zoning Change: **CN**
 Vision: **Neighborhood**





CP18-07/Z18-16: Galvan

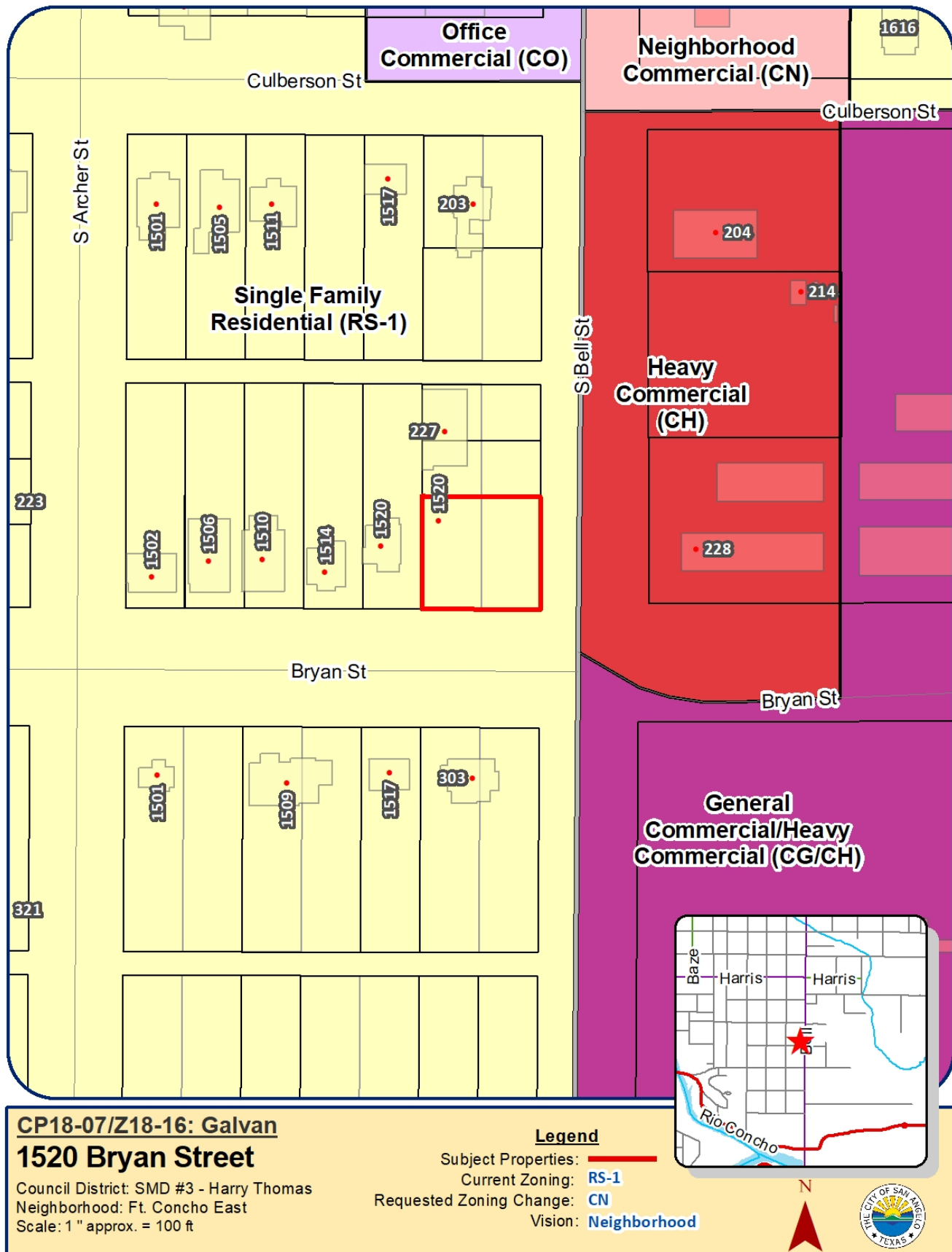
1520 Bryan Street

Council District: SMD #3 - Harry Thomas
 Neighborhood: Ft. Concho East
 Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
 Current Zoning: RS-1
 Requested Zoning Change: CN
 Vision: Neighborhood





Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s):

Miguel Galvan

☒ Owner☐ Representative (Notarized Affidavit Required)

Mailing Address

210 Robinhood Trl San Angelo Tx 76903

Contact Phone Number

(325) 716-6644

Contact E-mail Address

1520 Bryan St. San Angelo Texas 76903

Subject Property Address

South half lot of 13314 Bell St.

Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning:

RS1

Proposed Zoning:

Neighborhood commercial
Lot Size: W: 150.00'
S: 95.00'(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property:

Garage: for lot 12:

*Proposed Use of Property:

Commercial Neighborhood Business:
FOOD RETAIL

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

- ☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;
- ☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.
- ☒ If approved, a zone change is applied to the property, not the property owner.
- ☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.
- ☐ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.
- ☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.
- ☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.
- ☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

☐ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Miguel Angel Galvan Miguel Galvan 07-20-18
 Owner Name (Print) Signature Company/Organization (If Applicable) Date

 Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 7 / 20 / 18

Case No.: Z 18 -- 16

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 625 Receipt #: _____ Date paid: 7 / 20 / 18

Sign Deposit \$37.50 CP Receipt #: _____ Date paid: ____ / ____ / ____

Affidavit attached? ☐ Yes ☐ No ☒ N/A Applicant's signature on information sheet? ☒ Yes ☐ No

Previous Zone Change Inquiry? ☐ Yes ☒ No If yes, ZCI case no.: ____ -- ____

River Corridor Commission? ☐ Yes ☒ No If yes, RCC meeting date: ____ / ____ / ____

Planning Commission hearing date: 8 / 20 / 18 Date notifications due: 8 / 3 / 18

City Council hearing date: 9 / 18 / 18 Packets due date: ____ / ____ / ____

Publication date: ____ / ____ / ____

Reviewed/Accepted by: H. Buckner Date: 7 / 20 / 18

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue

Application for Request to Amend Comprehensive Plan



Section 1: Basic Information

Name of Applicant(s): Miguel Galvan
☐ Owner ☐ Representative (Notarized Affidavit Required)

210 Robinhood Trl San Angelo Tx 76901
 Mailing Address City State Zip Code

(325) 716-6644
 Contact Phone Number Contact E-mail Address

1520 Bryan St San Angelo Tx 76903
 Subject Property Address City State Zip Code

Lot Size: W. 150.00' S. 95.00' Zoning: _____

Section 2: Site Specific Details

Existing Use of Property: Garage

Proposed Use of Property: Retail

Existing Comprehensive Plan Land Use Designation: neighborhood

Requested Comprehensive Plan Land Use Designation: neighborhood center

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:

There is a small structure that we
would like to expand and turn into
a small business for food retail. it
would be in an excellent site for
business in that area of San Angelo

Rezoning - 500

Comp Plan 500

Ad(2) 125

Sign 37.50

~~12205~~ 1287.5

July 20 Submit Sept 18
 Aug 20 - PC Oct 2 CC

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgment**Please initial the following:**

MG This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

MG Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

MG If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

MG The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

MG If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

MG Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

MG Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

MG The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

Irma Galvan
Signature of licensee or authorized representative

07-20-18
Date

Irma Galvan
Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: 18 -- 07

Planning Commission Date: 8 / 20 / 18

City Council Date(s): 9 / 18 / 18 10/2/18

Non-Refundable Fee: \$ 662.50 Receipt #: _____ Date paid: _____ / _____ / _____

Reviewed/Accepted by: H. Buckner Date: 7 / 20 / 18

Site Photos



Subject Property



Subject Property



Subject Property along South Bell Street



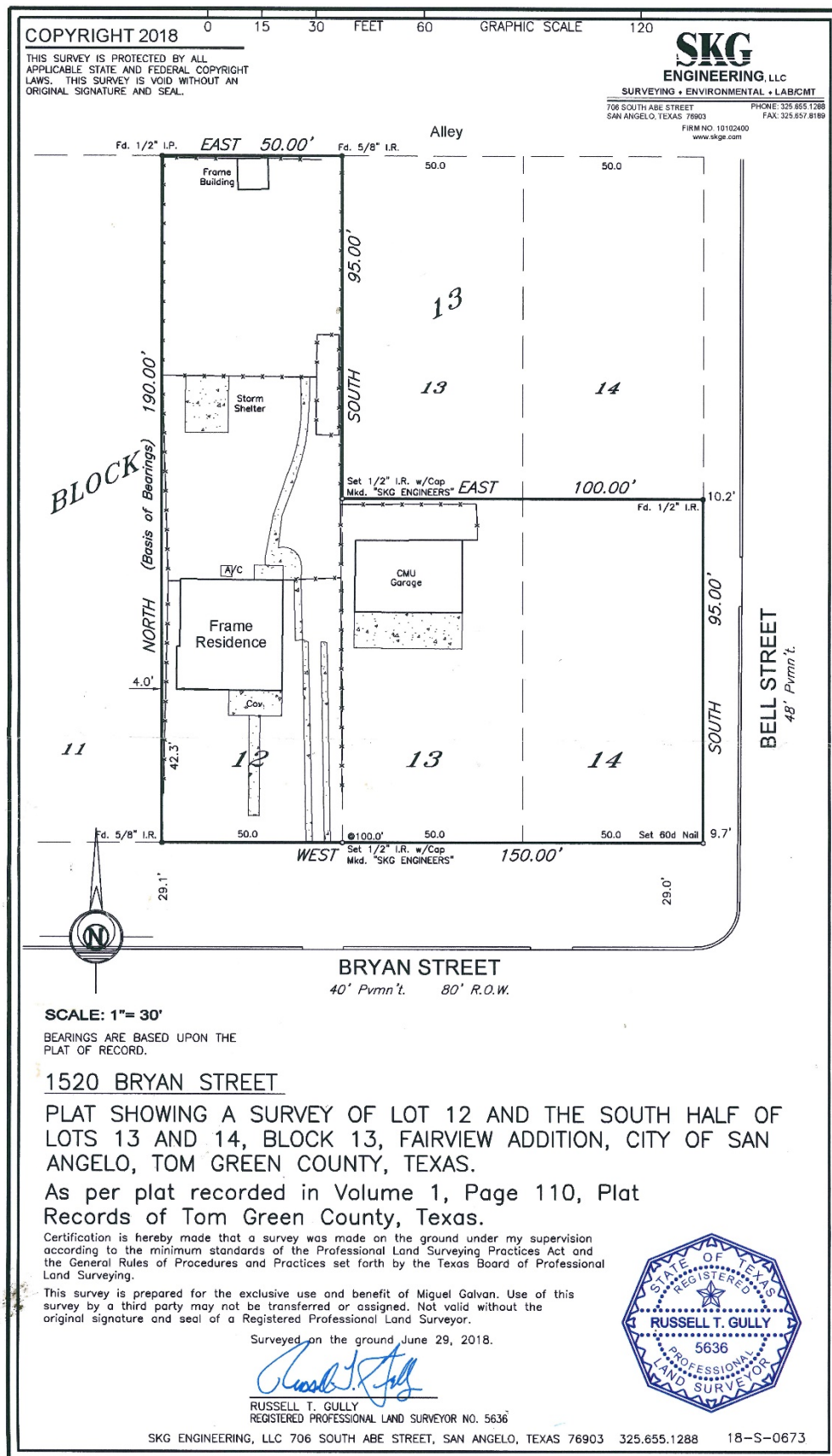
Property Directly East across South Bell Street

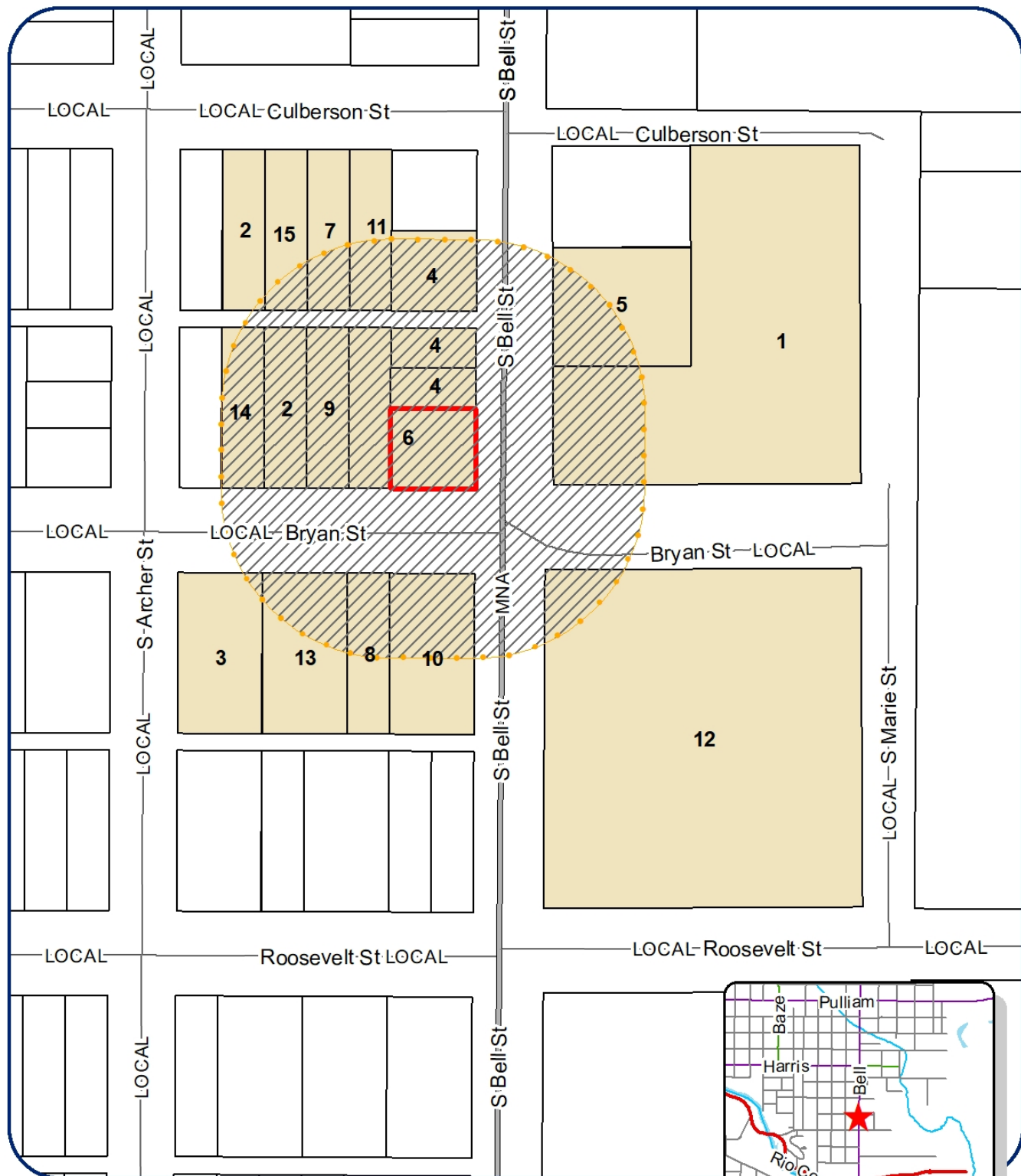


Property Directly Southeast across South Bell Street



Property Directly South across Bryan Street

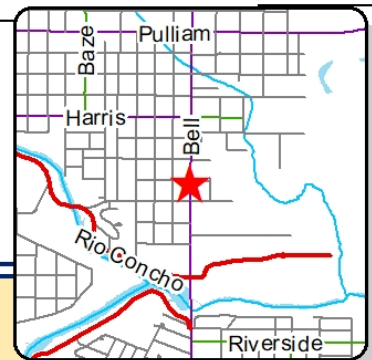


**CP18-07/Z18-16: Galvan****1520 Bryan Street**

Council District: SMD #3 - Harry Thomas

Neighborhood: Ft. Concho East

Scale: 1" approx. = 150 ft

LegendSubject Properties: —Current Zoning: RS-1Requested Zoning Change: CNVision: Neighborhood

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Second reading on a text amendment to the Zoning Ordinance, Article 3, Section 315.H.4.d to remove a reference to the use category of "Game Hall" (J. James)

Summary/History:

A text amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance, to remove the last reference to the Use Category of "Game Hall" from the Zoning Ordinance. At the City Council meeting on April 17, 2018, the Use Category of "Game Hall" was removed from Article 3, Section 310.E & Section 315.H.3.c, and Article 4, Section 411 of the Zoning Ordinance. The decision was made to reclassify all Game Hall uses under the "Indoor Entertainment, Retail Sales & Services," Use Category. It was discovered however that "Game Halls" was also listed under the exceptions outlined in Article 3, Section 315.H.4.d of the Zoning Ordinance, which relates to the "Retail Sales & Services" Use Category. This text amendment will clean up the final remnants of "Game Hall" and remove it completely from our Zoning Ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018, the Planning Commission unanimously recommended approval of the Text Amendment.

On September 18, 2018, the City Council voted 7-0 to approve this item on first reading, as recommended by staff and the Planning Commission.

Attachments:

- | | | |
|----|----------------------|---|
| 1. | Draft Ordinance (TA) | 18-970_PL_SEC_315_GAME_HALL_ORD.docx |
| 2. | Staff Report (TA) | Memo_Game_Hall_City Council (Revision-August 2018).docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved

Becky Dunn
Bryan Kendrick

Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 12 “PLANNING AND DEVELOPMENT”, EXHIBIT “A” “ZONING ORDINANCE,” ARTICLE 3 “USE REGULATIONS”, SECTION 315 “COMMERCIAL USE CATEGORIES” BY DELETING REFERENCE TO GAME ARCADES, BILLIARD AND POOL HALLS AND GAME HALLS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing zoning districts, regulating uses within each district and providing standards for uses;” and,

WHEREAS, all “Game Hall” uses have been reclassified by ordinance amendment under “Indoor Entertainment, Retail Sales and Services;”

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

Section 1) Chapter 12 “Planning and Development,” Exhibit A “Zoning Ordinance” of the City Code of Ordinances, Article 3 “Use Regulations,” Subpart 4 of Section 315 “Commercial Use Categories” is amended by amending subpart 4 “Exception”, deleting subparagraph “d” thereof and re-designating subparagraphs “e” and “f” to be “d” and “e” respectively, such that such subpart 4 of Section 315 shall read as follows:

“4. Exceptions

- a. Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.
- b. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
- c. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See “Community Services.”
- d. Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
- e. Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.”

Section 2.) All provisions of Articles 3 “Use Regulations,” Section 315 “Commercial Use Categories” not amended or repealed hereby shall remain in full force and effect.

Section 3: The terms and provisions of this ordinance shall be deemed to be severable in that if any portion of this ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this ordinance.

Section 4: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 18th day of September, 2018, and finally PASSED, APPROVED and ADOPTED on this the 2nd day of October, 2018.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM

Jon James, Director of Planning and
Development

Theresa James, City Attorney

MEMO

**Meeting**

Dates: September 18, 2018

To: City Council

From: Jon James, AICP
Director

Request: Text Amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance

Background:

The attached is an amendment to Article 3, Section 315.H.4.d of the Zoning Ordinance, to remove the last reference to the Use Category of "Game Hall" from the Zoning Ordinance.

At the City Council meeting on April 17, 2018, the Use Category of "Game Hall" was removed from Article 3, Section 310.E & Section 315.H.3.c, and Article 4, Section 411 of the Zoning Ordinance. The decision was made to reclassify all Game Hall uses under the "Indoor Entertainment, Retail Sales & Services," Use Category.

It was discovered however that "Game Halls" was also listed under the exceptions outlined in Article 3, Section 315.H.4.d of the Zoning Ordinance, which relates to the "Retail Sales & Services" Use Category. This text amendment will clean up the final remnants of "Game Hall" and remove it completely from our Zoning Ordinance.

Planning Commission Action:

This request was considered by the Planning Commission at their meeting on August 20, 2018. Below is an excerpt from the meeting's unofficial minutes:

Kristina Heredia, Planner, presented the proposed Text Amendment to remove the last reference in the City's Zoning Ordinance for "game halls". She explained that in April 2017, City Council removed the use of game hall as an outdated use category and staff realized later there still one more reference in the Zoning Ordinance to game halls.

Chair Stribling opened the meeting for public comment.

There was no public comment.

Commissioner Jackson made a Motion to recommend APPROVAL of the proposed Text Amendment to remove the last reference to the Use Category of “Game Hall” from the Zoning Ordinance. Commissioner Smith seconded the Motion. The Motion passed unanimously, 7-0.

Attachment: Proposed Text Amendment

ARTICLE 3 USE REGULATION

Section 315.H.4.d Retail Sales and Services - Exceptions

4. Exceptions

- a. Repair and service of household consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.
- b. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Trade.
- c. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Services."
- ~~d. Game arcades, billiard and pool halls are not classified as Retail Sales and Services. Game halls are classified as a separate use category.~~
- e. Auto and boat dealers are not classified as Retail Sales and Services. Auto and boat dealers are classified as a separate use category.
- f. Sales of farm and ranch supplies and/or equipment are classified as Wholesale Trade.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Senior Planner, Planning and Development Services, 325-657-4210

Meeting Date: October 2, 2018

Item type: Consent Item

Caption:

Second reading on a text amendment to the Zoning Ordinance, Article 2, amending Section 208.G.1 for Conditional Uses and Section 209.I.1 for Special Uses to only apply a 12-month expiration period when a permit from the city is required (J. James)

Summary/History:

Per Article 2, Section 208. & 209 of the Zoning Ordinance, currently both Conditional Uses and Special uses expire after one year if no building permit has been acquired within 12 months of the approval of the Conditional or Special Use. There are many instances where Conditional Uses and/or Special Uses are approved solely to bring a property into compliance. Frequently under this approval, no additional building permit is needed, and thus, under our current ordinance, the approved Conditional or Special Use would be null and void after 12 months. Planning Staff is proposing to amend the expiration sections of both Conditional Uses and Special Uses to revise the requirement of receiving a building permit to only those approvals that require a permit.

Financial Impact:

N/A

Other Information/Recommendation:

On August 20, 2018 the Planning Commission unanimously recommended APPROVAL of the text amendment.

On September 18, 2018, the City Council voted 7-0 to approve this item on first reading, as recommended by staff and the Planning Commission.

Attachments:

- | | | |
|----|----------------------|--|
| 1. | Draft Ordinance (TA) | 18-969_PL_EXA_208-209_AMEND_ORD.docx |
| 2. | Staff Report (TA) | Memo_CU & SU_Permit_Requirements_City Council.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY OF SAN ANGELO CODE OF ORDINANCES, CHAPTER 12 “PLANNING AND DEVELOPMENT,” EXHIBIT “A” “ZONING ORDINANCE,” ARTICLE 2 “DEVELOPMENT REVIEW,” BY AMENDING SUBPART “G,” “1.” OF SECTION 208. “CONDITIONAL USE REVIEW”, AND SUBPART “I”, “1.” OF SECTION 209 “SPECIAL USE REVIEW, TO EXCEPT FROM EXPIRATION A CONDITIONAL USE OR SPECIAL USE NOT REQUIRING A BUILDING PERMIT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of San Angelo has adopted a Zoning Ordinance establishing zoning districts, regulating uses within each district and providing standards for uses; and,

WHEREAS, Chapter 12, Exhibit “A” “Zoning Ordinance”, Article 2 “Development Review” provides for Conditional Use Review at Section 208, and Special Use Review at Section 209; and,

WHEREAS, Conditional Use and Special Use approvals on review expire if a building permit for exercise of the Conditional Use or Special Use is not acquired within 12 months; and

WHEREAS, some Conditional Use and Special Use approvals do not require a building permit for exercise of the Conditional Use or Special Use;

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

Section 1: Chapter 12 “Planning and Development,” Exhibit A “Zoning Ordinance” of the City Code of Ordinances, Article 2 “Development Review,” subpart “G,” “1” of Section 208 “Conditional Use Review” is amended by restating such subpart in its entirety to read as follows:

“G. Expiration of Conditional Use Approval

1. All Conditional Use approvals that require a permit from the City for implementation of the conditional use must acquire the permit within 12 months from the granting of the conditional use. The Planning Director, with significant evidence that the designated conditional use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months.”

Section 2: Chapter 12 “Planning and Development,” Exhibit A “Zoning Ordinance” of the City Code of Ordinances, Article 2 “Development Review,” Subpart “I,” ”1” of Section 209 “Special Use Review” is amended by restating such subpart in its entirety to read as follows:

"I. Expiration of Special Use Approval

1. All Special Use approvals that require a permit from the City for implementation of the special use must acquire the permit within 12 months from the granting of the special use. The Planning Director, with significant evidence that the designated special use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months."

Section 3: All provisions of Chapter 12 "Planning and Development," Exhibit A "Zoning Ordinance" of the City Code of Ordinances, Article 2 "Development Review," not amended or repealed hereby shall remain in full force and effect.

Section 4: The terms and provisions of this ordinance shall be deemed to be severable in that if any portion of this ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this ordinance.

Section 5: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 18th day of September, 2018, and finally PASSED, APPROVED and ADOPTED on this the 2nd day of October, 2018.

CITY OF SAN ANGELO

BY: _____
Brenda Gunter, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM

Jon James, Director of Planning and
Development

Theresa James, City Attorney

MEMO

**Meeting**

Dates: September 18 2018

To: City Council

From: Jon James, AICP
Director

Request: Text Amendments to Article 2, Section 208.G and Article 2, Section 209.I of the Zoning Ordinance

Background:

Article 2, Section 208. & 209 of the Zoning Ordinance relates to Conditional Uses and Special Uses, respectively. Currently both Conditional Uses and Special uses expire after one year, if no building permit has been acquired within 12 months of the approval of the Conditional or Special Use.

There are many instances where Conditional Uses and/or Special Uses are approved solely to bring a property into compliance. One of the most common reasons would be to bring a legal non-conforming residence that is located in a commercial zone into compliance with a Conditional Use. Frequently under this approval, no additional building permit is needed, and thus, under our current ordinance, the approved Conditional or Special Use would be null and void after 12 months.

Planning Staff is proposing to amend the expiration sections of both Conditional Uses and Special Uses to revise the requirement of receiving a building permit to only those approvals that require a permit.

Planning Commission Action:

This request was considered by the Planning Commission at their meeting on August 20, 2018. Below is an excerpt from the meeting's unofficial minutes:

Kristina Heredia, Planner, presented the proposed Text Amendment to only apply the 12-month expiry period for Conditional and Special Uses when a permit from the City is required.

Chair Stribling opened the meeting for public comment.

Mickey Favre, a resident, asked if this meant if a required permit is not obtained within 12 months, the conditional use would expire.

Ms. Heredia responded this was correct.

Vice Chair Spano made a Motion to recommend APPROVAL of the proposed Text Amendment to only apply the 12-month expiry period for Special Uses and Conditional Uses when a permit from the City is required. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0

Attachment: Proposed Text Amendments

ARTICLE 2 DEVELOPMENT REVIEW

Section 208.G Conditional Use Review – Expiration of Conditional Use Approval

G. Expiration of Conditional Use Approval

1. All Conditional Use approvals that require a permit from the City must acquire the permit within 12 months from the granting of the conditional use. All Conditional use approvals, issued, shall be subject to the requirement that the property for which the approval was issued must actually acquire a building permit for the approved use within 12 months from the granting of the conditional use approval, provided that. The Planning Director, with significant evidence that the designated use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months.
2. If the designated use is not made of the property within the time limitation granted, the conditional use approval shall be canceled and revoked and be of no effect.

Section 209.I Conditional Use Review – Expiration of Special Use Approval

I. Expiration of Special Use Approval

1. All Special Use approvals that require a permit from the City must acquire the permit within 12 months from the granting of the special use. All Special use approvals, issued, shall be subject to the requirement that the property for which the approval was issued must actually acquire a building permit for the approved use within 12 months from the granting of the special use approval, provided that The Planning Director, with significant evidence that the designated use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months.
2. If the designated use is not made of the property within the time limitation granted, the special use approval shall be canceled and revoked and be of no effect.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, City Clerk, City Clerk,

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

Second reading and public hearing of ordinance revising Chapter 2 Article 2.07 of the San Angelo Code of Ordinances to standardize provisions related to City Boards and Commissions - (Requested by Council Member Harry Thomas and presentation made by City Clerk Bryan Kendrick)

Summary/History:

This is the a First Reading of an Ordinance amending Chapter 2 as follows:

- Creating an overarching rule of thumb for all Boards and Commissions related to terms and limits (this speaks to term limits and lengths of term for all boards and commissions that do not specify different terms and limits in their individual specific board ordinance mandated by State Law).
- Deleting all sections related terms and limits information for all board ordinances that are not uniquely mandated by a superseding state law.
- Addressing all inconsistencies with State Law and cleaning up Chapter 2 as part of the larger effort to clean up the Code of Ordinances.

This will make for a much more plain and simple approach to terms and limits for all Boards and Commissions. Instead of having a rule of exceptions related to terms and limits, we will have an overarching rule with few exceptions.

Financial Impact:

N/A

Other Information/Recommendation:

Staff Recommends approval

Attachments:

- | | | |
|----|---|--|
| 1. | COSA 2018 Boards amendment presentation Revised -FINAL | -COSA 2018 Boards amendment presentation Revised -FINAL.pptx |
| 2. | Ordinance 2.07 Boards and Commissions Unification Exhibit A - FINAL | Ordinance 2.07 Boards and Commissions Unification Exhibit A - FINAL.docx |
| 3. | ARTICLE ORD 2.07 Boards and Commissions Unification Exhibit A - FINAL | ARTICLE ORD 2.07 Boards and Commissions Unification Exhibit A - FINAL.docx |

Presentation:

Approvals/Reviews:

Bryan Kendrick
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Final Approval



City Council

September 18, 2018



Amendments to Boards

Amending Article 2.07 Boards, Committees and Commissions after request by council to standardize provisions.

Will be bringing Park Commission in future for inclusion in the code.



General Provisions

- Term limits of no more than three 2-year terms.
- Failing to attend 2/3 of the meetings in a rolling year shall be deemed to be a resignation.
- Removal without cause takes 2/3 vote of council.
- All boards will have the same conflict of interest provisions. Based on the current TIRZ and COSADC language.



Boards Removed from Ordinance

- Board of City Development (Downtown Dev. Corp.)
- Housing Authority
- Keep San Angelo Beautiful



No Changes to Term Lengths

- Water Advisory Board
- Public Art Commission
- Parks and Recreation
- Civil Service



Changes to Terms/Term Limits Only

Planning Commission, Ft. Concho, COSADC, Civic Events

- Two 3-year terms → Three 2-year terms

Airport Advisory Board

- 4-year terms → 2-year terms
- No term limit → 3 term limit

Animal Services, Design and Historic Review Commission

- 2 term limit → 3 term limit (ASAC - positions 4-7 only)

Airport Zoning Board

- No terms/term limits → Three 2-year terms



Zoning Board of Adjustment

- Added 2 additional alternate members – 4 total
- Two nominated by Mayor, two by Mayor pro tem
- Changed from no term limit to three term limit
- Removed requirement for attendance report
- Inserted statutory language regarding enforcement



TIRZ

- Changed qualifications to be compliant with state statute.
- New qualifications
 - 18 years old, AND
 - Resident of county or adjacent county; OR
 - Own real property in the zone



Construction Board of Adjustment and Appeals

- Changed from two two-year terms to three two-year terms.
- Meetings can be cancelled when there is no business.
- Moves this board into the Board section of the Code.



Water Advisory Board

- Meetings will be called as directed by City Council.



Ordinance Direction

- All boards must approve new bylaws to comply with this ordinance within 6 months.
- City Clerk is authorized to stagger terms for COSADC and adjust other boards as necessary to ensure appropriate rotation.



AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF SAN ANGELO, TEXAS BY DELETING AND REPLACING CHAPTER 2 "ADMINISTRATION AND PERSONNEL", ARTICLE 2.07 "BOARDS, COMMITTEES, AND COMMISSIONS"; DELETING CHAPTER 4 "BUILDING AND CONSTRUCTION"; ARTICLE 4.02 "ADMINISTRATION", SECTION 4.02.01 "CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS"; DELETING SECTION 4.02.002 "APPEALS"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

- 1) THAT**, Chapter 2, Article 2.07, is hereby deleted and replaced as shown on Exhibit "A".
- 2) THAT**, Chapter 4, Article 4.02, Sections 4.02.001 and 4.02.002 be deleted in the entirety.
- 3) THAT**, all Boards and Commissions of the City of San Angelo are hereby instructed to revise their bylaws to conform with these changes within six months of the passage of this ordinance.
- 4) THAT** the City Clerk is hereby instructed to create staggered terms for the City of San Angelo Development Corporation Board and to adjust all other boards as necessary to ensure appropriate of members.
- 5) THAT**, all remaining provisions not amended by this ordinance remain in full force and effect.
- 6) THAT**, the following severability clause is hereby adopted with this amendment:
SEVERABILITY:
That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.
- 7) THAT**, this Ordinance shall be effective on, from, and after the date of its passage and publication as required by law.

INTRODUCED on the 18th day of September, 2018, and finally **PASSED, APPROVED** and **ADOPTED** on this the 2nd day of October, 2018.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

“Exhibit A”

Delete and Replace Chapter 2, Article 2.07 with the following:

ARTICLE 2.07 BOARDS, COMMITTEES AND COMMISSIONS

Division 1. Generally

Sec. 2.07.001 Organization and Procedure. Unless otherwise required by statute or this article, all boards and commissions shall be governed as follows:

(1) *Appointment.* Members shall be appointed by a vote of City Council. One member shall be nominated by the mayor. Each of the six remaining member seats shall be designated for a single member district one through six respectively, to be filled by nomination of the councilmember representing the designated single member district. Should any nominee not secure at least four affirmative votes of councilmembers, the mayor or single member district city council member having made the nomination shall schedule a new nomination for vote of the council.

(2) *Attendance.* Any member who fails to attend at least 2/3 of the meetings in a rolling one year period shall be deemed to have automatically resigned from office unless such absences are considered excused as set forth in the board or commission's bylaws.

(3) *Number of members.* Boards shall be composed of seven members.

(4) *Compensation.* All members shall serve without compensation.

(5) *Conflict of interest.*

(A) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of “substantial” interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in chapter 171 in the Texas Local Government Code, as amended.

(B) No member of the city council, or person related to a councilmember within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

(C) None of the following persons or entities shall be eligible for a grant or assistance from any board during his/her tenure or for six months thereafter.

1) The member of the board;

2) A person related to a board member within the second degree by consanguinity or affinity;

3) A legal entity owned by or under the control of the board member or for which the board member serves as an officer, director or member;

4) A legal entity owned by or under the control of a person related to the board member within the second degree by consanguinity or affinity or for which such person serves as an officer, director or member.

(D) No employee of the department associated with the board, or person related to an employee or supervisor of this department within the second degree by consanguinity or affinity, shall be eligible for assistance from the board during his/her employment or for six months thereafter.

(E) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.

(6) *Election of Officers.* Each board shall include in the adopted bylaws the manner in which officers and committees will be selected. Each board shall have at a minimum a chair, vice-chair, and secretary.

(7) *Meetings.* Each board shall hold regular monthly meetings on a day to be selected by the commission and on other such occasions as may be called by the chairman. Additional meetings may be called as needed. Meetings may be cancelled in months where there is no business to be transacted. All meetings shall be open to the public and held in accordance with the Texas Open Meetings Act. All meetings shall be held within the city limits.

(8) *Minutes.* Board liaisons shall keep a permanent record of all minutes.

(9) *Qualifications.* Members shall be at least 18 years of age and a resident of the City.

(10) *Quorum.* A quorum shall consist of a simple majority of the appointed members, excluding any ex-officio members.

(11) *Removal.* Members may be removed at any time by a 2/3 vote of the City Council without cause.

(12) *Rules, regulations and bylaws.* Each board shall have the power to make rules, regulations and bylaws for its own government and in conformity with the laws of the state and this article. All said rules, regulations, and bylaws shall be approved by the city council.

(13) *Term:* The term of office for each member of the boards shall be two years. For the purposes of this article, the first term of a member shall include the term held as of the date of passage of this Article.

(14) *Term Limit.* No member may serve more than 3 consecutive terms, not including an unexpired term. Members who term out of a position are eligible for reappointment after one year.

(15) *Vacancies.* All vacancies shall be filled for unexpired terms in the same manner as original appointment. Vacancies for unexpired terms shall be filled for the remainder of the unexpired term.

Secs. 7.02.002 through 7.02.010 Reserved

Division 2. Planning Commission

Sec. 2.07.011 Creation; members; terms

(a) There is hereby created within the city a planning board to be known as the planning commission which shall serve for all purposes as the zoning commission required under Chapter 211 of the Texas Local Government Code, as amended.

(b) All members of the board shall be representative, insofar as possible, of different businesses, professions or occupations.

(c) No more than three (3) members of the commission shall be in the same, similar or related business, profession or occupation.

Sec. 2.07.012 Removal or resignation of members. Members of the planning commission may be removed by the mayor with the approval of the city council after a public hearing and for cause assigned in writing.

Sec. 2.07.013 Ex-officio members. The director of planning and the director of public works shall be ex-officio, nonvoting members of the planning commission. The director of planning, assisted by staff, shall furthermore serve as recording secretary for the planning commission.

Sec. 2.07.014 Meetings

If a quorum is not present on any regular meeting day in which there is business to be transacted, the chairman shall call a special meeting in order to transact said business with minimum delay. Said chairman shall continue to call special meetings until a quorum is present.

Sec. 2.07.015 Additional duties

In addition to duties delegated to the planning commission by other laws of the city, it shall be the duty of the planning commission to prepare, amend and keep current a master plan for the development of the city, and to make recommendations to the city council relative to long-range planning of all phases of city development that it deems necessary.

Secs. 2.07.016–2.07.025 Reserved

Division 3. Zoning Board of Adjustment

Sec. 2.07.026 Creation and Appointment of Members

(a) There shall be a zoning board of adjustment that consists of seven (7) regular board member seats and four alternate board member seats to be filled by nomination and appointment by the city council as follows:

(1) Four alternate board member seats shall be designated to be filled by nominations of the mayor and mayor pro-tem with each nominating two of the alternates

(b) Each case before the zoning board of adjustment must be heard by at least six (6) members.

(c) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(d) Removal for Cause. The city council may remove a regular board member or alternate board member for cause on a written charge after a public hearing.

Sec. 2.07.027 Authority

(a) The zoning board of adjustment may:

- (1) Hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this division or the zoning ordinance.
- (2) Hear and decide special exceptions to the terms of the zoning ordinance when the ordinance requires the board to do so.
- (3) Authorize in specific cases, and subject to appropriate conditions and safeguards, a variance from the terms of the zoning ordinance, if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the regulation is observed and substantial justice is done.

(b) In exercising its authority under subsection (a), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for the purpose of the board has the same authority as the administrative official.

(c) The concurring vote of six (6) members of the board is necessary to:

- (1) Reverse an order, requirement, decision, or determination of an administrative official;
- (2) Decide in favor of any applicant on a matter on which the board is required to pass under the zoning ordinance; or
- (3) Authorize a variation from the terms of the zoning ordinance;

Sec. 2.07.028 Appeal to the board

(a) Any of the following persons may appeal to the zoning board of adjustment a decision made by an administrative official:

- (1) A person aggrieved by the decision; or
- (2) Any officer, department, board, or bureau of the city affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed within a reasonable time as determined by the rules of the board. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal within a reasonable time.

(e) Prior to the public hearing in which the zoning board of adjustment shall hear an appeal, the following actions shall be made by the board at a separate public hearing:

- (1) Designating of the parties in interest;
- (2) Setting of a reasonable time and date for the appeal hearing;
- (3) Giving of due notice of the appeal hearing to parties in interest;
- (4) Giving of public notice of the appeal hearing; and
- (5) Establishing of protocol for conducting the appeal hearing.

(f) The public hearing for any appeal shall follow the following procedural order except as may otherwise be directed by consensus of the board:

- (1) Identification of parties.
- (2) Identification of documents constituting the record on appeal to the board.
- (3) Identification and admission as evidence of pre-filed documents and any additional documents offered into evidence.
- (4) Presentation by city staff.
- (5) Presentations by identified parties in interest.
- (6) Public comment.
- (7) Rebuttals.
- (8) Discussion and deliberation by board members.
- (9) Motion and decision to affirm, modify, or reverse the decision of the administrative official, with supporting findings of fact applicable under the zoning ordinance.

Sec. 2.07.029 Judicial review of board decision

(a) Any of the following persons may present to a court of record a verified petition stating that the decision of the zoning board of adjustment is illegal in whole or in part and specifying the grounds of the illegality:

- (1) A person aggrieved by a decision of the board;
- (2) A taxpayer; or
- (3) An officer, department, board, or bureau of the city.

(b) The petition and procedure must be in compliance with Texas Local Government Code section 211.011, as amended.

Sec. 2.07.030 Fee

(a) No application to the zoning board of adjustment shall be processed unless such application is accompanied with the appropriate processing fee as established by the city council.

(b) In the case of a second hearing, the fee, or a portion thereof, may be waived by the board.

Sec. 2.07.031 Notification of property owners

(a) The zoning board of adjustment shall mail notices of each hearing to the petitioner and to the owners of property lying within two hundred feet (200') of any point of the lot, or portion thereof, on which a variance or special exception is desired, and to all other persons deemed by the board to be affected thereby, such owners and persons being determined according to the current tax rolls of the Tom Green County tax appraisal district.

(b) Written notice of the public hearing shall be sent within not less than ten (10) days before any such hearing is held. Depositing such written notification in the mail shall be deemed sufficient compliance.

Sec. 2.07.032 Second hearing.

(a) An appeal of a denial by the zoning board of adjustment shall not be allowed on the same piece of property prior to the expiration of six months from a ruling of the board, unless other property in the same zoned area shall have been, within such six (6) month period, altered or changed by a ruling of the zoning board of adjustment.

(b) Such circumstance shall permit the allowance of a second hearing but shall in no way have any force in law to compel the zoning board of adjustment, after a hearing, to grant the variance or special exception; such request shall be considered on its individual merits.

Sec. 2.07.033 Time limitation on approved requests.

(a) Unless otherwise specified in the minute record of the zoning board of adjustment's action on a request, an application to commence construction of improvements that were the subject of the request must be applied for and approved within 12 months from the date of approval of that request; otherwise, the board's action on that request shall automatically become null and void. Permitted time frames do not change with successive owners.

(b) Upon written request, only one extension of the 12-month period may be granted by the planning director if it is determined that conditions of the site and immediately surrounding area are substantially changed.

Sec. 2.07.034 Enforcement. In addition to other remedies provided under this Code of Ordinances and this Division, the Director of planning or designee may institute appropriate action to:

(1) prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;

(2) restrain, correct, or abate the violation;

(3) prevent the occupancy of the building, structure, or land; or

(4) prevent any illegal act, conduct, business, or use on or about the premises

Secs. 2.07.035–2.07.045 Reserved.

Division 4. Airport Advisory Board

Sec. 2.07.046 Creation; members. There is hereby created an airport advisory board.

Sec. 2.07.047 Officers; quorum; rules. Three (3) members shall constitute a quorum and said board.

Sec. 2.07.048 Duties. The board shall act as an advisory board to the airport manager and the city council, and is expressly directed and empowered to make a complete study of all phases of the airport operations and make recommendations from time to time for the most efficient operation of the airport.

Secs. 2.07.049–2.07.060 Reserved

Division 5. Design and Historic Review Commission

Sec. 2.07.061 Creation; members

- (a) A design and historic review commission is hereby created and established within the city.
- (b) *Qualifications.* Candidates shall have a known or demonstrated interest in, general knowledge of, and experience relevant to historic preservation or other professional design field within the city.
- (c) To the extent that candidates are available among the residents of the community, appointments shall be made by the city council based upon the following qualifications:
 - (1) At least two (2) members shall be licensed or otherwise recognized as professional in architecture, landscape architecture, design, engineering, surveying, or related profession;
 - (2) At least one (1) member shall be recognized as a historian or a member of a local historic preservation group;
 - (3) At least one (1) member shall be an owner of real property within the River Corridor;
 - (4) At least one (1) member shall own real property designated or recognized as a community landmark, or within a designated historic district; and
 - (5) At least one (1) member shall be a member of a downtown development organization under contract with the city.

Sec. 2.07.062 Ex-officio members. The planning manager and the building official of the city shall serve as nonvoting ex-officio members of the commission.

Sec. 2.07.063 Duties. The duties of the design and historic review commission shall include acting as an advisory commission to the city council in matters of design review relating to historic preservation in the city and development along the Concho River. The responsibility of the commission within the scope of its general authority shall include the authority to:

- (1) Adopt criteria for the designation of historic, architectural, and cultural landmarks and delineation of historic districts, which shall be ratified by the city council.
- (2) Prepare and present to the city council recommendations for policies and ordinances regarding development and all types of signage along the Concho River and other similar bodies of water as designated, which shall be ratified by the city council.

- (3) Conduct surveys and maintain an inventory of significant historic, architectural, and cultural landmarks and all properties located in historic districts within the city.
- (4) Recommend the designation of landmarks, historic districts, and other types of districts.
- (5) Recommend conferral of recognition upon the owners of landmarks or properties within districts by means of certificates, plaques, or markers.
- (6) Increase public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public educational programs.
- (7) Increase public awareness of the value of open spaces, public spaces, natural habitats, and wildlife along the Concho River and other similar bodies of water as designated by developing and participating in public educational programs.
- (8) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of open and public spaces along the Concho River and other similar bodies of water as designated.
- (9) Make recommendations to the city council concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the city.
- (10) Approve or deny applications for certificates of appropriateness pursuant to provisions of the city zoning ordinance.
- (11) Prepare specific design guidelines for the review of landmarks, districts, and construction and demolition of historic buildings.
- (12) Recommend the acquisition of a landmark structure by the city where its preservation is essential to the purpose of this division and where private preservation is not feasible.
- (13) Recommend the acquisition of land along the Concho River and other similar bodies of water as designated by the city where its proximity to the river is vital to the purpose of this division.
- (14) Recommend to the city council tax abatement and other economic development programs for the preservation of landmarks or historic districts.
- (15) Recommend to the city council tax abatement and other economic development programs for sustainable developments along the Concho River and other similar bodies of water as designated.
- (16) Recommend to the city council the acceptance of the donation of preservation easements and development rights as well as any other gift of value for the purpose of historic and environmental preservation.
- (17) Carry out other duties as specifically delegated to the commission by the city council.

Sec. 2.07.064 Officers. The commission shall elect from the appointed members of the commission a chairperson and a vice-chairperson to serve in the absence of the chairperson. The chairperson and vice-chairperson shall serve in their respective capacities for one (1) year terms or until their term of appointment to the commission expires, whichever shall first occur. No chairperson or vice-chairperson shall serve in such capacity for more than three (3) consecutive years. The planning manager for the city,

or the manager's designee, shall serve as secretary to the commission. The commission shall elect such other officers as the commission may establish in its bylaws.

Sec. 2.07.065 Historic preservation officer. The city council or its designee shall appoint a city official, city staff person, or resident of the city having a known or demonstrated interest in, general knowledge of and experience relevant to historic preservation or other professional design field to serve as the historic preservation officer (HPO) for the city, to facilitate the administration of this division and serve as an advisor to the commission on request of the commission. The historic preservation officer, in coordination with the secretary for the commission and the planning manager or his/her designee, shall coordinate the preservation efforts of the commission with applicable state and federal agencies and nonprofit organizations.

Sec. 2.07.066 Quorum and voting. Five (5) duly appointed regular members of the commission shall constitute a quorum. The affirmative vote of four members is required to approve any item brought before the commission.

Sec. 2.07.067 Minutes. The commission shall keep minutes of its proceedings in a permanent record, and a certified copy of said minutes shall be filed with the secretary for the commission.

Secs. 2.07.068–2.07.080 Reserved

Division 6. Economic Development Corporation*

Sec. 2.07.081 Creation. There is hereby created a corporation known as the city development corporation.

Sec. 2.07.082 Powers. The corporation shall have the powers and duties and be subject to the limitations set out in Chapters 501, 502, and 505 of the Texas Local Government Code, as amended.

Sec. 2.07.083 Board of directors

(a) Each member of the board of directors ("board" hereinafter) of the corporation shall:

(b) No person shall be appointed as a director who is an employee, officer or member of the city council of the city, or a member of any board or commission of the city, except that a director may be appointed to serve as a member of the water advisory board.

(c) A director who is a member of any other boards or commissions of the city, except the water advisory board, shall elect the board on which he will continue to serve within fourteen (14) days of the effective date of this section. If he fails to designate the board on which he will continue to serve within the specified time period, the city council shall make the designation.

Sec. 2.07.084 Registered agent; corporate office. The corporation's registered agent must be an individual resident of the state and the corporation's registered office must be within the boundaries of the city.

Sec. 2.07.085 Administrative services. The corporation shall contract with the city for the provision of administrative services.

Sec. 2.07.086 Levy, use and termination of sales tax.

(a) In accordance with the results of the November 2, 2010, sales tax election held under section 4B of article 5190.6 V.A.C.S, the city shall continue to levy and collect a one-half cent sales and use tax for the purposes and projects authorized by said election.

(b) In accordance with the results of the September 11, 2004, sales tax election held under section 4B of Vernon's Ann. Civ. St. article 5190.6 ("act" hereinafter), the city shall continue to levy and collect a one-half cent sales and use tax for the purposes authorized by said election.

Secs. 2.07.087–2.07.095 Reserved.

Division 7. Tax Increment Reinvestment Zone Board

Sec. 2.07.096 Organization and procedure.

(a) There is hereby created within the city a tax increment reinvestment zone board that consists of nine (9) regular board members to be filled by nomination and appointment as follows:

(1) One (1) board seat shall be appointed by city council from a nomination of the mayor;

(2) Each of six board member seats shall be appointed by city council, designated for city council single member districts one through six respectively, from nomination of each councilmember representing each designated single member district;

(3) Two (2) board member seats shall be appointed by the county commissioners court;

(b) In addition, there shall be five (5) nonvoting, ex-officio members who will attend and participate in an advisory capacity. Each one of the five will be a representative of each of the following organizations: San Angelo Chamber of Commerce, Downtown San Angelo, San Angelo Independent School District, Goodfellow Air Force Base, and Angelo State University.

Sec. 2.07.097 Qualifications.

(a) All regular and alternate board members shall be at least eighteen (18) years of age and be a resident of the county in which the zone is located or a county adjacent to that county; or own real property in the zone, whether or not the individual resides in the county in which the zone is located or a county adjacent to that county.

(b) *Vacating position.* Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated his or her position on the board.

Sec. 2.07.098 Terms. All appointments for regular members made after the initial appointments shall be for a term of two (2) years, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term, thereby maintaining staggered terms. Ex-officio members will not have terms or term limitations.

Sec. 2.07.099 Duties.

(a) The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ

(b) All action by the board is subject to city council approval.

(c) The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the city council regarding the administration of this division.
- (2) Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- (4) Make recommendations to the city council regarding establishing and providing for the establishment of programs that:
 - (A) Develop and diversify the economy of the zone;
 - (B) Eliminate unemployment and underemployment in the zone;
 - (C) Develop or expand transportation, business and commercial activity in the zone;
 - (D) Make grants and loans; and
 - (E) Stimulate business and commercial activity in the zone.
- (5) Contract with the city regarding allocation from the tax increment fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.
- (6) Make recommendations to the city council regarding the expenditure of TIRZ funds, in conformance with the following process:
 - (A) An affirmative recommendation to expend TIRZ funds for a project in the same area as that from which the funds are derived requires a simple majority vote of the TIRZ board members present when the matter is voted upon. The city council may approve expenditures under this subsection by a simple majority vote if such expenditure is recommended by the TIRZ board.
 - (B) An affirmative recommendation to expend TIRZ funds for a project located in the area outside that from which the funds are derived requires an affirmative vote by three-quarters of the TIRZ board members present when the matter is voted upon. The city council may only approve expenditures under this subsection when such expenditures are recommended by the TIRZ board and with an affirmative vote of six (6) members of the city council.
- (7) Providing a progress report to the city council annually, or as requested by the city council.

Sec. 2.07.100 Officers. The city council shall appoint a chair, as established in section 311.009.f of the Local Government Code, as amended, for a term of one year, beginning in January.

Sec. 2.07.101 Minutes. The board shall keep a record of its proceedings in a permanent book.

Sec. 2.07.102 Absent members. In the event of three (3) consecutive absences or a cumulative total of four (4) absences by a member within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned unless the board excused such absences by procedures established in its bylaws.

Secs. 2.07.103–2.07.115 Reserved.

Division 8. Water Advisory Board

Sec. 2.07.116 Creation; members. There is hereby created a water advisory board (“board”), which shall be composed of nine (9) members, seven (7) of whom shall be voting members and two (2) of whom shall be non-voting members appointed or designated as follows:

(a) Voting members; appointment or designation.

(1) City Council shall appoint four (4) voting members to the board. For city council appointments, the city manager shall conduct a review of potential appointees to identify the most qualified candidates for board membership and make recommendations to city council for city council appointment of appointees to serve as members of board. Of the four (4) city council appointees:

(2) One (1) member shall be an individual who is either an engineer, a hydrologist, a meteorologist or a water well driller;

(3) One (1) member shall be an individual who is involved in either the industry of banking, accounting or financial services with a specialization in agricultural lending or water financing;

(4) One (1) member shall be an individual involved either in agriculture or rural water issues; and

(5) One (1) member shall be an individual who is either an attorney, a former municipal water district or other governmental officer, a legislator or a person who has experience in legal issues related to water.

(6) The city development corporation board shall appoint one (1) voting member to the board who shall be an individual who is either a member of the city development corporation board or a city employee who performs staff services by contract for the city development corporation;

(7) The county commissioners court shall appoint one (1) voting member to board who shall be an individual who is a member of the commissioners court, including the county judge; and

(8) One (1) voting member who shall be an individual employed by the Upper Colorado River Authority as director of operations.

(b) Non-voting members; appointment or designation.

(1) The chamber of commerce shall appoint one (1) non-voting member to board who shall be an individual who is a member of the chamber of commerce board or a staff employee of the chamber of commerce.

(2) One (1) non-voting member who shall be an individual employed by the city as water utilities director or a designee of such director. Furthermore, the water utilities director or a designee of such director shall serve as secretary for board.

Sec. 2.07.117 Duties. The board shall act as an advisory board to the city council and city manager on water related matters ~~of water supply, conservation, reuse and other water-related projects~~ which the city council directs it to investigate, study and make recommendations on from time to time.

Sec. 2.07.118 Staff representative. The city manager or his designee shall act as staff representative to the board.

Sec. 2.07.119 Meetings. The board shall ~~meet when directed by Council. adopt a schedule providing for at least one (1) regular meeting per quarter and may make provision for such other meetings, as it deems appropriate.~~

Sec. 2.07.120 Absenteeism of members. In the event of two (2) unexcused absences from regularly scheduled meetings, a board member shall be deemed to have resigned. The city manager shall recommend a policy for excusing absences to be adopted by the board in its bylaws.

Sec. 2.07.121 Minutes. The board shall keep minutes of its proceedings in a permanent record and a certified copy of said minutes shall be filed with the secretary for the board.

Secs. 2.07.122–2.07.130 Reserved.

Division 9. Civic Events Board

Sec. 2.07.131 Creation. There is hereby created a civic events board.

Sec. 2.07.132 Duties. The board shall act as an advisory board to the city council as to matters of policy and to the city manager or his/her representatives as to administrative matters in regard to operation of the convention center, Foster Communications Coliseum, Bill Aylor Sr. Memorial River Stage, Farmer's Market, City of San Angelo Indoor Arena, Pecan Creek Park Pavilion, and El Paseo de Santa Angela. The board may enact rules and regulations regarding the operation of the above-named facilities which shall take effect after review by the city council; however, the city council may take action to enact different rules and regulations at any time.

Sec. 2.07.133 Minutes. The board shall keep a record of its proceedings.

Sec. 2.07.134 Absent members. Any member who shall be absent from three (3) meetings, regular or special, in a calendar year, unless excused by the board by procedures established in its bylaws, shall be deemed to have resigned, and the board shall immediately notify the city council that a vacancy exists.

Secs. 2.07.135–2.07.145 Reserved.

Division 10. Fort Concho Museum Board

Sec. 2.07.146 Creation. There is hereby created a Fort Concho Museum board of the city, which board shall be composed of fifteen (15) members. Fourteen (14) members shall be appointed by the city council. The remaining position shall be filled by the Army Commander at Goodfellow Air Force Base or designee.

Sec. 2.07.147 Vacancies. Vacancies on the board, whether by expiration of term or for other reason, shall be filled by the city council upon recommendation by the remaining board members, provided that the city council can reject any nomination and request additional nominations for any reason.

Sec. 2.07.148 Duties. The board shall act as an advisory board to the city in the operation and administration of all the Fort Concho Museum properties of the city. The authority and responsibility of the board expressly includes:

- (a) Establishing goals, objectives and operational policies for the fort which are consistent with city council policies and objectives.
- (b) Approving all budget proposals made to the city manager's office and the city council.
- (c) Establishing guidelines for acquisition, restoration, preservation and maintenance of Fort Concho and museum property so long as those procedures do not conflict with existing objectives and policies of the city council.
- (d) Determining regulations, guidelines, and procedures for staffing, operation and programs for Fort Concho.

Sec. 2.07.149 Qualifications. All members of the board shall meet the following qualifications:

- (1) Shall be twenty-one years of age or older at the time of appointment; and
- (2) Shall have demonstrated experience or interest in heritage education, historic preservation, and community service and/or tourism promotion.

Secs. 2.07.150–2.07.160 Reserved.

Division 11. Public Art Commission

Sec. 2.07.161 Creation; members.

- (a) There is hereby created a city public art commission.
- (b) To the extent available, the city council shall appoint to the commission:
 - (1) At least one (1) member who is a teacher or professor of art.
 - (2) At least one (1) member who is a member of the San Angelo Cultural Affairs Council or the San Angelo Museum of Fine Arts.
 - (3) At least one (1) member who is an artist.
 - (4) At least one (1) member who is a landscape architect, architect, engineer, or other type of design professional.
- (c) There may be one (1) ex-officio nonvoting member who represents the parks and recreation department or parks and recreation advisory board as designated by the city council from time to time.

Sec. 2.07.162 Duties. The commission shall act as an advisory board to the city council and city manager on the selection and placement of art on city owned or controlled property, and this shall be accomplished through:

- (1) Developing a plan for the appropriate location for works of art;
- (2) Developing a plan for the type of art that will be recommended at the different locations;
- (3) Evaluating and making recommendation on art that is proposed for donation to the city; and
- (4) Assisting with related projects which the city council directs it to investigate, study and make recommendations on from time to time.

Sec. 2.07.163 Staff representative. The city manager or his designee shall act as staff representative to the commission.

Sec. 2.07.164 Meetings. Meetings shall be scheduled only as needed.

Secs. 2.07.165–2.07.175 Reserved.

Division 12. Parks and Recreation Advisory Board

Sec. 2.07.176 Creation; members. A parks and recreation advisory board is hereby created and established within the city. Said parks and recreation advisory board shall be composed of eight (8) members, seven (7) of whom shall be appointed by the city council. The eighth member shall be a member of the park commission, nominated by the park commission and approved by the city council. The appointments to the board shall be on the basis of the nominee's educational and professional qualifications and general knowledge of, interest in, and experience relevant to youth or adult sports, senior activities, recreation activities, other organized social activities, parks, nature or conservation.

Sec. 2.07.177 Duties. The parks and recreation board shall act as an advisory board to the city council in matters of oversight, policy and administration relating to city parks, recreation programs and facilities, with the exception of the Santa Fe Parks, for which the parks commission shall continue to act as the advisory commission to the city council. The responsibility of the parks and recreation board within the scope of its general authority shall include to:

- (1) Communicate with and make recommendations to the city manager and parks and recreation director regarding parks, recreation programs and senior services programs.
- (2) Make recommendations to the city manager, parks and recreation director and city council regarding the administration of parks, recreation programs and senior services programs.
- (3) Make recommendations to the city manager, parks and recreation director and city council regarding the creation of a parks and recreation system.
- (4) Make recommendations to the city manager, parks and recreation director and city council regarding maintenance of parks and park improvements.
- (5) Make recommendations to the city manager, parks and recreation director and city council regarding maintenance of recreation and/or senior facilities.
- (6) Make recommendations to the city manager, parks and recreation director and city council regarding the acquisition of physical improvements and equipment for parks, recreation and senior services programs.
- (7) Make recommendations to the city manager, parks and recreation director and city council regarding rules or regulations for parks, recreation and senior services programs.

Sec. 2.07.178 Quorum and voting. Five (5) duly appointed members of the board shall constitute a quorum. The affirmative vote of a majority of the members present at a properly called meeting with a quorum present shall be the act of the board.

Secs. 2.07.179–2.07.190 Reserved.

Division 13. Animal Shelter Advisory Committee

Sec. 2.07.191 Committee created. In accordance with the authority granted under Texas Health and Safety Code chapter 823, there is hereby created the animal shelter advisory committee.

Sec. 2.07.192 Purpose. The committee shall perform the state law advisory committee functions contemplated in section 823.005 of the Health and Safety Code, as amended by rendering advice and assistance to the animal services manager regarding the city's compliance with the requirements of chapter 823 of the Health and Safety Code.

Sec. 2.07.193 Composition.

- (a) The committee shall consist of seven members which shall be designated as positions one through seven.
- (b) The members shall be appointed by the city council. The following membership criteria shall apply:
 - (1) Position one shall be filled by a veterinarian.
 - (2) Position two shall be filled by a municipal or county official.
 - (3) Position three shall be filled by a person whose duties include the daily operation of an "animal shelter" as that term is defined in section 823.001 of the Health and Safety Code.
 - (4) Position four shall be filled by a person who is an officer or employee of an animal welfare organization.
 - (5) Positions five through seven shall be filled by residents of the city.

Sec. 2.07.194 Terms. The members of the committee in positions one through three shall serve an indefinite term until a successor is duly appointed.

Sec. 2.07.195 Removal of members. Members of the animal shelter advisory committee in positions four through seven may be removed for good cause by the city council after hearing.

Sec. 2.07.196 Officers. At the first meeting of each calendar year, the members of the committee shall select a chairperson. The member serving in position two of the committee shall be the ex-officio secretary of the committee.

Sec. 2.07.197 Meetings. The committee shall meet from time to time at the call of the chairperson, provided that the committee shall meet not less than three times per calendar year.

Secs. 2.07.198–2.07.205 Reserved.

Division 14. Civil Service Commission

Sec. 2.07.206 Creation. In accordance with chapter 143 of the Texas Local Government Code, which was adopted by the qualified voters of the city, there is hereby established a civil service system for firefighters and police officers; and pursuant thereto, there is hereby established a civil service commission (fire and police), which shall consist of three (3) members.

Sec. 2.07.207 Appointments; vacancies.

(a) Members of the commission shall be appointed by the City Manager, and such appointments shall be confirmed by the city council before such appointments shall be effective.

(b) Any vacancies in said commission, caused by death, resignation or otherwise, or by failure of any appointee to qualify within ten (10) days after appointment, shall be filled in the manner hereinabove specified, and such appointment shall be for the unexpired term of the retiring commissioner or the appointee failing to qualify.

Sec. 2.07.208 Qualifications. All such commissioners shall be of good moral character and resident citizens of the city, shall have resided in the city for a period of more than three (3) years, shall be over the age of twenty-five (25) years, and shall not have held any public office within the preceding three (3) years.

Sec. 2.07.209 Terms. The term of office of each member shall be for three (3) years, or until a successor is appointed, confirmed and qualified.

Sec. 2.07.210 Removal of members. Any member of the commission may be removed by 2/3 vote of the governing body for any act contrary to the best interest of the service or failure to act in a manner to promote the best interest of the service, having first given to such member a copy of the charges against him. Such action of the governing body shall be final.

Sec. 2.07.211 Meetings. The members of the civil service commission shall, at a date, hour and place set by the commission, hold meetings as needed or required to properly discharge its duties.

Sec. 2.07.212 Quorum. Two (2) members of said commission shall constitute a quorum to transact business.

Sec. 2.07.213. Duties. The duties of the civil service commission, as a body, are as follows:

- (1) *Commission's operational rules.* To prepare and in open meeting to adopt such rules and regulations for the proper conduct of its business as it shall find necessary and expedient.
- (2) *Limits on rules for hiring.* To refrain from the adoption of any rule or regulation which will permit the appointment or employment of any person without good moral character, any person unfit mentally or physically or any person incompetent to discharge the duties of such appointment or employment.
- (3) *Substantive rules for employees.* To make rules and regulations as authorized by civil service law, including, but not limited to, rules regarding promotion, removal, and leaves of absence, with and without pay. Such rules shall be consistent with city ordinances.
- (4) *Written and published rules.* To reduce to writing and publish any rules it makes in accordance with civil service law.
- (5) *Standards and qualifications for employees.* To formulate minimum standards and qualifications for each classified position in the classified service.
- (6) *Development of classification and compensation plans.* In open meeting to adopt, modify or reject such classification and compensation plans for firefighters and police officers, together with rules for their administration, as may be recommended by the director of civil service after a thorough survey of the personnel and departmental organization of the fire department and police department. No such plans or any amendments thereof shall be effective until adopted by

ordinance of the governing body, which body shall have the authority to originate or make such changes to any such plans as it may deem fit.

(7) *Competitive examinations.* To make provisions for open, competitive and free examinations for persons making proper application and meeting the requirements as prescribed in the civil service law, this division and the rules and regulations of the commission.

(8) *Maintenance of eligibility lists.* To maintain an eligibility list for each classified position.

(9) *Temporary appointments.* To authorize temporary appointments to the classified service in the event no eligibility list has been prepared for the position and to limit such temporary appointments to a maximum period of three (3) continuous months.

(10) *Enforcement of civil service law.* To require compliance with the provisions of the civil service law.

(11) *Hearings of disciplinary appeals.* To hear appeals of disciplinary suspensions to determine whether there is just cause for any such suspension.

(12) *Hearings of promotional examination appeals and demotions.* To hear appeals of promotional examinations and to consider demotions recommended by the fire and police chiefs.

(13) *Hearings of various complaints.* To hear and determine complaints respecting the administrative work of the director of civil service, the rejection of an applicant for admission to an examination, and such other matters as may be referred to the commission by the director of civil service.

(14) *Format of decisions.* To render written decisions, signed by each commissioner.

(15) *Conducting investigations.* To conduct investigations either on request of a citizen, a public official or on its own initiative concerning the enforcement and effect of civil service law or rules and to require observance of them. In such investigations, the commission shall have the power to administer oaths, subpoena witnesses and evidence relevant to such investigations, and require depositions.

(16) *Technical services for commission.* To contract or arrange, within its budgetary allowance, for such technical services in connection with personnel selection and administration as may be necessary, including the preparation and conduct of examinations.

Sec. 2.07.214 Powers and duties of director. A director shall be appointed pursuant to Chapter 143 of the Texas Local Government Code, as amended. It shall be the duty of the director of firefighter's and police officers' civil service:

(1) To attend the regular and special meetings of the commission, to act as its secretary and to record its official actions.

(2) To prepare and recommend rules and regulations for the administration of this division, which shall become effective after approval by the civil service commission and the governing body of the city as provided in this division; to administer such rules and regulations; and to propose amendments thereto.

- (3) To establish and maintain in card or other suitable form a roster of officers and employees in the classified service of the city. Such roster shall include items specified by the commission in its rules and regulations.
- (4) To recommend, as soon as practicable after this division takes effect, with such outside assistance as may be authorized, a classification plan, which when adopted by the governing body of the city shall become the official classification plan for the city.
- (5) To make a study of the rates of compensation being paid for each class of position in the classified service and prepare a compensation plan for submission to the commission when called upon. No such plan shall be effective until it is approved by the governing body of the city.
- (6) To formulate and hold competitive examinations to determine the relative qualifications of persons who seek employment and as a result thereof establish eligibility lists for the various classes of positions.
- (7) When a vacant position is to be filled, to certify to the appointing authority on written request the name of the three (3) persons highest on the reinstatement list or eligibility list for the class.
- (8) To submit to the governing body recommendations as to uniform standards in respect to attendance and leave regulations, employee training and welfare, duties and salary classification and other personnel matters.
- (9) To establish records of performance and a system of service ratings to be used in determining increases and decreases in salaries, promotions, the order of layoffs and reinstatement.
- (10) To keep such records as may be necessary for the proper administration of this division and rules and regulations.
- (11) To make investigations concerning the administration and effect of this division and the rules made thereunder and report his findings and recommendations to the commission.
- (12) To make an annual report to the commission, and such interim reports as may be requested by the commissioner or the governing body.
- (13) To perform such other work relevant to the civil service system as may be required by the commission.
- (14) If directed by the governing body, to provide a system of checking payrolls, estimates and accounts for payment of salaries to employees so as to enable the commission, upon satisfactory evidence, to certify or cause to be certified that the persons whose names appear thereon have been regularly employed in the performance of the duties indicated at the compensation rates and for the periods for which compensation is claimed or are on authorized leave before payment may be lawfully made to such employees.

Sec. 2.07.215 Civil suits. It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this division and of the rules of the commission and to defend all civil suits which may be brought against the commission. The commission shall be represented in such suits by the city attorney or other counsel designated by the governing body.

Secs. 2.07.216 through 2.07.225 Reserved.

Division 15. Construction Board of Adjustment and Appeals.

Sec. 2.07.226 Creation. There is hereby created a Construction Board of adjustments and appeals.

Sec. 2.07.227 Definitions.

(a) “Contractor” defined. For the purposes of this Contractor means any person engaged in any occupation regulated by this chapter who has registered with the building official and paid the annual registration fee as set forth in the fee schedule found in appendix A of this code and holds a valid state license for his occupation.

Sec. 2.07.228 Composition. Composition. The construction board of adjustments and appeals created pursuant to section 112.1 of the International Building Code shall include:

- (1) One architect or engineer.
- (2) One commercial building contractor.
- (3) One residential building contractor.
- (4) One electrical contractor.
- (5) One plumber.
- (6) One mechanical contractor.
- (7) One realtor, real estate inspector or real estate appraiser (member at large building industry).
- (8) One homeowner (member at large from the public).
- (9) One commercial business owner.

Sec. 2.07.229 Removal of members. The city council may remove any member of the board for good cause shown after hearing.

Sec. 2.07.230 Duties and powers. The board shall submit to the council such recommendations for the improvement and revision of this code as it may from time to time deem necessary or proper in light of the development of new materials, methods, or techniques which would result in a safer and more economical construction system or construction work. All requests for use of materials or methods not covered in this code shall be fully supported by factual evidence, or prior approval, from a recognized testing agency or other impartial, qualified, non-local authority.

Sec. 2.07.231 Appeals.

(a) The owner of a building, structure or service system, or the owner’s duly authorized agent, may appeal a decision of the building official or code official to the board under the conditions and pursuant to the procedures set forth in section 112 of the International Building Code, section 112 of the International Residential Code, section 109 of the International Mechanical Code and section 108 of the International Fire Code.

(b) Building official is defined as that official designated in the International Building Code. Code official is defined as that official designated in each of the codes adopted in article 4.04 and article 6.03 of this code.

(c) Any appeals pending before or eligible to be heard by the former board of appeals at the time of adoption of this amendment, and any appeals that become eligible to be heard by the board before all of its members are appointed, shall be heard by the board upon appointment of all of the members.

Secs. 2.07.232 through 2.07.250 Reserved.

Division 16. Airport Zoning Board

Sec. 2.07.251 Creation. There is hereby created the San Angelo-Tom Green County joint airport zoning board, which board shall have the powers and exercise the duties set forth in Texas Local Government Code Section 241.014.

Sec. 2.07.092 Members; appointments. The San Angelo-Tom Green County joint airport zoning board shall be composed of five (5) members, two (2) to be appointed by the commissioner's court of the county and two (2) members to be appointed by the city council. The fifth member shall be elected by a majority of the members so appointed and said fifth member shall serve as chairman of the San Angelo-Tom Green County joint airport zoning board.

Sec. 2.07.093 Meetings. The board shall convene meetings as needed.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Allison Strube, Water Utilities Director, Water Utilities, 325-657-4209

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending Chapter 11 "Utilities," Article 11.02 "Water and Sewer Systems", Section 11.02.031 "Rates", by amending the conservation discounts - (Presentation made by Water Utilities Director Allison Strube)

Summary/History:

By an ordinance put in place in July 2006, the Water Utilities Department has been issuing credits to residential customers who use 3,000 gallons or less of water on a monthly basis. This ordinance is currently set up to discount the customer's account by 10% of their base rate and usage rate. With this being the case, those customers who use 3,000 gallons are rewarded more than those customers using 1,000 or 2,000 gallons. The following is a breakdown of the current discounts for 2018.

Current Discounts:

- 0 Gallons Discount: $10\% \times (\text{Base Rate of } \$26.68) = \underline{\$2.67}$
- 1,000 Gallons Discount: $10\% \times (\text{Base Rate of } \$26.68 + \text{Volumetric Charge of } \$3.30) = \underline{\$3.00}$
- 2,000 Gallons Discount: $10\% \times (\text{Base Rate of } \$26.68 + \text{Volumetric Charge of } \$6.60) = \underline{\$3.33}$
- 3,000 Gallons Discount: $10\% \times (\text{Base Rate of } \$26.68 + \text{Volumetric Charge } \$11.41) = \underline{\$3.81}$

With the tiered residential rate structure, customers that use the least are already receiving the benefit of the lowest volumetric charges of all residential customers. For instance, the residential customer that uses 1,000 gallons almost gets their entire volumetric charge returned to them in credits. As you can see above, their volumetric charge is \$3.30 and the discount is \$3.00; therefore, the utility is only receiving \$0.30 for their volumetric charge.

Financial Impact:

Over the past years, the total amount of conservation credits issued has increased.

Calendar Year	Conservation Discounts Awarded
2015	\$308,951.73
2016	\$342,105.85
2017	\$378,291.74
2018*	\$227,951.35

*January through July 2018 only

Other Information/Recommendation:

Staff recommends the 10% conservation discount be removed from the ordinance. Upon removal, the utility would research and consult with City Council on more robust conservation incentive programs the utility could implement in lieu of the current discount program. Conservation incentives encouraging water savings while still rewarding customers for their efforts.

Earlier this year, the Water Advisory Board recommended the water-efficient toilet rebate program be presented to City Council, and this is one of many types of programs to be brought back for City Council for their consideration.

Attachments:

- | | | |
|----|--|---|
| 1. | 18-99912 Ordinance Chapter 11 section 11.02.031 rates deleting conseration credits | 18-99912 Ordinance Chapter 11 section 11.02.031 rates deleting conseration credits.docx |
|----|--|---|

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 11.02,
DIVISION 2 OF THE CODE OF ORDINANCES, CITY OF SAN
ANGELO TEXAS, BY AMENDING SECTION 11.02.031
“RATES”, PROVIDING FOR SEVERABILITY, AND PROVIDING
FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Chapter 11, Article 11.02 of the Code of Ordinances, City of San Angelo, Texas, Section 11.02.031, “Rates”, is hereby amended as follows:

“Sec. 11.02.031 Rates

(a) All persons supplied with water by the city shall be billed for water so supplied at the rates set out in the fee schedule found in appendix A of this code. Rates in effect on the last day of the customer’s service period determine the rate to be applied for that month.

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 1st day of November 2018. INTRODUCED on the 2nd day of October, 2018, and finally PASSED, APPROVED and ADOPTED on this the 16th day of October, 2018.

CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Alfonso Torres, Building Official, Building Permits & Inspections, 325-657-4210 ext 138

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

First reading and public hearing of an Ordinance amending Chapter 4, Article 4.03, to amend sections 4.03.032 and 4.03.033; and Chapter 4, Article 4.04, to adopt the 2015 editions of the International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, and the 2014 National Electric Code - (Presentation made by Construction Manager Al Torres)

Summary/History:

Every three years the International Code Council and the National Fire Protection Institute issue a new suggested Building Codes Model. After reviewing the last two issued model codes, the attached Ordinance amendment is presented by the Construction Manager for adoption by the City of San Angelo. Currently, the City of San Angelo has adopted most of the 2009 International Code Council family of building codes. One exception is the 2008 Electrical Code, for which the City of San Angelo has adopted the 2008 National Electrical Code. The Building Official, along with committees comprised of Trade Professionals and public input has reviewed the proposed codes and is recommending that the 2015 International Residential Code with amendments shown be adopted.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

- | | |
|--|---|
| 1. Ins_2015_Code_Adoptions_Rev_092618 (FINAL) | Ins_2015_Code_Adoptions_Rev_092618 (FINAL).docx |
| 2. Summary of Amendments | Summary of Amendments.pdf |
| 3. 2012 International Mechanical Code Summary of Changes | 2012 International Mechanical Code Summary of Changes.pdf |
| 4. 2012 International Plumbing Code Summary of Changes | 2012 International Plumbing Code Summary of Changes.pdf |
| 5. 2015 International Mechanical Code Summary of Changes | 2015 International Mechanical Code Summary of Changes.pdf |
| 6. 2015 International Plumbing Code Summary of Changes | 2015 International Plumbing Code Summary of Changes.pdf |
| 7. NEC 2011 Summary of Changes | NEC 2011 Summary of Changes.pdf |
| 8. NEC 2014 Summary of Changes | NEC 2014 Summary of Changes.pdf |
| 9. Significant Changes 2012 IECC Commercial | Significant Changes 2012 IECC Commercial.pdf |

10.	Significant Changes 2012 IRC Chapter 11	Significant Changes 2012 IRC Chapter 11.pdf
11.	Significant Changes 2012 IRC	Significant Changes 2012 IRC.pdf
12.	Significant Changes 2015 IECC Commercial	Significant Changes 2015 IECC Commercial.pdf
13.	Significant Changes 2015 IRC Chapter 11	Significant Changes 2015 IRC Chapter 11.pdf
14.	Significant Changes 2015 IRC	Significant Changes 2015 IRC.pdf

Presentation:

Approvals/Reviews:

Alfonso Torres	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO, TEXAS BY AMENDING CHAPTER 4 “BUILDING AND CONSTRUCTION”, ARTICLE 4.03 “CONTRACTORS”, DIVISION 2. “REGISTRATION”, SECTION 4.03.032 “OCCUPATIONS INCLUDED” AND SECTION 4.03.033 “OCCUPATIONS EXCLUDED”; AND BY DELETING AND REPLACING CHAPTER 4 “BUILDING AND CONSTRUCTION”, ARTICLE 4.04 “TECHNICAL AND CONSTRUCTION CODES AND STANDARDS”, TO ADOPT THE 2015 EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL EXISTING BUILDING CODE, AND THE 2014 EDITION OF THE NATIONAL ELECTRIC CODE; AND, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council for the City of San Angelo recognizes that minimum requirements must be established to safeguard the public, safety and general welfare of the community through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, the City Council finds that the International Code Council and the NFPA have published multiple model codes that suggest guidelines and rules regarding protection of the health, safety and general welfare of the public for the built environment; and

WHEREAS, such model codes are updated from time-to-time and the City Council desires to adopt the 2015 editions of the International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, and the 2014 edition of the National Electric Code; and

WHEREAS, the City Council further desires to adopt local amendments to such model codes and to amend the San Angelo Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO:

Section 1) THAT, the Code of Ordinances of the City of San Angelo, Texas, Chapter 4 “Building and Construction, Article 4.03 “Contractors”, Division 2. “Registration”, Section 4.03.032 Occupations included” and Section 4.03.033 “Occupations excluded” are hereby amended to read as follows:

Sec. 4.03.032 Occupations included

Those persons required to register include but are not limited to the following: general contractors, building contractors, electrical contractors, plumbing contractors, mechanical

contractors, building maintenance personnel, roofing contractors, fence contractors, sign contractors, water treatment installers, movers and irrigation contractors.

Sec. 4.03.033 Occupations excluded

(a) Pursuant to Section 1301.551 of the Texas Occupations Code, municipalities and other political subdivisions which require persons to register before performing plumbing work may not require a person to pay a plumbing registration fee or administrative fee. The plumbing contractor must register electronically or in person. Plumbing contractors must still register per this article but will not be required to pay a registration or administrative fee as outlined in appendix A of this code.

(b) Pursuant to Section 1305.201 of the Texas Occupations Code, municipalities and other political subdivisions which require persons to register before performing electrical work may not require a person to pay an electrical registration fee or administrative fee. The electrical contractor must register electronically or in person. Electrical contractors must still register per this article but will not be required to pay a registration or administrative fee as outlined in appendix A of this code.

Section 2) THAT, the Code of Ordinances of the City of San Angelo, Texas, Chapter 4 “Building and Construction”, Article 4.04 “Technical and Construction Codes and Standards, is hereby deleted and replaced as follows:

ARTICLE 4.04 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

Division 1. Generally

Sec. 4.04.001 Conflicting provisions

The local amendments to the codes adopted within this chapter shall prevail over any conflicting provisions of such codes.

Sec. 4.04.002 Definitions

In the adopted codes:

- (1) Jurisdiction shall mean the City of San Angelo, Texas;
- (2) References to a fee schedule shall mean appendix A of the Code of Ordinances of the city.

Sec. 4.04.003 Penalty

Violation of any provision of the adopted codes as amended is a class C misdemeanor offense punishable by fine only as established in section 1.01.009 of the Code of Ordinances of the city, and shall be read as if revised therein. Additional technical revisions of the adopted codes may be found within the sections applicable to each code.

Secs. 4.04.004–4.04.030 Reserved

Division 2. Building*

Part I. In General

Sec. 4.04.031 Building official

The administrator of the inspections and permits department is the designated building official of the city.

Sec. 4.04.032 Building numbering

(a) Owner or occupant to number buildings.

(1) Placement of number. The owner or occupant of each building in the city shall place and maintain on the building an official building number in a conspicuous place that can be clearly seen from the public street. This requirement does not apply to accessory buildings. The number must be in place prior to final inspection.

(2) Official numbering plan to be followed. Buildings must be numbered in compliance with this section and in accordance with the plan delineating and prescribing the method of numbering buildings that is on file in the inspections and permits office of the city.

(3) Designation of number. The inspections and permits department shall designate the official number that is to be placed on each building. A person may request an official number designation by submitting a legal description of the property to this department.

(b) Specifications for numbers. An official building number, placed pursuant to this section, must be at least four inches (4") high and one-half inch (0.5") wide in the thickness of stroke, composed of a durable material and of a color which provides a contrast to the background.

(c) Odd and even numbers.

(1) Odd numbers shall be assigned to the south side and even numbers assigned to the north side of streets and public accesses running east and west or substantially in that direction. Odd numbers shall be assigned to the west side and even numbers assigned to the east side of streets and public accesses running north and south or substantially in that direction.

(2) When a street shall substantially change direction, yet retain one name, the numbering of buildings shall follow the pattern established at the beginning of the street, the beginning being that point where the building with the lowest numbers are located.

(d) Basic units of space for numbering. The basic unit of space for numbering along public streets and public accesses is twenty-five feet (25'). However, in shopping centers, townhouse

areas, apartment areas and other building complexes where the inspections and permits department determines that the twenty-five foot (25') unit is not adequate, it may assign a basic unit of ten feet (10').

(e) Numbering within building complexes.

(1) A building complex composed of multiple structures must have an official number assigned to each building. Each unit within each building must also be assigned an official number. If there is sufficient street frontage, each unit or building may be assigned an official street address number. The official number must be prominently posted on the building so that it is visible, where possible, from the nearest vehicular access. The official number for each unit must be conspicuously posted on the unit.

(2) If a building is situated within a complex in such a way that it is not visible from a vehicular access, the owner shall post and maintain directional signs along the nearest vehicular access indicating the location of the building and unit numbers.

(f) Directional signs within building complexes.

(1) In a building complex composed of multiple structures that contains internal vehicular accesses, if each official building number is not discernible from the public street, the owner of the building complex shall post directional signs at each entrance to the complex and at each intersection of vehicular accesses, other than public streets, within the complex.

(2) For the purpose of this section, an entrance to a complex is a point at which vehicular access to the complex, other than a public street, intersects with a public street.

(3) The directional signs must indicate the direction to buildings and units by number, must be legible from the vehicular access, and must be of a color that is in contrast to the background.

(g) Diagram of mall areas. The owner of a building complex that contains a mall area shall submit to the police and fire departments a diagram of the complex indicating the location of each business. When a change in a business location is made, the owner shall advise the police and fire departments in writing of the change.

Sec. 4.04.033 Wood shingles and shakes

(a) Untreated wood shingles and shakes are prohibited as a roof and/or wall covering. Treated wood shingles and shakes are allowed and are defined as those wood shingles and shakes that are factory impregnated by a UL or other nationally recognized testing agency approved method for rendering such shingles and shakes fire retardant. In addition, such treated shingles and shakes shall carry at least a class C roof covering rating, and shall be installed on a solid deck, in accordance with the building code.

(b) Roofs existing at the effective date of this section may be repaired with a roof covering of the same type as the original roof, provided that such repair does not exceed fifty (50) percent of the surface area of the roof, and does not result in an increase in the total surface area of the

roof. Repairs shall not exceed fifty (50) percent of the roof surface area within any twelve (12) month period unless class C or better roof covering is utilized.

Sec. 4.04.034 House or building moving

The owner of any house, building or structure proposed to be moved shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of this code within 90 days from the date of the issuance of the moving permit. Extensions of such time as deemed reasonable may be granted by the building official upon a showing of delay caused by matters beyond the control of the owner or house mover. The owner or house mover shall file with the building official a written request for such an extension. The inspections and permits department shall inspect the house, building or structure which is the subject of the permit to determine the cause of delay. After inspection, the inspections and permits department shall submit its findings to the building official. The building official may, as it determines appropriate, extend the time period of the original permit or deny any extensions. The application for the moving permit shall be accompanied by an application for a building permit, accompanied by complete plans and specifications showing the changes or conditions of said house, building or structure as the same is proposed to be when moving, and all contemplated improvements, signed by the owner or the owner's agent.

Sec. 4.04.035 Concrete slab and foundation construction

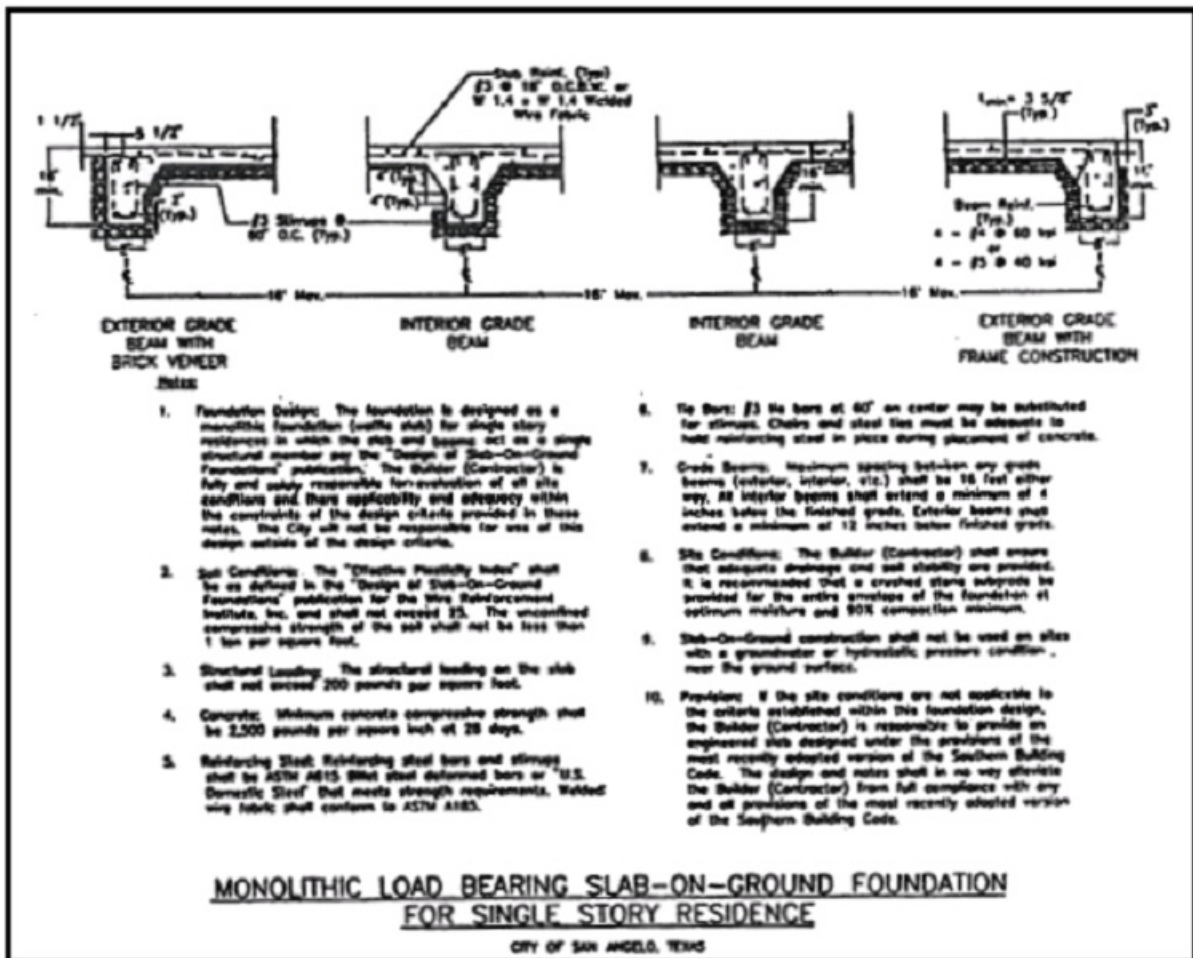
- (a) The purpose of this section is to provide concrete slab and foundation specifications for typical residential construction.
- (b) When slab-on-ground construction is proposed, the site shall be suitable for such purposes. Slab-on-ground construction shall not be used on sites with a groundwater or hydrostatic pressure condition near the ground surface.
- (c) The minimum slab and foundation requirements and specifications shall be as pictured in exhibits 1 and 2, which are incorporated herein for all purposes.
- (d) Prior to a foundation being poured, rectilinear lots shall be staked out according to the property pins, with a string pulled (d) Prior to a foundation being poured, rectilinear lots shall be staked out according to the property pins, with a string pulled delineating where the property line is. For curved lots, the "survey table for curved lots" of this section shall be used to determine if a survey, showing the proposed foundation, shall be submitted to the building official, or his designee. Alternatively, a licensed surveyor or engineer may certify that the foundation is located outside of the required setbacks on a form provided by the city that must be signed/sealed.

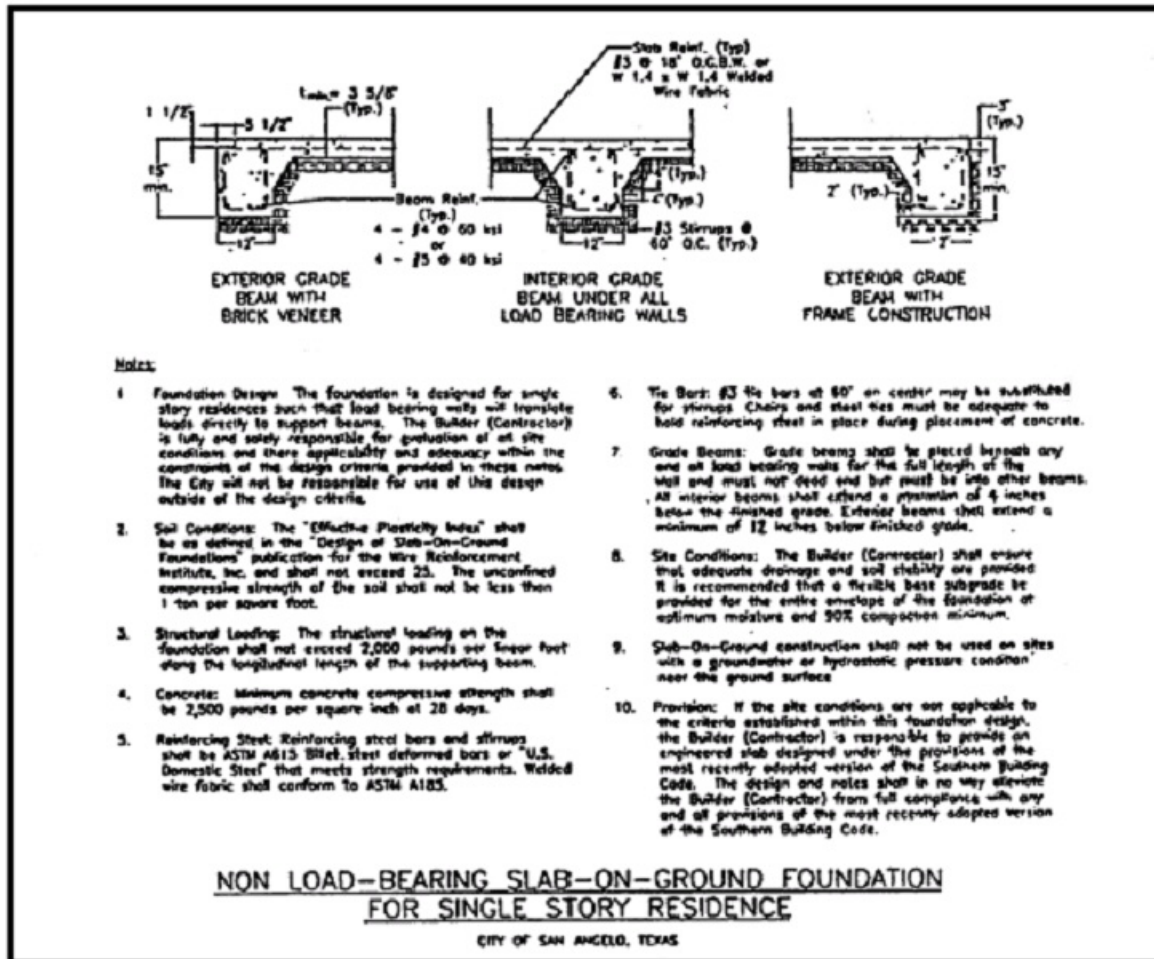
SURVEY TABLE FOR CURVED LOTS

		curve radius						
		50'	400'	500'	800'	1000'	2000'	3000'
Lot width	40'	yes	no	No	no	no	no	no
	50'	yes	yes	yes	no	no	no	no

	60'	yes	yes	yes	yes	no	no	no
	70'	yes	yes	yes	yes	no	no	no
	80'	yes	yes	yes	yes	yes	no	no
	90'	yes	yes	yes	yes	yes	no	no
	100'	yes	yes	yes	yes	yes	no	no
	120'	yes	yes	yes	yes	yes	yes	no
	140'	yes	yes	yes	yes	yes	yes	yes

CONCRETE SLAB ILLUSTRATION #1





Sec. 4.04.036 Trench safety

(a) On all construction projects, public or private, in which trench excavation will exceed a depth of five feet, within its boundaries of the city, or within the extraterritorial jurisdiction, the bid document and the contract shall contain:

- (1) Detailed plans and specifications for adequate safety systems that meet OSHA standards; and
- (2) A pay item for those safety systems.

(b) This requirement shall not apply to persons subject to safety standards adopted under V.T.C.A., Utilities Code, section 121.201 et seq., and subject to the administrative penalty provisions of V.T.C.A., Utilities Code, section 121.206 et seq.

Secs. 4.04.037–4.04.060 Reserved

Part II. Code

Sec. 4.04.061 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Building Code, 2015 edition, in its entirety, save and except chapters 13, 27, and 32, and appendices A, B, D, E, H, I, J, and section 101.4.4, and save and except:

Section 105.3.2, entitled “Existing building inspections,” which shall be added and read as follows:

105.3.2 Existing building inspections. Before issuing a permit, the building official may examine or cause to be examined any building, electrical, gas, mechanical, or plumbing systems for which an application has been received for a permit to enlarge, alter, repair, move, demolish, install, or change the occupancy. The building official shall inspect all buildings, structures, electrical, gas, mechanical and plumbing systems, from time to time, during and upon completion of the work for which a permit was issued, except that eligible work done on building, electrical, gas, mechanical, or plumbing systems by persons participating in a permit voucher program authorized by the city council may be inspected on a random basis in accordance with the requirements of the authorized program. The building official shall make a record of every such examination and inspection and of all violations of the technical codes.”

Section 111.1, entitled “Use and Occupancy,” which shall instead read as follows:

111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing type of business use with additional requirements as indicated in chapter 3 “Use and Occupancy Classification,” or a change in the occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exceptions:

- 1) Changes in ownership where the use and/or occupancy remain the same are not required to obtain a change of occupancy;
- 2) A new occupancy by a like or similar use where additional restrictions are not required by chapter 3 are not required to obtain a change of occupancy;
- 3) Certificates of occupancy are not required for work exempt from permits under section 105.2.

Section 1612.3, entitled “Establishment of flood hazard areas,” which shall instead 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 in an engineering report entitled "The Flood Insurance Study for San Angelo, Texas" dated June 19, 2012, 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.

Secs. 4.04.062–4.04.090 Reserved

Division 3. Residential Code*

Sec. 4.04.091 Building official

The administrator of the inspections and permits department is the designated building official of the city.

Sec. 4.04.092 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Residential Building Code, **2015** edition, in its entirety, save and except chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and appendices A, B, C, F, I, L, M, D, and P, **and N1101.14 Certificate (Mandatory)**, and save and except:

Section R101.1. Title., which is amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of San Angelo, and shall be cited as such and will be referred to herein as "this code".

Table 301.2(1), which is amended to read as follows:

Ground Snow Load: 5 psf

Wind Speed: Nominal Design = 90 mph

Ultimate Design = 115 mph

Seismic Design: Category 0

Weathering: Moderate

Frost Line: 12 inches

Termite: Slight to Moderate

Winter Design Temp: 32 degrees F

Ice Barrier Underlayment Required: No

Flood Hazards: First Ordinance Adopted, July 27, 1976

Date of Current Map, June 19, 2012

Air Freezing Index: 50

Section R403.1.6, entitled “Foundation anchorage,” which shall instead read as follows:

R403.1.6 Foundation anchorage. Wood sill plates and wood walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

Cold-formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates anchored to the foundation. Anchorage of cold-formed steel framing and sill plates supporting cold-formed steel framing shall be in accordance with this section and Section R505.3.1 or R603.3.1.

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of braced wall panels at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with minimum ½ -inch-diameter anchor bolts spaced a maximum of 6 feet on center or approved anchors or anchor straps spaced as required to provide equivalent anchorage to ½-inch-diameter anchor bolts. Bolts shall be a minimum of 8” long and shall extend a minimum of 5 inches into concrete or grouted cells of concrete masonry units. The bolts shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches or less than seven bolt diameter from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a braced wall panel shall be positively anchored with approved fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318.

Exceptions:

- 1. Walls 24 inches total length or shorter connecting offset braced wall panels shall be anchored to the foundation with a minimum of one anchor bolt located in the center third of the plate section and shall be attached to**

adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).

2. Connection of walls 12 inches total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3 (1).

Section R602.6.1, entitled “Drilling and notching of top plate,” which shall instead read as follows:

R602.6.1 Drilling and notching of top plate. Where piping or ductwork is placed in or partly in an exterior wall or interior loadbearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inches thick (1.37 mm) (16ga) and 1-1/2 inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 8d nails at each side or equivalent. The metal tie must extend not less than 6 inches past the opening. See Figure R602.6.1.

Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

Table N1102.1.2, and Table N1102.1.4, which shall be changed to read as follows:

TABLE N1102.1.2 (R402.1.1)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE	FLOOR R-VALUE	BASEMENT WALL R-VALUE	SLAB R-VALUE & DEPTH	CRAWL SPACE WALL R-VALUE
3	0.40	0.60	0.30	30	15 OR 13+1	5/8	19	5/13	0	5/13

TABLE N1102.1.4
EQUIVALENT U-FACTORS

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	CEILING U-FACTOR	FRAME WALL U-FACTOR	MASS WALL U-FACTOR	FLOOR U-FACTOR	BASEMENT WALL U-FACTOR	CRAWL SPACE WALL U-FACTOR
3	40	0.60	0.035	0.070	0.098	0.047	0.091	0.136

Section N1102.2.2, entitled “Ceilings without attic spaces,” which shall instead read as follows:

N1102.2.2 Ceilings without attic spaces. Where Section N1102.1.2 would require insulation levels above R-30 and the design of the roof/ceiling

assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-19. This reduction of insulation from the requirements of Section N1102.1.2 shall be limited to 500 square feet or 20 percent of the total insulated ceiling area, whichever is less. This reduction shall not apply to the U factor alternative approach in Section N1102.1.4 and the total UA alternative in Section 1102.1.5.

N1102.4.1.2 Testing, which is deleted in its entirety and replaced to read as follows:

N1102.4.1.2 Testing – Visual Inspection option. Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table N1102.4.1.1, applicable to the method of construction, are field verified. Where required by the code official, an approved party independent from the installer of the insulation shall inspect the air barrier and insulation.

N1103.3.3 Duct testing, which is deleted in its entirety and replaced to read as follows:

N1103.3.3 Duct testing. Duct testing and installation shall be considered acceptable when the prescriptive requirements of Section N1103.3, applicable to the method of construction, are field verified. Where required by the code official, an approved party independent from the installer of the duct system shall inspect the air barrier and insulation.

Section M1411.3.1.1, entitled “Water level monitoring devices,” which shall instead read as follows:

M1411.3.1.1 Water level monitoring devices. On down-flow units and all other coils that have no secondary drain and no means to install an auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Externally installed devices and devices installed in the drain line shall be permitted.

Secs. 4.04.093–4.04.120 Reserved

Division 4. Plumbing*

Part I. In General

Sec. 4.04.121 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Plumbing Code and the provisions of this division.

Sec. 4.04.122 Permits

(a) Licensed plumber obtaining permit for another. It shall be unlawful for any licensed plumber to allow any person not directly and regularly employed by and working under

the direction of such licensed plumber to perform any plumbing work on a project for which such licensed plumber has obtained a permit.

(b) Emergency plumbing work. In case of an emergency that necessitates the performance of plumbing work that requires a permit, at a time when the inspections and permits department is closed, such plumbing work may be performed before a permit is obtained. A permit shall be applied for during the first day the inspections and permits department is open following commencement of such plumbing work. The work shall be subject to inspection when completed.

Sec. 4.04.123 Homeowner's permit

To qualify for a homeowner's permit, only the homeowner or members of the homeowner's immediate family, who reside at the dwelling for which the permit has been obtained, may perform plumbing work under the homeowner's permit. Violations by any person, firm, corporation, or associate of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the plumbing work is to be performed is a residential dwelling.
- (2) The person receiving the permit is the owner and occupant of such dwelling.
- (3) The dwelling for which the permit is issued is not rental property.
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector office at the county courthouse.

Sec. 4.04.124 License number to be displayed on vehicles

The number of any plumbing license issued under the provisions of this code shall be printed on both sides of any vehicle used by the person or firm to whom such license is issued. Said license number shall be in plain block numerals at least two inches (2") high and in a color which contrasts with the background. These numbers are to be located within three (3) feet of the front passenger door and the driver door.

Sec. 4.04.125 Schedule of permit fees

On all plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application in accordance with the fee schedule found in appendix A of this code.

Sec. 4.04.126 Insurance requirements

(a) Requirements. Before any owner, authorized agent, contractor or corporation that is required to obtain a plumbing permit shall perform the work for which the permit is required, such owner, authorized agent, contractor or corporation shall provide to the inspections and permits

department a certificate of insurance in the amount of at least one hundred thousand dollars (\$100,000.00) combined single limit liability per occurrence for bodily injury and property damage. This insurance shall be carried with a company licensed to do business in Texas.

(b) Exceptions. The following persons shall not be required to furnish insurance:

- (1) Maintenance workers or engineers who do work incidental to and in connection with the business in which they are employed or engaged.
- (2) Railroad employees who do construction, installation and maintenance work on the premises or equipment of a railroad.
- (3) Public service company employees engaged in laying, maintaining and operating service mains or lines.
- (4) A liquid petroleum gas installer when working and licensed under chapter 113, Natural Resources Code, as amended.
- (5) A property owner doing work in a building owned or occupied as the owner's homestead.

Sec. 4.04.127 Sewer connections

- (a) For new service, the city shall tap all city mains and laterals for private connections and run the service to the property line. The property owner shall thereafter be responsible for all maintenance of the sewer line to the tap.
- (b) For existing service, the property owner shall be responsible for all maintenance of the sewer line to the tap. All repairs to the sewer line to the tap shall be the responsibility of the property owner.
- (c) If the repair involves that portion of the service line within the public right-of-way, the property owner shall be responsible for the paving cut. The person obtaining the paving cut permit shall be responsible for providing payment to the city for the paving cut repair costs, in accordance with established procedures.
- (d) The city may, if that portion of the line within the right-of-way fails due to a lack of maintenance of the right-of-way, participate in the costs of repair for that portion of the line within the right-of-way.

Sec. 4.04.128 Lawn sprinklers and irrigation piping systems

- (a) Lawn sprinkler systems and irrigation piping systems shall be equipped with an approved backflow preventer to protect against contamination of the potable water system. The following devices shall be acceptable:
 - (1) Anti-siphon vacuum breakers, reduced pressure zone backflow preventer, double check type back pressure backflow preventer equipped with gate valves and test cocks.

(2) Atmospheric type vacuum breakers shall be installed downstream of the last control valve at least 6 inches above the level of the highest sprinkler head.

(3) All protective devices shall be installed in an accessible location to allow for inspection and maintenance and to isolate the sprinkler system from all other piping in the system.

(b) All lawn sprinkler systems, irrigation piping systems and piping for domestic use, whether connected to the city's water system or other water wells, shall be subject to the permit and inspection requirements of this code, as well as all other requirements applicable to irrigation systems, including subsection (a) above.

Secs. 4.04.129–4.04.150 Reserved

Part II. Code

Sec. 4.04.151 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Plumbing Code, **2015** edition, in its entirety, save and except for Appendix A, and save and except:

Section 106.6.3, entitled “Fee refunds,” which shall instead read as follows:

106.6.3 Fee refunds. The code official shall authorize the refunding of fees as outlined in the fee schedule (Appendix A) of the City of San Angelo Code of Ordinances.

Section 305.4.1, entitled “Sewer depth,” which shall instead read as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 4 inches (101.6 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 4 inches (101.6 mm) below grade.

Section 308.7, entitled “Anchorage,” which shall instead read as follows:

308.7 Anchorage. Anchorage shall be provided to restrain drainage piping and water stub-outs from excessive axial movement.

Section 312.2, entitled “Drainage and vent water test”, which shall instead read as follows:

312.2 Drainage and vent water test. A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest

opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10-foot head of water. In testing successive sections, at least the upper 10 feet of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet of the system, shall have been submitted to a test of less than a 10-foot head of water. This pressure shall be held for not less than 15 minutes. The system shall then be tight at all points.

Exception: A water test may not be required at the top out stage if purple primer has been used at all connections to allow for visual inspection.

Section 407.2, entitled “Bathtub waste outlets and overflows”, which shall instead read as follows:

407.2 Bathtub waste outlets and overflows. Bathtubs shall be equipped with a waste outlet. The outlets shall be connected to waste tubing or piping not less than 1 ½ inches in diameter. The waste outlet shall be equipped with a water-tight stopper.

Section 410.4, entitled “Substitution”, which shall instead read as follows:

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers provided free of charge shall be permitted to be substituted for the first of such required drinking fountains and not more than 50 percent of the remaining required drinking fountains.

Section 417.3, entitled “Shower waste outlet,” which shall instead read as follows:

417.3 Shower waste outlet. Waste outlets serving showers shall be at least 2 inches (38 mm) in diameter and, for other than waste outlets in bathtubs, shall have removable strainers not less than 3 inches (76 mm) in diameter with strainer openings not less than 0.25 inch (6.4 mm) in minimum dimension. Where each shower space is not provided with an individual waste outlet, the waste outlet shall be located and the floor pitched so that the waste from one shower does not flow over the floor area serving another shower. Waste outlets shall be fastened to the waste pipe in an approved manner.

Section 603.2, entitled “Separation of water service and building sewer,” which shall instead read as follows:

603.2 Separation of water service and building sewer. Water service pipe and the building sewer shall be separated by 5 feet of undisturbed or compacted earth. The required separation distance shall not apply where a water service pipe crosses a

sewer pipe, provided the water service is sleeved to a point not less than 5 feet horizontally from the sewer pipe centerline on both sides of such crossing. The sleeve shall be of pipe materials listed in Table 605.3, 702.2 or 702.3.

Section 607.2, entitled “Hot or tempered water supply to fixtures,” which shall instead read as follows:

607.2 Hot water supply temperature maintenance. Where the developed length of hot water piping from the source of hot water supply to the farthest fixture exceeds 100 feet, the hot water supply system shall be provided with a method of maintaining the temperature in accordance with Chapter 11 of the International Residential Code.

Section 705.11.2, entitled “Solvent cementing,” which shall instead read as follows:

705.11.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied to all rough in and top out connections. Clear primers will be allowed only at trim out connections. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

Exception 1: A primer is not required where both of the following conditions apply:

1. The solvent cement used is third-party certified as conforming to ASTM D 2564.
2. The solvent cement is used only for joining PVC drain, waste and vent pipe and fittings in nonpressure applications in sizes up to and including 4 inches in diameter.

Exception 2: A purple primer will not be required at the top out stage if a water test is conducted in accordance with Section 312.2 or a smoke test is conducted in accordance with Section 312.4.

Section 903.1, entitled “Roof extension,” which shall instead read as follows:

903.1 Roof Extension. Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152.4 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 (2,134 mm) above the roof.

Sec. 4.04.152 Definitions

Section 202 is amended by adding:

Board. The word “board” shall mean the construction board of adjustments and appeals of the city created pursuant to the International Building Code.

City. The word “city” shall mean the City of San Angelo, Texas.

Code. The word “code,” when used alone, shall mean all of the provisions of this division of the city Code of Ordinances and the International Plumbing Code.

Council. The word “council” shall mean the city council of the City of San Angelo, Texas.

Inspections and permits department. The department assigned the responsibility by the city of enforcing and administering the International Plumbing Code and this chapter of the Code of Ordinances of the city.

Plumbing inspector. The designee of the code official assigned the responsibility of enforcing this code.

Secs. 4.04.153–4.04.180 Reserved

Division 5. Electricity*

Part I. In General

Sec. 4.04.181 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Electrical Code and the provisions of this division.

Sec. 4.04.182 Definitions

Board. The construction board of adjustments and appeals.

City. The City of San Angelo, Texas.

Code. When used alone, shall mean all of the provisions of this division of the city Code of Ordinances.

Conduit. Shall have the same meaning as “raceway” as defined in article 100 of the National Electrical Code.

Consumer. One who uses electricity on premises.

Council. The city council of the City of San Angelo, Texas.

Electrical inspector. A person employed by the city to perform electrical inspections and related duties.

Electrical work. Any work involving the installation of electrical materials or devices. It includes, but is not limited to, work involving installation of the following:

(1) Power and lighting systems, secondary services, distribution panels, lighting panels, conduits, junction boxes, pull boxes, outlets, feeders, sub-feeders, wiring devices, service fittings, lighting fixtures, lamps or other devices.

(2) All power and control wiring and any other electrical installations incidental to any equipment furnished by any other contractors, owners or their agents. Electrical work does not include such minor work as repairing flush switches, replacing fuses and changing lamp sockets and receptacles.

License. Written authorization from the state to engage in a particular activity. It shall signify that the recipient has satisfactorily demonstrated he is competent in a particular field. It does not mean that the city guarantees or warrants the licensee's competence. All references in this code to a "license" or someone who is "licensed" shall be references to a license issued by the city or the state, unless another meaning is specifically stated.

Secretary. The secretary of the construction board of adjustments and appeals.

Sec. 4.04.183 Electrical contractors

(a) **Registration required.** Any person desiring to engage in the business of electrical contracting shall register in the inspections and permits department the name, address and telephone number under which they will be doing business and meet all other such requirements more fully enumerated within this chapter.

(b) **Master electrician required.** Any person engaged in the electrical contracting business shall have a master electrician license, or must employ a full-time licensed master electrician. All master electricians shall register in the inspections and permits department their name, address, telephone number and the name of the electrical contracting company, and such master who obtains the permit shall be responsible for carrying out the provisions of this division in its entirety.

(c) **Extenuating circumstances.** In case of the death, disability or termination of a master license holder, the firm will be allowed to complete all work for which permits have been issued, provided the board determines that they have adequate supervision and provided that such work is completed within six (6) months of the death, disability or termination of the master license holder.

(d) **Insurance.** Each registered electrical contractor shall furnish the city with a certificate of insurance sufficient to demonstrate financial responsibility in amounts equal to or greater than those required by state law at the time of registration and upon renewal.

(e) **Supervision.** A licensed master shall maintain adequate supervision over all journeymen and other persons working directly under or for the master on any project or job for which a permit has been secured by the master electrician. Adequate supervision for the purposes of this subsection shall mean that the master electrician shall maintain such contact with a job or project for which the master electrician has obtained a permit as necessary to assure that those electricians and others under the master electrician's control and direction are complying and have complied with all applicable provisions of the electrical code of the city.

Sec. 4.04.184 General electrical construction requirements

(a) Disconnects.

(1) Requirements. Outside main disconnects shall be required on all new structures and on new main service to existing structures.

(2) Exceptions.

(A) In buildings with sprinklers throughout, in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, disconnects may be installed in accordance with NFPA 70, National Electrical Code.

(B) The building official may require an outside disconnect for safety concerns when the building or structure is constructed of at least Type IV construction and is normally unoccupied.

(b) Temporary meter location and power permit.

(1) Temporary power and/or lighting shall meet all requirements of this code and, when a meter installation is necessary, the meter shall be attached to a substantially mounted and braced pole.

(2) If from ground mount transformer, the power drop shall conform to the requirements of this code.

(3) All installations of temporary meter locations and/or temporary power shall be required to obtain an electrical permit. This may be a part of the initial electrical permit for the job. The electrical inspector shall approve and inspect the temporary meter location and/or temporary power at the first required inspection or at the rough-in inspection, whichever is appropriate.

(c) Temporary power permit for buildings or premises under construction. Subject to all of the requirements for obtaining a general permit, a temporary power permit to temporarily energize the permanent service in a new building or structure, or in a building or structure being remodeled, may be issued. This permit may be issued for the time necessary to complete the construction that requires electrical power, for a period of time not to exceed ninety (90) days. Upon the expiration of the temporary power permit, the electrical inspector shall have the authority to order the electrical power to the premises for which the permit was issued disconnected. If necessary to complete construction, more than one temporary power permit for construction may be issued per construction job.

(d) Change of occupancy. If the occupancy classification of an existing building changes, the electrical system shall be made to conform to the intent of this code as required by the building official.

Sec. 4.04.185 Electrical permits

(a) Homeowner's permit. Only the homeowner or members of the homeowner's immediate family, who reside at the single-family dwelling for which the permit has been obtained, may perform electrical work under the homeowner's permit. A violation by any person, firm, corporation or association of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the electrical work is to be performed is a single-family dwelling;
- (2) The person receiving the permit is the owner of such single-family dwelling;
- (3) The single-family dwelling for which the permit is issued is not rental property;
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector's office at the county courthouse.

(b) Who may obtain an electrical permit. A permit to perform electrical work may be obtained by a homeowner who qualifies for a homeowner's permit under the foregoing provisions.

Sec. 4.04.186 Electrical permit fee schedule

The fees applicable to all electrical work performed in the city are as provided for in the fee schedule found in appendix A of this code. The fees shall be paid to the city through the inspections and permits department.

Sec. 4.04.187 Prohibited acts

(a) Master obtaining permit for another. It shall be unlawful for any licensed electrical contractor to allow any person not directly and regularly employed by, and working under the direction of, such contractor to perform electrical work on a project for which such contractor has obtained a permit.

(b) Non-concealment of work required. It shall be unlawful for any person, firm, corporation or association to lath, seal or in any manner conceal any electrical work until such work has been inspected and approved by an electrical inspector. It shall be unlawful for any person, firm, corporation, or association who has performed electrical work in violation of this division to intentionally and knowingly attempt to cover or camouflage said violations in an effort to pass the electrical inspection.

(c) Approval for electrical power connection. It shall be unlawful for any person, firm, corporation or association to connect electrical power to any public or commercial premises before obtaining approval from an electrical inspector. Where electrical power has been disconnected to public or commercial premises, approval is necessary before reconnection.

(d) Failure to comply with state licensing. Failure to comply with all applicable state laws and regulations promulgated under authority granted in the Texas Occupations Code related to electricians shall constitute a violation of this code.

Sec. 4.04.188 Required inspections

(a) The master electrician or homeowner shall be responsible for notification to the inspections and permits department when the following electrical installations are ready for required inspections:

(1) Slab rough-in inspection. An electrical installation shall be considered ready for slab rough-in inspection at such time that all raceways and outlet boxes are installed and prior to pouring of concrete and concealment.

(2) Rough-in inspection. An electrical installation shall be considered ready for rough-in inspection at such time that all raceways, panel board cabinets, service equipment, outlet boxes, junction boxes, conductors and conductor splices are installed and before concealment.

(3) Minor extension exception. For minor extensions and additions, for which, in the previously expressed judgment of the electrical inspector, adequate inspection is possible after completion of the work, a rough-in inspection may not be required.

(4) Final inspection. An electrical installation shall be considered ready for final inspection upon completion of all electrical installation work and prior to a certification of compliance being issued.

(5) Additional inspections. The electrical inspector may, when necessary to assure compliance with this division, require additional inspections to the slab rough-in, rough-in, and final inspections.

(6) Presence of representative of contractor. The electrical inspector on any inspection may require the presence of a person representing the electrical contractor or homeowner to whom the permit is issued, at the inspection.

(b) It shall be unlawful for the electrical contractor or homeowner to fail to request a required inspection.

Sec. 4.04.189 Wiring methods

(a) All wiring inside a building shall be installed in a continuous conduit system except that steel metal clad cable, as listed in article 330 of the **2014** edition of the National Electrical Code, shall be permitted.

(b) A continuous conduit system shall not be necessary for wiring in one- and two-family dwellings, and in multifamily dwellings. Number twelve (#12) wire shall be the minimum size and conductor used, except in the case of low voltage conductors.

(c) The exterior armor of metal clad cable shall be steel and shall be labeled or color coded on the exterior of the cable.

Secs. 4.04.190–4.04.210 Reserved

Part II. Code

Sec. 4.04.211 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

National Electrical Code, **2014** edition, in its entirety, save and except for section **406.12**, and save and except:

Section 210.8, which is amended to read as follows:

Under 210.8, part A, item (2), add the following exceptions:

Exception No. 1: Receptacles that are not readily accessible.

Exception No. 2: A single receptacle or a duplex receptacle **each** for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A).

Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

Section 210.8 (A)(7) Sinks which is which is amended to read as follows:

(7) Sinks – where receptacles are installed within 6 feet of the outside edge of the sink.

Exceptions:

1. Dishwashers and Disposals

Section 210.8 (A)(10) “Laundry Areas” which is to be deleted.

Section 210.8 (D) “Kitchen Dishwasher Branch Circuit” which is to be deleted.

Section 210.12 (A) “Dwelling Units” which is amended to read as follows:

(A) Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in dwelling unit bedrooms shall be protected by any of the means described in 210.12 (A) (1) through (6):

Section 210.52 (G) (1) “Garages” which is amended to read as follows:

(1) Garages. In each attached garage and in each detached garage with electric power.

Section 300.5, Subsection (D)(3), which is amended to read as follows:

(3) Service Conductors. All underground electrical installation shall be marked with red electrical warning ribbon, except for low voltage and communication wiring. Warning ribbon shall be installed under the NEC 2014 Sec. 300.5 subsection D3.

Section 406.9 (A), "Damp Locations", which is amended to read as follows:

(A) Damp Locations. A receptacle installed outdoors in a location protected from the weather or in other damp locations shall have an enclosure for the receptacle that is weatherproof when the receptacle is covered (attachment plug cap not inserted and receptacle covers closed).

An installation suitable for wet locations shall also be considered suitable for damp locations.

A receptacle shall be considered to be in a location protected from the weather where located under roofed open porches, canopies, marquees, and the like, and will not be subjected to a beating rain or water runoff.

Secs. 4.04.212–4.04.240 Reserved

Division 6. Mechanical Work*

Part I. In General

Sec. 4.04.241 Permits

(a) Licensed mechanical contractor obtaining permit for another. It shall be unlawful for any licensed mechanical contractor to allow any person not directly and regularly employed by and working under the direction of such licensed mechanical contractor to perform any mechanical work on a project for which such licensed mechanical contractor has obtained a permit.

(b) Emergency mechanical work. In case of an emergency that necessitates the performance of mechanical work that requires a permit, at a time when the inspections and permits department is closed, such mechanical work may be performed before a permit is obtained. A permit shall be applied for during the first day the inspections and permits department is open following commencement of such mechanical work. The work shall be subject to inspection when completed.

Sec. 4.04.242 Schedule of permit fees

On all mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required at the time of filing application, in accordance with the fee schedule found in [appendix A](#) of this code, which is incorporated herein by reference for all purposes.

Sec. 4.04.243 Who may obtain a mechanical permit

Only those individuals licensed by the state to do mechanical work (including proper endorsements), or those persons who fall within an exemption from licensing, may obtain a permit to do mechanical work.

Sec. 4.04.244 Homeowners Permit

To qualify for a homeowner's permit, only the homeowner or members of the homeowner's immediate family, who reside at the dwelling for which the permit has been obtained, may perform mechanical work under the homeowner's permit. Violations by any person, firm, corporation, or associate of any of the stated conditions or requirements shall be cause for revocation of the permit. A homeowner's permit will be issued only if all of the following conditions are met:

- (1) The structure on which the mechanical work is to be performed is a residential dwelling.**
- (2) The person receiving the permit is the owner and occupant of such dwelling.**
- (3) The dwelling for which the permit is issued is not rental property.**
- (4) The person receiving the permit has received a homestead exemption from the tax assessor/collector office at the county courthouse.**

Secs. 4.04.245–4.04.270 Reserved

Part II. Code

Sec. 4.04.271 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Mechanical Code, **2015** edition, in its entirety, save and except appendix B, sections 1101.10, 1102.3, and save and except:

Section 106.5.3, entitled “Fee refunds,” which shall instead read as follows:

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as outlined in the fee schedule (Appendix A) of the City of San Angelo Code of Ordinances.

Section 307.2.3.1, entitled “Water-level monitoring devices,” which shall instead read as follows:

307.2.3.1 Water-level monitoring devices. On down-flow units and all other coils that do not have a secondary drain and do not have a means to install an auxiliary drain pan, a water-level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Externally installed devices and devices installed in the drain line shall be permitted.

501.3 Exhaust discharge, which is amended to read as follows:

501.3 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

- 1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.**
- 2. Commercial cooking recirculating systems.**
- 3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.**
- 4. In one- and two-family dwellings, bathroom exhausts shall be permitted to exhaust into an attic or crawl space.**

602.1 General, which is amended to read as follows:

602.1 General. Supply, return, exhaust, relief and ventilation air plenums shall be limited to uninhabited crawl spaces, areas above a ceiling or below the floor, attic spaces and mechanical equipment rooms. Plenums shall be limited to one fire area. Fuel-fired appliances shall not be installed within a plenum.

805.3 Factory-built chimney offsets which is amended to read as follows:

805.3 Factory-built wood chimney offsets. Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.

Sec. 4.04.272 Definitions

The International Mechanical Code, chapter 2, section 202, is amended by adding:

Board. The word “board” shall mean the construction board of adjustments and appeals.

City. The word “city” shall mean the City of San Angelo, Texas.

Code. The word “code,” when used alone, shall mean all of the provisions of this division of the official code of the city.

Council. The word “council” shall mean the city council of the City of San Angelo, Texas.

Inspections and permits department. The department assigned the responsibility by the city of enforcing and administering the mechanical code.

Mechanical inspector. The person assigned the responsibility of enforcing this code.

Mechanical system. Mechanical system includes, but is not limited to, any heating, ventilating or air conditioning product, system, or equipment. The term does not include a portable or self-contained ductless air conditioning or heating product that has a cooling capacity of three (3) tons or less or a heating capacity of 36,000 British thermal units or less.

Mechanical work. Mechanical work means activity that includes, but is not limited to, designing, installing, constructing, maintaining, servicing, repairing, altering or modifying any heating, ventilating, or air conditioning product, system, or equipment. The term does not include the design, installation, construction, maintenance, service, repair, alteration, or modification of a portable or self-contained ductless air conditioning or heating product that has a cooling capacity of three (3) tons or less or a heating capacity of 36,000 British thermal units or less.

Secs. 4.04.273–4.04.300 Reserved

Division 7. Energy Conservation*

Part I. In General

Sec. 4.04.301 Title

This code shall be known as the International Energy Conservation Code of San Angelo, and shall be cited as such. It is referred to herein as “this code.”

Sec. 4.04.302 Code official

The administrator of the inspections and permits department is the designated code official for enforcement of the International Energy Conservation Code and the provisions of this division.

Secs. 4.04.303–4.04.330 Reserved

Part II. Code

Sec. 4.04.331 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Energy Conservation Code, **2015** edition, Commercial Provisions Chapters 1 through 6 and Index, in its entirety, save and except:

C405.2.1 Occupant sensor controls, which is amended to read as follows:

C405.2.1 Occupant sensor controls. Occupant sensor controls shall be installed to control lights in the following space types:

1. Classrooms/lecture/training rooms
2. Conference/meeting/multipurpose rooms
3. Copy/print rooms
4. Lounges
5. Employee lunch and break rooms
6. Restrooms
7. Storage rooms
8. Janitorial Closets
9. Locker rooms
10. Warehouses

Delete C402.4.2 Minimum skylight fenestration area in its entirety.

Secs. 4.04.333–4.04.360 Reserved

Division 8. Existing Building Code

Sec. 4.04.361 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

The International Existing Building Code, **2015** edition, in its entirety.

Secs. 4.04.362–4.04.390 Reserved

Division 9. Fuel Gas Code*

Sec. 4.04.391 Adoption and amendments

The following code, as published by the International Code Council, Inc., is hereby adopted by reference as though it were copied herein fully, including all appendices, except where expressly excluded herein:

International Fuel Gas Code, **2015** edition, in its entirety, save and except appendix C.

Secs. 4.04.392–4.04.420 Reserved

Section 3) **THAT**, the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

Section 4) **THAT**, this Ordinance shall be effective on, from and after the date of its passage and publication as required by law.

INTRODUCED with public hearing on the ____ day of October, 2018, and finally PASSED,
APPROVED and ADOPTED on this the ____ day of October, 2018.

CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James, City Attorney

SUMMARY OF AMENDMENTS

International Residential Code – Amendments

Part 1

- Occupations Included – added the word “plumbers” back into the list. Although plumbers cannot be charged to register as a contractor, they must still register.
- Occupations Excluded – Electricians have been added to the section as a trade that cannot be charged a fee to register.
- All other portions of Part 1 are to remain as is.

Part 2

- The entire 2015 International Residential Code is adopted as law except:
 - o Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 (all electrical chapters – deleted because the NEC is being adopted for electrical work)
 - o Appendices A, B, C, D, F, I, J, L, M, O, P, and T – these appendices are all exempt in the current adoption and are mostly categories that don’t apply in our area or are already covered by other portions of the code.
- The following sections are amended:
 - o Title – simply a “fill in the blank” item.
 - o Work exempt from permits – the code specifies fences over 7’ in height as exempt. The proposal is for the height to be 8’ to match what is currently allowed by Ordinance.
 - o Table 301.2 – These standards are a “fill in the blank” chart. The numbers are all the same as they are in the currently adopted version.
 - o Foundation anchorage – the size and penetration required for sill plate bolts is changed to match what is currently required.
 - o Drilling and notching of top plate – This section reduces the required nail sizing to match what is currently required.
 - o Table N1102.1.2 is changed to reflect lower R values than that shown in the Model codes.
 - o Ceilings without attic spaces – This allows a reduction of ceiling insulation from R30 to R19 in ceilings without attic spaces up to a certain size.
 - o Testing – Where the model codes require blower tests for homes, this changes the section to match the current language which allows visual observation as an acceptable method of envelope tightness and insulation installation.
 - o Duct Testing – This amendment allows field verification that prescriptive requirements of Section N1103.3 are met.
 - o Water Level Monitoring Devices – This allows the installation of externally installed devices and devices installed in the drain line.
 - o Appendix Q is proposed to be added. This appendix, titled “Tiny Houses” relaxes some of the requirements on homes 400 sf or less. Among the relaxations are:

- Sleeping lofts less than the typically required minimum room sizes are permitted
- Ceiling heights are relaxed in these sleeping lofts
- Methods of accessing these lofts are relaxed. Stairs are allowed to be steeper, ladders and alternating tread devices are also allowed.

International Energy Conservation Code – Amendments

Part 1

- No amendments to Part 1

Part 2

- Chapters 1 – 6 (Commercial chapters) and the Index of the 2015 International Energy Conservation Code are adopted as law except:
 - o Occupant Sensor Controls – This amendment removes “Enclosed Offices” and “Other spaces 300 square feet or less” from the list of spaces required to have lighting sensor controls.
 - o Section C402.4.2 regarding minimum skylight fenestrations has been removed entirely.

International Plumbing Code – Amendments

Part 1

- Permits – A paragraph about emergency work has been added. This language exists already in the Mechanical and Electrical sections but was missing from this section. This simply clarifies that emergency work (necessary weekend work) can be performed without a permit so long as a permit is obtained the first day available.

Part 2

- The entire 2015 International Plumbing Code is adopted as law except:
 - o Appendix A – Plumbing Permit Fee Schedule.
- The following sections are amended:
 - o Definitions – Several definitions are added for clarity
 - o Sewer depth - This is a “fill in the blank” section. 4” is listed as the minimum coverage for building sewers.
 - o Anchorage – the words “and wall stub-outs” have been added for clarity.
 - o Substitution – This amendment allows a bottled water cooler to be substituted for an electric water cooler when only one is required. If multiple EWC’s are required, 50% of those can be substituted with bottled water coolers.
 - o Shower waste outlets – This increases the waste outlet serving showers to 2”.
 - o Roof extension – This fills in the blank to terminate vent pipes 6” above the roof.
 - o Water testing and purple primer sections – A Water Test at the top-out stage is currently required. Purple primer is also a requirement of the plumbing code. The water test is something that some members of the committee

spoke against and purple primer is something that some plumbers don't want. As a compromise, an amendment was made to allow a water test to be skipped if purple primer is used so that the inspector at least can make a reasonable assumption that joints have been solvent welded properly. Also, the section requiring purple primer exempts it during the top out stage if a water test is performed. Clear primer is allowed at the trim out/finish stage.

International Mechanical Code – Amendments

Part 1

- Homeowners Permits – A paragraph about Homeowner's Permits has been added. This language exists already in the Plumbing and Electrical sections but was missing from this section.

Part 2

- The entire 2015 International Mechanical Code is adopted as law except:
 - o Appendix B – Recommended Permit Fee Schedule.
- The following sections are amended:
 - o Fee refunds – this has changed to match what is currently adopted in the Code of Ordinances Fee Schedule for refunds.
 - o Definitions – Several definitions are added for clarity
 - o Water level monitoring devices – this was changed to match the corresponding requirement in the IRC. The change allows externally installed devices and devices installed in the drain line.
 - o Bathroom vents are allowed to vent into the attic.
 - o Restrictions on factory built fireplace chimneys apply only to wood fireplaces.

National Electric Code – Amendments

Part 1

- Wiring methods – This section that requires all wiring to be installed in conduit with the exception of steel metal clad cables and wiring in one- and two-family dwellings and multifamily dwellings remains the same as before. The only change is the reference to the 2014 NEC instead of the 2005 NEC.

Part 2

- The entire 2014 National Electric Code is adopted as law except for the following sections which are amended:
 - o Section 406.12 requiring tamper resistant plugs is deleted.
 - o Section 210.8 requiring all receptacles in garages to be GFCI is amended to exempt up to two receptacles for appliances that are not readily moved and for cord-and-plug connections (such as automatic garage door openers).
 - o Service conductors are required to be marked with red electrical warning ribbon.
 - o Arc fault protection is required only in bedrooms.

International Fuel Gas Code – Amendments

Part 1

- No amendments to Part 1.

Part 2

- The entire 2015 International Fuel Gas Code is adopted as law except:
 - o Appendix C
- The following sections are amended:
 - o No sections amended. Adopted as is.

International Existing Building Code – Amendments

Part 1

- No amendments to Part 1.

Part 2

- The entire 2015 International Fuel Gas Code is adopted as law.
- The following sections are amended:
 - o No sections amended. Adopted as is.

2012 International Mechanical Code

Summary of Changes from the 2009 IPC

Chapters 1 through 15

102.3: ASHRAE/ACCA/ANSI Standard 180 is now specified for the inspection for maintenance of an HVAC system. **ADDITION**

202: Environmental Air – The definition of environmental air has been expanded through the addition of parking garage exhaust. **DEFINITION**

306.5: It has been clarified that permanent access is required to equipment and appliances on a roof or elevated structure higher than 16 feet above grade, and required clearances are now provided to assure access to ladders required for access to roofs or elevated structures. **CLARIFICATION**

308.5: Allowable clearance reductions must now be based on listed and labeled reduced-clearance protective assemblies in accordance with UL 1618. **ADDITION**

401.4: The minimum clearance between an air intake opening and any public way is now measured from the opening to the lot line, not to the centerline of the public way. **ADDITION**

Table 403.3: Nail stations in nail salons must now each be provided with a source capture system. **ADDITION**

404.1: The mechanical ventilation systems required in enclosed parking garages are now permitted to be operated automatically by carbon monoxide detectors. **RELAXATION**

501.2, 506.4: Those locations where an independent exhaust system is required are now established in a single code provision. **CLARIFICATION**

505.1: Domestic kitchen exhaust ducts are now required to be independent of all other exhaust systems. **ADDITION**

506.3.7.1: Criteria are now provided for the construction of a grease reservoir in a grease duct system where the reservoir is not a manufactured product. **ADDITION**

506.3.8: In addition to the reformatting of previous criteria for grease duct cleanouts, gasket and sealing materials on grease duct cleanout doors must now be rated at a minimum of 1500 degrees F. **ADDITION**

506.3.9: Criteria for cleanouts serving horizontal grease ducts have been rearranged for ease of use and clarification, and several technical provisions have been added or modified. **CLARIFICATION**

506.3.10: Grease ducts installed in underground locations are now regulated based upon a number of new provisions. **ADDITION**

506.3.11.2: Field-applied grease duct enclosure systems are now specifically prohibited from being used to reduce clearance to combustibles. **ADDITION**

507.2: A Type I or Type II commercial kitchen hood is not required for appliances with listed integral downdraft exhaust systems. **RELAXATION**

507.2.1: Type I hoods no longer are required to be installed where complying electric cooking appliances are being used. **RELAXATION**

507.2.1.1: A method is now required to keep the pilot burner on a gas cooking appliance from being extinguished when the kitchen exhaust fan interlock shuts off appliances. **ADDITION**

507.2.1.2: Manufacturers of listed Type I commercial cooking hoods are now required to provide information on a label attached to the hood specifying the listed minimum exhaust air flow for the hood based upon the cooking appliance duty classification. **ADDITION**

507.2.2: A Type II hood is now required to be installed above all appliances that produce products of combustion but do not produce grease or smoke. An exact exhaust rate is specified for areas where a cooking appliance is being used but a Type II hood is not required. **ADDITION**

507.10: Field-applied grease duct enclosure systems are now specifically prohibited from being used as enclosures over the top of Type I hoods. **ADDITION**

510.7: Automatic fire suppression systems are no longer required in the exhaust ducts in semiconductor fabrication facilities. **RELAXATION**

601.4: Chimneys and vents are now permitted to pass through a plenum where in compliance with one of three new allowances. **RELAXATION**

602.2.1: It has been clarified that any material or assembly that encloses a combustible material in a plenum must be noncombustible, gypsum board, or listed and labeled as part of a tested assembly or system. **CLARIFICATION**

603.7: In relationship to the required garage/dwelling separation, only those ducts that penetrate a wall or ceiling between the dwelling and the adjacent private garage need comply with Section 603.7. **RELAXATION**

603.9: Unlisted duct tape is no longer permitted as a sealant on nonmetallic ducts. **ADDITION**

603.17, 202: Air dispersion systems as defined in Section 202 and recognized in UL 2518 are now permitted to be installed. **RELAXATION**

805.3: The maximum offset in a factory-built chimney is now specified and the number of offsets has been limited. **ADDITION**

901.4: Fireplace accessories must now comply with UL 907, which has been added to Chapter 15. **ADDITION**

928: Requirements for the installation of evaporative coolers have been introduced into the IMC in the new Section 928. **ADDITION**

1101.10: Locking caps are no longer required on refrigerant access ports if the refrigeration equipment is located in a secured location. **RELAXATION**

1105.6, 1105.6.3: The minimum ventilation rates in an ammonia machinery room must now be in accordance with IIAR2. **ADDITION**

1106.4: The ventilation requirements of Section 1106.3 for ammonia machinery rooms are now mandatory in order to be exempted from the Class 1, Division 2 hazardous location requirements of NFPA 70. **ADDITION**

2012 International Plumbing Code

Summary of Changes from the 2009 IPC

Chapters 1 through 14

202: The definition of “plumbing fixture” has been modified to include fixtures such as waterless urinals.
DEFINITION

202: The definition of “grease interceptor” has been modified for consistency with current industry terms for the two general types of grease interceptors being used in plumbing installations. DEFINITION

303.1, 303.4: The identification requirements for plumbing products and materials have been clarified.
CLARIFICATION

308.9: In parallel water distribution systems, the hot and cold water piping may now be grouped in the same pipe bundle. RELAXATION

315.1: The provisions for sealing any annular spaces created at piping penetrations have been revised to be consistent with the building envelope sealing requirements of the International Energy Conservation Code.
ADDITION

403.1: Service sinks are no longer required in Group B and M occupancies where the occupant load does not exceed 15. RELAXATION

403.2: The exemption from separate plumbing facilities for each sex in Group M mercantile occupancies now applies where the occupant load of the occupancy does not exceed 100. RELAXATION

403.2.1: Where separate toilet facilities for each sex are required and only one water closet is mandated in each facility, two family or assisted-use toilet facilities are now permitted to substitute for the separate facilities for each sex. RELAXATION

403.3.2: The IBC requirement prohibiting the opening of toilet rooms directly into food preparation areas is now also established in the IPC. CLARIFICATION

403.3.6: Locking devices are now specifically prohibited on the egress door of toilet rooms designed for multiple occupants. ADDITION

403.5: Where drinking fountains are required, the permitted locations of the fountains have been specified regarding their placement in multi-tenant facilities, similar to the permitted locations for required public toilet facilities. RELAXATION

405.3.1: The minimum depth of a water closet compartment containing a wall-hung water closet has been reduced from 60 inches to 56 inches. RELAXATION

405.4: The use of a waste connector and sealing gasket is now permitted as an acceptable means to connect floor outlet plumbing fixtures, allowing for water closet installations that are provided with a gasketed waste tube outlet connection. RELAXATION

407.2: Bathtubs are now required to be equipped with an overflow, and the required stopper must be watertight. ADDITION

410: The IBC provisions addressing the minimum required number of drinking fountains have been replicated in the IPC to provide clarity and consistency of application. CLARIFICATION

417.5.2.6: Recognition of an acceptable shower pan liner system using liquid-type, trowel-applied, load-bearing, bonded waterproof materials has been added to the current listing of acceptable shower floor liner methods. **RELAXATION**

424.9: The recognition of performance standard ASME A112.4.2 now ensures the protection of the public by setting temperature limits and minimum acceptable backflow protection requirements for water closet personal hygiene devices. **ADDITION**

504.4.1: It has been clarified that water heaters with separate storage tanks shall be provided with complying temperature and pressure protection. **CLARIFICATION**

504.7: It has been clarified that drain pans are only required for storage-tank-type water heaters or hot water storage tanks. **CLARIFICATION**

605: Polyethylene of raised-temperature (PE-RT) plastic hot and cold water tubing and distribution systems are now recognized by the IPC. **RELAXATION**

Table 605.3: Reference standard AWWA C901, "Polyethylene (PE) Pressure Pipe and Tubing, ½ in. Through 3 in., for Water Service," has been added to the list of standards in Table 605.3 regulating PE plastic water service pipe and tubing. **RELAXATION**

Table 605.3: Reference standard AWWA C904, "Cross-Linked Polyethylene (PEX) Pressure Pipe, 1/2 in. Through 3 in. for Water Service," has been added to the list of standards in Table 605.3 regulating PEX water service piping. **RELAXATION**

606.7: Water distribution piping that is installed in bundles must now be labeled for content and direction of flow. **ADDITION**

607.1.1: A water heater thermostat is now prohibited from being used as the temperature-limiting device where the code requires a limit for hot or tempered water. **ADDITION**

607.2: The maximum distance between a hot water supply source and all fixtures served by the supply source has been reduced from 100 feet to 50 feet. **ADDITION**

607.5: The International Energy Conservation Code (IECC) requirement for insulating hot water piping in automatic temperature maintenance systems is now also a provision in the IPC. **CLARIFICATION**

608.8: Wherever nonpotable water systems are installed, including outside of the building, the piping must be identified. **ADDITION**

704.3, 711.2.1: Horizontal branches are now permitted to connect at any point in a stack above or below a horizontal offset. In addition, horizontal branches are now allowed to connect to the base of stacks at a point located not less than 10 times the diameter of the drainage stack downstream from the stack. **RELAXATION**

Table 709.1: Where fixtures are provided in addition to those in a bathroom group, the footnote addressing additional drainage fixture unit values is now also applicable to those bathroom groups not located within dwelling units. **CLARIFICATION**

712.3.3: Materials acceptable for use in sump pump and ejector pipe and fittings materials are now specifically listed. **CLARIFICATION**

712.3.5: Where sump pumps connect to the drainage system, they are now permitted to connect to a building sewer, building drain, soil stack, waste stack, or horizontal branch drain. **RELAXATION**

715.1: In the determination of backwater valve protection from sewage backflow, the use of the finished floor elevation where the fixtures are installed rather than the flood level rim of the fixtures provides a new point of reference. **CLARIFICATION**

802.1.8: Sinks used for food preparation and consumption purposes are no longer permitted to connect directly to the drainage system. **ADDITION**

802.2: The thresholds at which indirect waste piping is required to be trapped have been increased and an exception has been added to address clear waste water. **ADDITION**

802.3: The list of locations where waste receptors cannot be located has been expanded to specifically include plenums, crawlspaces, attics, and interstitial spaces above ceilings and below floors. **ADDITION**

901.3, 918.8: Air admittance valves complying with reference standard ASSE 1049, "Performance Requirements for Individual and Branch-Type Air Admittance Valves for Chemical Waste Systems," are now permitted to be used for venting chemical waste systems. **RELAXATION**

903.5: The prohibited locations for vent terminals have been revised to provide consistency with the IMC. **CLARIFICATION**

915.2: The length of a combination waste and vent system is unlimited. **CLARIFICATION**

917: The single-stack vent system method, similar to the Philadelphia stack drainage system, has been added as an acceptable venting system. **RELAXATION**

1002.1: Floor drains in multi-level parking garages are no longer required to have individual traps, provided the drains are connected to a main trap before discharge to a combined sewer. **RELAXATION**

1003.1: It has been clarified that required interceptors and separators are permitted to be located downstream of the building drain. **CLARIFICATION**

1003.3.1: Grease interceptors are now permitted to be installed in series instead of requiring replacement of an existing grease interceptor that is too small. **RELAXATION**

1003.3.4: In regard to grease interceptors, the new term "hydromechanical" provides a clear distinction from gravity interceptors in order to provide clarity regarding the applicable requirements for each type of interceptor. **CLARIFICATION**

1105: Outdated code requirements have been replaced with new provisions that properly address the installation and sizing of roof drains. **RELAXATION**

1107: New requirements have been added to address the design of siphonic roof drainage systems by referencing the standard ASPE 45 for design of the system and ASME A112.6.9 for use of the roof drain. **ADDITION**

Chapter 13: Provisions addressing gray-water recycling systems have been relocated from Appendix C to a new Chapter 13 in the body of the code. **CLARIFICATION**

2015 International Mechanical Code

Summary of Changes from the 2012 IMC

Chapters 1 through 15

304.11: The exception allows for fall-arresting restraint systems to be employed instead of guards on roofs. **RELAXATION**

306.1: More than just appliances are now required to have access for inspection, service, replacement and repair. **ADDITION**

307.2.5: The code requires that condensate drains be configured or equipped to allow maintenance of the drain without the drain pipe or tubing being cut. **ADDITION**

307.3: Condensate pumps located in uninhabitable spaces and used with condensing fuel-fired appliances and cooling equipment must be connected to the appliance or equipment served by the pump to prevent water damage in the event of pump failure. **ADDITION**

401.2, 407.1, Table 403.3.1.1: Occupancies including hospitals, nursing homes, detoxification facilities and ambulatory care facilities must be ventilated in accordance with a new standard, ASHRAE 170. **ADDITION**

403.2.1, Table 403.3.1.1: The revisions to Section 403.2.1 and notes b and g of Table 403.3.1.1 clarify that recirculation of air within a space is permitted. **CLARIFICATION**

403.3: The new text introduces the basic requirements of ASHRAE 62.2 related to mechanical ventilation for Group R-2, R-3 and R-4 buildings three stories or less in height. **ADDITION**

Table 403.3.1.1: The revised note h to Table 403.3.1.1 recognizes new Section 502.20 for the design of manicure and pedicure station exhaust systems and also specifies the applicability to both. Note h addresses the relationship between the source capture system exhaust-flow rate and the exhaust-flow rate specified within the table for nail salons. **ADDITION**

404.1: For enclosed parking garages, the ventilation system must operate continuously or must be automatically controlled for intermittent operation utilizing both carbon monoxide and nitrogen dioxide detectors. The option to detect vehicle operation or occupant presence has been deleted. **ADDITION**

501.3: The adjective “public” was added to “nuisance” to make this requirement more enforceable. The new exception correlates with Section 505.1, exception 1. **CLARIFICATION**

502.20: New text specifically covers manicure and pedicure stations and states exhaust requirements in addition to those in Table 403.3.1.1. In previous editions of the code, pedicure stations were not specifically called out, as the text in Table 403.3.1.1 referred only to nail salons generically. **ADDITION**

504.5, 504.8.4.3: New text recognizes the use of dryer exhaust duct power ventilators (DEDPVs) for installations that exceed the allowable exhaust duct length for clothes dryers. **RELAXATION**

504.8.2: Instead of prohibiting all duct fasteners such as screws and rivets, the code now limits the penetration of fasteners where installed. **CLARIFICATION**

505.1, 505.4: The scope of domestic kitchen hoods coverage has been expanded to beyond dwelling units. Domestic hoods are mandated in new Section 505.4. **ADDITION**

505.3: New text regulates the design and construction of exhaust shafts that serve domestic kitchen exhaust systems in multistory buildings. **ADDITION**

506.3.7.1: A grease duct reservoir must now be the full width of the duct in all cases, and the reservoir must be provided with a drain opening. **ADDITION**

506.3.8: The cleanout spacing provisions have been added to be consistent with Section 506.3.9 for horizontal ducts. **CLARIFICATION**

506.3.11: The code specifically prohibits the installation of fire and smoke dampers in grease ducts. **CLARIFICATION**

506.5.1.2: New text addresses the enclosure requirements for in-line exhaust fans located in kitchen hood exhaust ducts, in effect treating them the same as ducts. **ADDITION**

507.1: A requirement has been added for Type I hood installations to comply with all aspects of a Type I exhaust system, whether the Type I hood is required by the code or installed by choice. **ADDITION**

507.1.1: The requirement for automatic activation of the exhaust system has been revised to provide the intended performance requirements and to clarify that an interlock arrangement is an alternative to automatic hood operation. **CLARIFICATION**

507.1.1.1: New text prohibits the use of a single sensor mounted in the common ductwork for commercial kitchen hood systems having multiple hoods manifolded together. **ADDITION**

507.2.8: The code now recognizes the use of disposable grease filters. **RELAXATION**

508.1.2: This new section requires that an air balance schedule be submitted with the design plans for commercial kitchen ventilation systems. **ADDITION**

510.4, 510.5: Text in previous editions of the code that alluded to the recirculation of hazardous exhaust has been deleted. The previous exception was too broad in application, so the entire section has been formatted to clarify the scope of the exception. Previous item 7 has been revised to prescribe the method for maintaining continuous negative pressure. **ADDITION**

510.7.1.1: A pointer to the International Building Code (IBC) provisions for hazardous exhaust duct penetrations of shafts has been added. **CLARIFICATION**

514.2: Energy recovery ventilation (ERV) systems of the coil-type heat exchanger (run-around coils) are no longer limited in their application. **RELAXATION**

601.5: The often misunderstood provisions in previous editions of the code for return air have been relocated from a section specific to forced-air/warm-air furnaces in Chapter 9 to a more generic section in Chapter 6. The provisions have been clarified and streamlined to capture the desired intent. **CLARIFICATION**

602.1: The revision clarifies that a plenum in a fire area cannot be connected to a plenum in an adjoining fire area by means of transfer ducts or openings, regardless of the presence of fire dampers. **CLARIFICATION**

602.2: Depending on the construction type of the building, plenums are no longer allowed to be bounded by the building materials that create the space being used as a plenum. **ADDITION**

602.2.1.5: The code now addresses those products that in previous editions of the code did not fall under the category of piping, wiring, ductwork, tubing, insulation and other continuous large surface area

materials installed in plenums. A definition has been added to describe what is meant by discrete products.

ADDITION

Table 603.4: The table for duct gages for dwelling units has been replaced with thicknesses consistent with the SMACNA sheet metal construction standard. **CLARIFICATION**

603.9: Duct sealant tapes used on sheet-metal ducts must be listed to UL 181B as is required for sealing tapes and mastics for flexible ducts. Snap-lock and button-lock seams are no longer exempt from the sealing requirements. **ADDITION**

701.2: Where dampers are installed on combustion air openings, the code now requires an interlock with the appliance to prevent operation of the appliance where the damper is closed. Manual dampers are prohibited on combustion air opening. **ADDITION**

802.9: To prevent damage to the vent, door or surrounding materials, doors are not permitted to swing within 12 inches of an appliance vent terminal. **ADDITION**

903.4: Gasketed (sealed) doors are prohibited on factory-built fireplaces except where the fireplaces are listed for use with such doors. **ADDITION**

1102.3: The requirement for making refrigerant access ports tamper resistant has been expanded to apply to existing systems when service to such systems involves adding or removing refrigerant. **ADDITION**

2015 International Plumbing Code

Summary of Changes from the 2012 IPC

Chapters 1 through 15

202: Alternate Onsite Nonpotable Water – This term has been added to support a revised Chapter 13 that covers how various nonpotable waters are to be collected, stored and distributed. DEFINITION

202: Backflow Preventer – This definition has been made more specific about what constitutes a backflow preventer: a backflow prevention assembly, a backflow prevention device or other means or methods. DEFINITION

202: Mechanical Joint – The definition of a mechanical joint now includes heat-fused joints. DEFINITION

202: Toilet Facility – This definition has been added to clarify that a toilet facility is a room or space that contains not less than one water closet and one lavatory. DEFINITION

202: Waste Receptor – This definition has been added to clarify what is considered a waste receptor. DEFINITION

202, 410.4: Drinking Fountain, Water Cooler and Water Dispenser – These definitions for a drinking fountain, a water dispenser and a water cooler clarify Section 410 on drinking fountain requirements. The water dispenser definition expands the group of devices and apparatus that can be used as substitutions for 50 percent of the required number of drinking fountains. DEFINITION

202: Grease Interceptor; Fats Oils and Greases Disposal System – Another type of grease interceptor, the Fats, Oils and Greases (FOG) disposal system, has been added to support the revised text in Section 1003.3.4 covering grease interceptors. DEFINITION

Table 308.5: Footnote “b” of Table 308.5 in previous editions of the code required a mid-story guide for pipe sizes 2 inches and smaller for some types of pipes. Because the code did not define what a mid-story guide was, there was uncertainty about what was necessary to be installed. The revised language provides the clarification. CLARIFICATION

403.1: The IBC occupancy classifications (A, B, M, etc.) are no longer used to determine which row in Table 403.1, Minimum Number of Required Plumbing Fixtures, to use for fixture quantities. The actual use of the building or space determines which row in the table to use. CLARIFICATION

403.3: Occupancies that have limited areas for public access, such as dry cleaners, take-out only restaurants and automated teller machine lobbies, do not require public toilet facilities for those limited areas (300 square feet or less). RELAXATION

403.4.1: The provision for directional signs to public toilet facilities now requires that the signage be located at the main entrance to the building or tenant space. ADDITION

406.1, 409.2: The 2012 IPC required that an air gap within the appliance or an external backflow preventer in the appliance connections be provided. This modification adds the standards designations with which air gaps must comply, so that the enforcement can be accomplished by the inspector identifying those standard numbers either on the machines or in the literature for the machines. Otherwise, verification would have to be by physical inspection of the machines, which might be impossible to perform. CLARIFICATION

413.1: Terminology for food waste grinders has been changed to a more industry-accepted term. For electrical safety, domestic food waste disposers must be listed and labeled to a standard. CLARIFICATION

417.4.1: Bathtub floors, shower floors and the walls above those areas need to be watertight and of a material that will be durable under wet conditions. This section has been modified to make the existing requirements more clear. CLARIFICATION

420.1: Dual-flush water closets have become popular in recent years. The code now has a standard that covers those types of water closets. ADDITION

421.1: A standard for electrical safety for whirlpool tubs has been added to the code. ADDITION

423.3: Water-temperature-limiting devices are required for footbaths (integral or not integral to pedicure chairs) and head shampoo sinks. ADDITION

424.8: The standard to which deck-mounted bath/shower transfer valves must comply has changed. CLARIFICATION

501.3: The standard covering water heater drain valves has been discontinued by the standard promulgator. Minimum criteria for drain size and the hose connection have been added to the code for these valves. CLARIFICATION

504.6: The temperature and pressure relief valve discharge pipe termination must have an air gap suitable to protect the potable water supply distribution system of the building. CLARIFICATION

504.7.2: In a replacement water heater installation situation, there might not be a nearby drain point for a required pan for the water heater. This code modification allows a pan to not have a drain line if one is not present. RELAXATION

601.5: An epoxy lining system standard has been added to the code. ADDITION

605.2.1: The code now has a more stringent limitation for lead content in pipe, pipe fittings, joints, valves, faucets and fixture fittings that convey water used for drinking and cooking. ADDITION

Tables 605.3, and 605.4, Section 605.16: A new type of CPVC pipe has been added to Chapter 6. RELAXATION

Tables 605.3, 702.2, 702.3, 702.4, 1102.4, 1102.5: References to asbestos cement pipe and applicable referenced standards have been removed from the code. CLARIFICATION

Table 605.5, Sections 605.14.3, 605.14.5, 605.18.3, 605.22.2, 605.23.3: Two standards for groove and shouldered mechanical joints and a press-connect fitting standard have been added to the code. ADDITION

605.7, Table 605.7: All types of valves that supply drinking water must now comply with NSF 61. Standards for numerous types of valves have been added to the code. ADDITION

607.2.1: Changes in the commercial portion of the International Energy Conservation Code (IECC) caused changes in this IECC-controlled section of the IPC. This section requires temperature maintenance systems (for maintaining hot water temperature near plumbing fixtures) to be automatically turned off when there is not a demand for hot water. The code change also makes it clear that the Section 607.2.1 and its subsection 607.2.1.1 do not apply to Group R2, R3, and R4 occupancies that are 3 stories or less in height above grade plane, because those occupancies are covered by the residential portion of the IECC. ADDITION

607.3: The available method to control closed-system pressure increases caused by the heating of water has been limited to the use of thermal expansion tanks only. **ADDITION**

608.8, 608.8.1, 608.8.2: Fixtures such as water closets and urinals that utilize nonpotable water must be identified with words and a symbol indicating that nonpotable water is being used. The color purple is established for identifying distribution piping conveying nonpotable water. **ADDITION**

702.5: Wastewater having a temperature greater than 140 degrees F does not need to be cooled before it enters the drainage system if the drainage system piping is rated for the higher temperature. **RELAXATION**

703.6: Building sanitary sewers and building storm sewers must be independent even though connecting to a combined sanitary/storm public sewer. **ADDITION**

705.11.2: The application of a primer to drain, waste and vent PVC pipe and fittings prior to solvent cementing is not required for 4 inch pipe size and smaller. **RELAXATION**

708: The section on cleanouts has been completely reorganized and reworded for clarity. Brass cleanout plugs are permitted for metallic piping only. Where located at a finished wall, the cleanout must be within 1 ½ inches of the finished surface. A cleanout is no longer required at the base of each waste or soil stack. **CLARIFICATION**

715.1: Retrofit of a backwater valve in accordance with the code in an existing building is nearly impossible without the new exception. **RELAXATION**

716: Vacuum drainage system provisions (as opposed to gravity drainage system provisions) have been moved from the appendix to the code. **CLARIFICATION**

717: Replacement of building sewers by the pipe-bursting method has been used for many decades and is useful especially where excavation of the existing sewer is difficult and costly because of parking lots and other items on the ground surface that would need to be removed and replaced. **ADDITION**

802.1, 802.1.1, 802.1.8: The section has been clarified to indicate that Section 802.1 and its subsections do not apply to fixtures and equipment in dwelling units. The section was modified to indicate the types of food handling equipment that Sections 802.1 through 802.1.8 cover. **RELAXATION**

802.3: The code has clarified that standpipes are waste receptors. Some limitations for where waste receptors could not be located have been removed. Hub drains now require a strainer. **ADDITION**

903.1, 903.2: This change clarifies vent terminations to outdoors where roofs are used for purposes other than weather protection and where very cold weather conditions occur. **CLARIFICATION**

1002.1: Traps are not required for parking garage floor drains where the drains are connected to a storm sewer system. **RELAXATION**

1002.4, 1002.4.1: Trap seal protection against evaporation can now be accomplished in a variety of ways. **RELAXATION**

1003.3.6: A section and standard covering gravity grease interceptors have been added to the code. **ADDITION**

1003.3.7: Grease interceptor discharge piping must connect directly to the sanitary drainage system. **ADDITION**

1003.4: Section 1003.4 has been clarified to indicate where oil separators are required. An addition to the exception concerning alarm systems has been made. CLARIFICATION

1003.6 The requirement for interceptors for clothes washer discharges has been clarified. CLARIFICATION

1003.9: Interceptors and separators must be vented. ADDITION

1105.2, 1106.2: Testing of many different sizes and configurations of roof drains from a variety of manufacturers indicated that the roof drain assembly is the limiting factor in the design of storm drain systems. Storm drainage piping must now be sized based on the published roof drain flow rate and anticipated ponding at the roof drain. ADDITION

1106.3, 1106.6: The 2012 Table 1106.2(2), which covered the vertical leader sizing requirements, has been replaced by the simplified Table 1106.3. The 2012 Table 1106.6, which covered horizontal gutter sizing requirements, has been replaced by the simplified Table 1106.6. These sizing methods correspond with American Society of Plumbing Engineers' (ASPE) sizing tables. RELAXATION

NEC 2011 Summary of Changes

Article 100

Code Wide Change: The term grounding conductor was replaced with the terms grounding *electrode conductor*, *bonding jumper*, or *bonding conductor* in several places throughout the NEC.

90.5 (C) and (D): “Fine Print Notes” are now referred to as “Information Notes”

Article 100 Definitions:

- The definition of *ampacity* was revised for the 2011 NEC.
- Definitions of automatic and nonautomatic have been revised as follows:
 - Automatic. Performing a function without the necessity of human intervention
 - Nonautomatic. Requiring human intervention to perform a function.
- The definition of bathroom has been revised to include areas with a basin and such things as a urinal.
- The definition of the term grounding conductor has been deleted from Article 100
- The definition of intersystem bonding termination was revised for simplicity and clarity
- The definition of a separately derived system was amended and simplified for clarity.
- Definitions related to services were added or revised in Article 100 to clarify when these definitions are covered under the scope of the NEC.
- The definition of system bonding jumper has been revised to include the new term supply-side bonding jumper and has been relocated to Article 100.
- New definition and accompanying informational note were added for uninterruptible power supply (UPS).

110.3 (A)(1): Information related to special conditions of equipment has been added to the informational note.

110.14: General requirements for terminating flexible, fine-stranded cables and conductors have been added to 110.14.

110.24: Nondwelling unit service equipment required to be field-marked with the amount of available fault current when installed or modified.

110.26 [A][3] Ex. No. 2: New exception was added to working space requirements to address meters that often extend into the required working space for electrical equipment.

110.26 [D]: Lighting sources for working spaces about electrical equipment cannot be controlled by automatic means only.

110.28: List of items that are required to be marked with an enclosure-type in 110.28 has been expanded. Section 110.28 has been relocated from 110.20.

110.31 [A]: Requirements for electrical equipment located in electrical vaults have been rearranged and expanded for usability.

Article 200

200.2: Various sections of the Code where a grounded conductor was not required were eliminated at 200.2.

200.4: New section will not permit a neutral conductor to be used for more than one branch circuit or feeder.

200.7 [C][1]: Reidentified switch loops can be used only for the supply to the switch but not as a return conductor from the switch to the outlet.

210.8: All GFCI devices are now required to be installed in a readily accessible location.

210.8 [A][7]: A GFCI is now required for all 125-volt, single-phase, 15- and 20-ampere receptacles installed within 1.8 m (6 ft) of the outside edge of a dwelling unit sink (not just laundry, utility or wet bar sinks).

210.8 [B][5] Ex. No. 2 to [5]: Receptacles located around sinks at a dentist's or doctor's office and clinics are no longer excepted from GFCI protection.

210.8 [B][6]: Receptacles installed at other than dwelling unit indoor wet locations now require GFCI protection.

210.8 [B][7]: Receptacles installed in locker rooms now require GFCI protection.

210.8 [B][8]: New provisions were added to require GFCI protection to all types of nondwelling unit garages where electrical diagnostic equipment, electrical hand tools, or portable lighting equipment are used, not just those garages under the scope of Article 511.

210.12 [A]: Type MC cable was added to the list of approved wiring methods permitted to protect the home run when a listed outlet branch-circuit Type AFCI device is installed at the first outlet box for AFCI protection of a branch circuit.

210.12 [A], Ex. No. 2: The allowance for nonmetallic conduit or tubing encased in not less than 50 mm (2 in.) of concrete was added to the acceptable wiring methods for AFCI protection located at the first outlet of a branch circuit.

210.12 [B]: New AFCI requirements for modifications to existing dwellings were added to 210.12.

210.52 [C] [5] and 210.52 [D]: Listed receptacle outlet assemblies are now permitted to be installed on or in kitchen and bathroom countertops to serve as the required countertop receptacles.

210.52 [E][3]: Receptacle outlet is required at all balconies, decks, and porches that are accessible from inside of a dwelling unit, regardless of the size of the balcony, deck, or porch.

210.52 [G]: At least one receptacle outlet is required to be installed in all basements, garages, or accessory buildings with electric power.

210.52 [I]: Receptacle outlet is now required in dwelling unit foyers under specific conditions.

Article 225 – Part III. Over 600 Volts: New requirements were added for branch circuits and feeder supply systems and for equipment over 600 volts.

225.18 [5]: New clearance requirements were added for overhead conductors installed over railway tracks.

225.27: A raceway seal is required at outside underground branch circuit and feeder raceways entering a building.

225.30: More than one feeder or branch circuit is not allowed to supply a building or structure, regardless of which building or structure the feeder or branch circuit originates from.

230.24 [A], Ex. No 5: A reduction of clearance for overhead service conductors above a roof of 900 mm (3 ft) is permitted where the roof area is guarded or isolated and where the voltage between conductors is reduced to 300.

230.42 [A][1] Exception: Service grounded conductor(s) can be sized and rated at 100 percent of the continuous and noncontinuous load when not connected to an overcurrent device.

230.44: Labeling requirement for cable trays containing service conductors was moved from exception to mandatory language. List of permitted wiring methods for cable trays containing service conductors was added.

240.15 [B]: Revisions were made to the requirements for circuit breakers used as overcurrent devices and for the use of identified handle ties.

240.24 [E]: The list of occupancy types where overcurrent devices are not permitted in bathrooms has expanded to dormitories.

240.87: New provisions were added to provide one of the three arc-flash energy reducing methods (or approved equivalent means) when power circuit breakers without instantaneous trip are used.

240.91: New provisions were added for limited “round up” conductor protection with overcurrent devices rated over 800 amperes in supervised industrial installations.

250.2: New definition for supply side bonding jumper was added to 250.2.

250.21 [C]: New marking requirement for ungrounded systems to indicate an ungrounded system.

250.24 [C]: Rules for routing the grounded conductor at service equipment have been revised for clarity.

250.30: Reorganization of and addition to the requirements for grounding of separately derived systems have been employed for usability and clarity.

250.30 [C]: New requirement was added for grounding of separately derived systems located outside the building or structure supplied.

250.32 [B][1], Exception: Requirements for grounding at separate building have been revised for usability and clarity.

250.52 [A][1]: The language describing what constitutes a metal underground water pipe as a grounding electrode has been refined for clarity.

250.52 [A][2]: The language describing what constitutes a metal frame of a building or structure as a grounding electrode has been refined for clarity.

250.52 [A][3]: The language describing what constitutes a concrete-encased electrode as a grounding electrode has been refined for clarity.

250.53 [A]: Rod, pipe, and plate grounding electrodes are now required to be supplemented by an additional electrode.

250.64 [B]: Clarification that grounding electrode conductors are permitted to be secured or routed through or on framing members.

250.64 [D][1]: A common grounding electrode conductor and associated tap conductors are now permitted to be connected at an approved busbar.

250.68 [C]: New section added to address connection locations for grounding electrode conductors and bonding jumpers that can be used to extend the connection to grounding electrode(s).

250.92 [B]: Bonding requirements were added for bonding around reducer washers at raceways containing service conductors.

250.102 [C]: Sizing requirements for supply-side bonding jumpers have been revised and converted into a list format.

250.121: Equipment grounding conductors cannot be used as a grounding electrode conductor.

250.122: The sizing requirement of an aluminum equipment grounding conductor for circuit conductors protected by a 4000-ampere rated overcurrent device was revised.

250.190: Requirements for grounding of equipment of systems and circuits of 1 kV and over (high voltage) have been revised and expanded. An EGC is required to be installed along with the medium voltage feeder conductors for solidly grounded systems.

280.5: Listing requirement for a surge arrestor (over 1000 volts) has been deleted.

Article 300

300.4 [E]: Boxes have been added to cables and raceways requiring a minimum of 38 mm (1 1/2 in.) spacing from corrugated sheet roof decking.

300.4 [H]: A new section (H) was added to 300.4 to cover expansion and deflection at a structural joint in a building or other structure.

300.5 [C], Ex. No. 1 & Ex. No. 2: Two new exceptions were added at 300.5 [C] to permit Type MI cable and Type MC cable to be installed under a building without being installed in a raceway.

300.5 [I], Ex. No. 1: Single conductor considerations were added to Ex. No. 1 for grouping requirements in close proximity to other single-conductor cables in the same parallel set due to inductive heating issues.

300.11 [A][2]: A new last sentence was added to 300.11 [A][2] requiring identification of independent wiring method support ceiling wires in non-fire-rated assemblies.

300.22: Section 300.22 was rewritten to simplify the requirements based on the areas of installation, and a new part (C)(2) was inserted to cover cable trays in other spaces for environmental air (plenums).

300.50 [B]: The interior of enclosures and raceways installed underground are considered wet locations, regardless of the voltage.

Article 310 Ampacity Tables: All tables located within Article 310 were renumbered in NEC – 2011.

Article 310: Article 310 was extensively reorganized for NE-2011.

310.10 [E], Ex. No. 2: Nonshielded cable may be replaced with nonshielded cable (up to 5000 volts) in existing installations in industrial establishments only and under specific conditions.

310.10 [H][1]: Generally, conductors 1 AWG and smaller shall not be run in parallel.

310.10 [H][6]: Sizing requirements for equipment bonding jumpers installed in parallel are based on 250.102, not 310.10 (H)(1).

Table 310.15 [B][2][a]: The ambient temperature correction factor table has been relocated to a new Table 310.15 (B)(2)(a).

Table 310.15 [B][3][a]: The first column heading has been changed from “Number of Current-Carrying Conductors” to “Number of Conductors” in Table 310.15 (B)(3)(a).

310.15 [B][3][c]: All types of circular raceways are subject to these temperature correction factors of 310.15 (B)(3)(c).

Table 310.15 [B][16]: Revisions were made to some of the ampacity values in Table 310.15 (B)(16) (formerly Table 310.16).

Table 310.60 [C][4]: A new temperature correction factor table for conductors rated over 2000 volts was added 310.60 (C)(4).

314.27 [A]: Revisions were made to the requirements for boxes at luminaires and lampholders for clarity.

314.27 [C]: Ceiling-mounted outlet boxes in single or multi-family dwellings with “spare” switch-leg conductors installed require a ceiling box listed for sole support of a ceiling fan.

314.28 [E]: New provisions were added to permit and provide guidelines for the installation of power distribution blocks in pull and junction boxes.

320.2: The definition of Type AC cable has been revised.

328.14: Type MV cable is now required to be installed, terminated and tested by qualified persons.

334.10 [1]: Type NM cable can now be used in attached or detached garages and in one- and two-family dwelling storage buildings without concealment behind a finished 15-minute rating thermal barrier.

338.10 [B] [4][a]: Type SE cable is subject to Part II of Article 334, excluding 334.80 (allowable ampacity).

342.30: Short raceways [450 mm (18 in.) to 900 mm (36 in.)] no longer require additional support.

342.46: A bushing is required at IMC conduit in boxes, and so forth, for abrasion protection of conductors, unless the box, fitting, or enclosure is designed to provide this protection.

348.30 [A], Ex. No. 2: New language was added to make it clear that the lengths stated in 350.30 (A) Ex. No. 2: (1)-(3) are applicable only to the unfastened portion of the FMC requiring flexibility after installation.

348.42: Angle connectors for flexible metal conduit cannot be installed where the angle connector itself will be concealed.

352.10 [G]: The terms *homogenous* and *nonhomogenous* were removed from 352.10 (G).

353.10 [6]: A new item (6) for “Uses Permitted” for HDPE conduit was added for temperature rating of conductors used with HDPE.

368.10 (B): Busways are permitted to be installed behind access panels.

380.23: A new section was added to Article 380 to address field-assembled multioutlet assemblies and the installations of insulated conductors on cables.

Article 392: Article 392, Cable Trays, was reorganized to be similar to the other Chapter 3 wiring method articles.

392.18 (H): A new warning label is now required for cable trays that contain conductors rated over 600 volts.

Article 399: A new article has been added to cover installations of outdoor, overhead conductors rated over 600 volts.

400.5 (A): Flexible cords and cables used in ambient temperatures below 30degrees C (86 degrees F) now require ambient temperature adjustment correction factors.

400.31 (B): Previous 400.31 (B) for shielded cables has been deleted, as there are no cords or cables in Article 400 that are rated for use above 2000 volts.

404.2 (C): A grounded conductor is now required at most switch locations.

404.9 (B) Exceptions to (B): New exceptions were added to mandatory provisions for grounding of switches with nonmetallic yokes and faceplates, when listed as an assembly.

406.4 (D)(4): AFCI protection is now required for replacement receptacles that require AFCI protection elsewhere in the Code.

406.4 (D)(5): Listed tamper resistant receptacles are now required for replacement receptacles that require tamper resistant receptacles elsewhere in the Code.

406.4 (D)(6): Listed weather resistant receptacles are now required for replacement receptacles that require weather resistant receptacles elsewhere in the Code.

406.9 (B)(1): In use covers for non dwelling unit receptacles installed in wet locations on an enclosure supported from grade will now require hood covers of the "extra duty" type.

406.12: An exception was added to 406.12 to eliminate receptacles specified in 210.52 that are located more than 1.7 m (5 ½ ft) above the floor (and in three other areas) from tamper resistant receptacle requirements.

406.13: Tamper resistant receptacle requirements have been added for guest rooms or guest suites in hotels, motels.

406.14: Tamper resistant receptacle requirements have been added for child care facilities.

408.3 (F): Switchboards and panelboards containing ungrounded systems require identification and field marking.

408.4 (B): Switchboards and panelboards supplied by a feeder (other than one or two family dwellings) are to be marked to indicate where their supply source is located.

409.102 (B): For existing industrial control panels, other busbar arrangements (other than left to right, top to bottom, and so forth) are permitted as long as the busbar phases are permanently marked.

409.104(A): Other equipment (other than switches or overcurrent devices) is permitted to be installed in industrial control panels with adequate wire bending space provided.

409.110(3): Industrial control panels will now be required to be marked if supplied with multiple power supplies.

410.16(A): Revisions were added to clearly permit surface mounted LED luminaires in clothes closets.

410.64: References to rules for luminaires used as raceways have been incorporated into one section of the Code.

410.130 (G)(1): Disconnecting means is required to be added to existing fluorescent luminaires when the ballast is replaced.

422.15 (C): Small metal parts such as screws and rivets of central vacuum outlet assembly are considered items not likely to become energized and do not require connecting to an equipment grounding conductor.

422.30: "Simultaneously" was added to the disconnecting means requirements for appliance.

422.31: Disconnecting means requirements when an appliance contains a motor over 1/8 hp have been revised and clarified.

424.19 (A)(2): Disconnecting means for fixed electric space heating equipment with supplementary overcurrent protection where the heater does contain motor(s) rated over 1/8 horsepower generally are required to comply with Part IX of Article 430.

424.28 (A): Fixed electric space heating equipment is required to be marked for both ac and dc current when the equipment is dual rated for both ac and dc current.

424.39: Electric space heating cables are not to be covered by the unit equipment.

424.44 (G): GFCI protection is now required for cables installed in electrically heated floors of kitchens as well as in bathrooms and in hydromassage bathtub locations.

426.2 Impedance Heating System and 426.31: "Dual-winding" has been changed at both locations to "isolation" transformers, since many transformers have more than two windings.

426.28: The elimination of ground-fault protection of fixed outdoor electric deicing and snow-melting equipment for mineral-insulated, metal-sheathed cable has been deleted.

430.22: Revisions were incorporated to provide clarification as to the application of the 125 percent factor and when to apply it for sizing conductors for a single motor.

430.22 (G): Provisions were added to allow 18 AWG and 16 AWG conductors under specific conditions for small motors.

430.24: The method of calculating motor-circuit conductors for several motors, or motors and other loads, was revised into a list format.

430.52 (C)(7): A new informational note has been added to clarify that a motor short circuit protector is a fusible device.

430.53: Inverse time circuit breakers and fuses are the only permitted means for providing group motor branch-circuit short-circuit and ground-fault protection.

430.53 (C)(1) and (C)(2): Overload device and the motor controller for a group of motors are not required to be listed for group installation, if sized not to exceed the value permitted by 430.52 for a single motor.

430.43 (D)(3): The branch circuit protective devices are now permitted to provide short circuit and ground fault protection for group motor installations and are not required to be identified for group installations.

430.63: "Lighting loads" was replaced with "other loads" to indicate the rating of motor feeder short circuit and ground fault protection, for a motor load applies to more than lighting loads.

430.225 (B)(1): Engineering supervision is required to determine the sizing of overload and short circuit protective devices for motors over 600 volts.

445.19: A revision to this section clarifies the application of tap conductors where multiple enclosures are supplied from a generator.

450.14: New disconnecting means requirements were added for transformers (other than Class 2 or Class 3). 480.2: A new definition for *battery system* and a revision for *nominal battery voltage* occurred at 480.2.

500.2: A new definition for combustible dust has been added at 500.2.

501.30 (B): Equipment bonding jumper is required for flexible metal conduit and liquidtight flexible metal conduit when used in Class I, Divisions 1 and 2 locations.

501.140 (B)(5): Revisions were made to 501.140 (B)(5) to clarify the difference in requirements for cord connectors and attachment plugs between a Class I, Division 1 and a Class I, Division 2 location.

502.130(A)(3): Pendant luminaires in Class II, Division 1 classified areas are permitted to employ flexible cord listed for hard usage as a wiring method when terminated with a listed cord connector that maintains the dust tight ignitionproof protection.

503.10(A)(3): For flexible connection purposes, interlocked armor Type MC cable with listed dusttight termination fittings is now a permitted wiring method for Class III, Division 1 locations.

505.15(B)(1): Revisions have been incorporated into 505.15(B)(1) pertaining to the termination and listed fittings of specific wiring methods in Class I, Zone 1 classified locations.

Table 514.3(B)(1): Revisions to Table 514.3(B)(1) have been implemented to coordinate with Table 8.3.1 of NFPA 30A, *Code for Motor Fuel Dispensing Facilities and Repair Garages*.

514.8, Ex. No. 2: Revisions to the term rigid nonmetallic conduit wiring methods make the Type PVC and Type RTRC conduit terminology consistent with other sections and articles throughout the NEC.

514.11(A): All circuits (including associated power, communication, data, and video circuits) associated with motor fuel dispensing facilities require a means to simultaneously disconnect from the source of supply in the event of an emergency.

517.13(B): Section 517.13(B) was rearranged for clarity and usability, along with clarification of whether the metal box containing receptacles or fixed electrical equipment is required to be directly connected to the insulated copper equipment grounding conductor that is required for grounding at patient care areas.

517.16: The installation of isolated grounding type receptacles in patient care areas of health care facilities is now prohibited.

517.17(B): Revisions and deletion of text were incorporated into GFPE requirements for health care facility feeders as to where the additional levels of GFPE could be installed.

517.18(A): Branch circuits serving patient bed locations of general care and critical care areas are prohibited from being part of a multiwire branch circuit.

517.18(B): A quadruplex configuration of receptacles has been added to the acceptable configuration of receptacles required at patient bed locations of health care facilities.

517.63(A): Battery powered lighting units in anesthetizing locations are permitted to be connected to the critical lighting circuits; and the word "emergency" and the reference to 700.12(F) were eliminated.

517.160(A)(5): At least one distinctive colored stripe (other than white, green, or gray) run along the entire length of the brown, orange, and yellow conductors is required for identification of isolated power circuit conductors.

518.3(B): Except for the GFCI requirements for temporary wiring, all GFCI requirements of the Code apply to temporary display booths at assembly occupancies. This wiring method must meet the GFCI requirement of portable installations.

520.44: Provisions for drop boxes and connector strips have been added to 520.44, along with provisions for re-identifying equipment grounding conductors and grounded conductors of multiconductor extra-hard-usage-type cords and cables in theaters, television studios, and similar areas.

525.5(B)(2): Overhead conductors operating in excess of 600 volts at carnivals, circuses, fairs, and similar events are required to be located a minimum of 4.5m (15 ft) vertically and horizontally away from portable structures.

547.5(G): The omission of GFCI protection for an accessible receptacle supplying a dedicated load where a GFCI protected receptacle was located within 900 mm (3 ft) of a non-GFCI protected receptacle at agricultural buildings has been deleted.

547.9(D): Where an agricultural site is supplied by more than one distribution point, a permanent plaque or directory is required to be installed at each distribution point, regardless of the distance between distribution points.

547.10(B): The bonding conductor for the equipotential bonding plane at agricultural buildings is required to be a solid copper, insulated, covered or bare conductor, not smaller than 8 AWC.

550.13(B): All 125 volt, single phase, 15- and 20-ampere receptacle outlets installed outdoors, in bathrooms, at kitchen countertops, and receptacle outlets located within 1.8 m (6 ft) of a wet bar sink in mobile and manufactured homes are required to be GFCI protected with only the exceptions in 210.8(A) permitted to this rule.

550.15(H): Wiring methods to manufactured and mobile homes have been revised and RTRC has been added as a permitted wiring method under certain conditions.

550.25: AFCI requirements for mobile and manufactured homes have been expanded to include areas such as living rooms, dens, and recreations areas.

551.30(B): Automatic transfer switches listed for emergency systems or optional standby systems are required for generators installed on recreational vehicles.

552.59(A): Outdoor park trailer receptacles and switches must have damp or wet location covers and enclosures in accordance with 406.9 and 404.4.

555.3: GFCI protection on the main overcurrent protective device servicing a marina or boatyard is required, or individual GFCI protection on each branch circuit or feeder is required.

Table 555.12: Table 555.12 has been revised to clearly indicate that the receptacles addressed by the table are shore power receptacles only.

555.13(B)(4)(b): A listed marine power outlet employing terminal blocks/bars is permitted in lieu of a required junction box for portable power cables used for a wiring method at a marina or boatyard.

590.4(B): In use covers for receptacles installed in wet locations on an enclosure supported from grade will now require hood covers of the extra duty type.

590.6(A) & (B): Section 590.6 has been revised into a more user friendly format and will require receptacles on generators (15 kW or smaller) to have integral GFCI protection. The revision will also require in use covers and weather resistant type receptacles in damp and wet locations at construction sites.

600.4: Visibility and durability requirements for marking requirements on electric signs and outline lighting systems have been added.

600.5(B): The branch circuit rating of all types of signs and outline lighting systems (other than neon) is limited to 20 amperes. All signs should be considered a continuous load.

600.7(B)91) Exception: New exception eliminates the requirements for bonding of remote sections of a sign supplied by a Class 2 power source.

600.30 and Part II of Article 600: Skeleton neon tubing, outline lighting, and their secondary wiring are covered by Part II of Article 600.

600.33: New provisions governing the wiring method and materials for light emitting diode (LED) type sign systems have been added to Article 600.

604.6(A)(2) EX. No. 3 to (2): Per a new exception, listed manufactured wiring systems containing unlisted flexible metal conduit of non-circular cross section are permitted as a type of acceptable conduit for manufactured wiring systems.

620.53: A new exception has been added to permit the disconnecting means for an elevator to be in accordance with 430.109(C) where the circuit employs a stationary motor of 2 hp or less.

625.2: The definition of an electric vehicle has been revised to include a plug-in hybrid electric vehicle (PHEV).

625.2: A new definition has been added to Article 625 for plug-in hybrid electric vehicle (PHEV).

625.2: A new definition has been added to Article 625 for rechargeable energy storage system.

626.24(B)(1) Revised language permits the use of conventional GFCI duplex receptacles for GFCI protection of electrified truck parking spaces.

645.2: A new definition for information technology equipment room and an informational note have been added to Article 645.

645.2: A new definition for information technology equipment and a new informational note have been added to Article 645.

645.4: Revisions to 645.4 were made to help clarify that Article 645 is an optional article, and a new item (6) was added to prohibit the installation of equipment and wiring not associated with an ITE room for the purposes of utilizing Article 645 as a design option.

645.10: Disconnecting means requirements for IT equipment rooms have been revised, and they permit the single disconnecting means actuator to be located at an approved alternative location.

645.17: The 42 overcurrent device limitation was removed from 645.17, leaving the quantity of overcurrent devices in a PDU panelboard to the design and listing of the panelboard itself.

645.25: A new section has been added to allow alternate feeder and service load calculations under engineering supervision for IT equipment.

647.7(4) Exception: Conventionally configured receptacles are permitted in machine rooms, control rooms, equipment rooms, equipment racks, and similar locations that are restricted to use by qualified personnel in areas supplied by special separately derived systems for sensitive electronic equipment.

670.5: A new section requires industrial machinery to be installed only where the available fault current does not exceed its marked short-circuit current rating.

680.2: Dry-niche luminaire is permitted to be installed in the floor or wall of a pool, spa, or fountain.

680.2: A new definition has been added to define a low voltage contact limit for low voltage luminaires around pools, fountains and spas.

Table 680.3: A reference for site lighting systems operating at 30 volts or less per 411.4(B) was added to Table 680.3 for clarity and usability.

Table 680.10: Nonmetallic raceways listed for direct burial located under 100 mm (4 in.) of concrete was added to Table 680.10, allowing a minimum burial depth of 150 mm (6 in.).

680.21(A)(5): Flexible cords for cord-and-plug connected pool pump motors for a permanently installed pool must contain a copper equipment grounding conductor not smaller than 12 AWG.

680.21(C): GFCI requirements for permanently installed pool pump motors were relocated and the voltage ratings requiring GFCI protection for these motors was revised to include all voltages from 120 volt through 240 volt.

680.23(A)(3): This revision eliminates GFCI requirements for listed low voltage luminaires that meet the new definition of low voltage contact limit, which replaces the current voltage limit for GFCI protection of over 15 volts.

680.25(B)(1): Pool equipment feeder equipment grounding conductors for a feeder from separately derived systems is to be sized per 250.30(A)(8) but not smaller than 8 AWG.

680.26(B)(1)(b)(1) and 680.26(B)(1)(b)(2): The copper conductor grid (if employed) is required to be bonded at all points of crossing in accordance with 250.8 or other approved means, and it must conform to the contour of the pool, not the pool deck.

680.26(B)(2): A wall or building 1.5m (5 ft) in height or more located less than 1 m (3 ft) from a pool requires equipotential bonding only on the pool side of the permanent wall or building.

680.26(B)(7): All fixed metal parts located within 1.5 m (5 ft) horizontally and 3.7 m (12 ft) vertically of a permanently installed pool must be bonded to the equipotential bonding grid.

680.32: GFCI protection is required for all 125-volt, 15- and 20-ampere receptacles located within 6.0 m (20 ft) of the inside walls of a storable pool.

680.42(A)(1): Liquidtight flexible metal conduit or liquidtight flexible nonmetallic conduit is permitted in lengths up to 1.8 m (6 ft) external to the spa or hot tub enclosure and an additional length under the skirt of a spa or hot tub.

680.43, Ex. No. 2: A new exception to 680.43 eliminates equipotential bonding requirements for listed self-contained spa or hot tub installed indoors above the finished floor.

680.62(B), Exception: Small conductive surfaces of therapeutic rubs not likely to become energized are not required to be bonded.

680.73: A receptacle for a cord- and plug-connected hydromassage bathtub located under the tub and accessible only through an access opening must be installed so that the receptacle face is within direct view from the access opening and is located not more than 300 mm (1 ft) from the opening.

680.74: An 8 AWG or larger solid copper bonding jumper long enough to terminate on a replacement non-double insulated pump motor is required when a double insulated pump motor is employed at a hydromassage bathtub. The bonding jumper is to terminate to the equipment grounding conductor of the branch circuit of the motor.

682.14: Revision provides clarity to the requirements for submersible or floating equipment power connection (s).

682.31: The phrase "or other distribution equipment" was introduced to recognize other types of equipment that a feeder can supply as well as a panelboard.

690.4(S): More than one photovoltaic (PV) system can serve a building or structure as well as other sources of electrical supply.

690.4(B): New separation and marking requirements for photovoltaic (PV) circuits installed in a building or structure were added.

690.4(E): Only qualified persons will be allowed to perform the described work on photovoltaic (PV) systems.

690.4(F): New requirements for visibility, and roof marking requirements on certain photovoltaic (PV) circuits were added.

690.4(H): New recognition for the need for more than one utility interactive inverter on a building or structure.

690.10(E): Plug-in-type overcurrent protection devices for PV systems that are backfed and used to terminate field-installed ungrounded supply conductors are required to be secured in place by an “additional fastener” that requires other than a pull to release the device from the mounting means on the panel.

690.11: New requirement was added to Article 690 for PV system arc-fault circuit interrupter protection.

690.43: The equipment grounding requirements for PV systems have also been rearranged and revised for clarity and usability.

690.47(C): Grounding electrode system requirements for PV systems with both ac and dc grounding electrode systems have been revised. If both ac and dc systems are installed, they must be bonded together for utilization of a common electrode system.

Article 694: A new article was added to cover the requirements for small wind electric systems.

695.3: A revised arrangement of 695.3 provides a more logical approach to the power sources for fire pumps, while providing correlation between Article 695 and NFPA 20.

695.4: Section 695.4 was revised to make it more usable and to remove the perceived conflicts. Titles have been provided to better direct the user of the Code to the specific rule that applies to the specific installation of fire pumps.

695.6: Section 695.6 has been revised, and text from NFPA 20 has been incorporated into the section for usability and clarity.

700.2: A new definition and new requirements for automatic load control relays were added to article 700.

700.10(D)(1): The revision increases the fire rating time from 1 hour to 2 hours for emergency system wiring.

700.12 (F), Ex. No. 2: Emergency lighting for the exterior of an exit door is permitted to be supplied by the unit equipment serving the area immediately inside the exit door.

700.27: Selective coordination of emergency systems is not required when no additional loads are affected by the opening of the second upstream device.

701.6(D): Ground fault indication for legally required standby systems is now required by 701.6(D) and 701.17.

708.10(A)(2) Exception: COPS supplied receptacles are not required to have marking and identification if the COPS system supplies power to a designated critical operations area (DCOA) that is a stand-alone-building.

708.14: Revisions were added to clarify which HVAC, fire alarm, security, emergency communications, and signaling systems cable types at critical operations power system (COPS) facilities require shielded twisted pairs, and which require riser ratings.

725.3(I): A new part (I) was added to 725.3 to give requirements for vertical support of circuit integrity cables and similarly rated conductors.

760.3: References to Article 300 provisions applying to fire alarm circuits were expanded at 760.3.

760.41: Power source for fire alarm circuits was revised to address new marking and identification requirements and the dedicated branch circuit requirements for the fire alarm equipment.

770.2: A new definition for cable routing assembly and the application and installation rules for cable routing assemblies have been introduced in Articles 770, 800, and 820 for the 2011 NEC.

770.100(B)(1): A reference to Section 250.94 and a new informational note have been incorporated into sections in Chapters 7 and 8 that pertain to intersystem bonding terminations.

800.2: A new definition for communication raceway was added to Article 800.

800.100(A)(1): The bonding conductor or the grounding electrode conductor for communication circuits can be insulated, covered, or bare.

800.154 and Table 800.154(a): Application rules for listed communications wires and cables and for communications raceways are covered at 800.154 and the new Table 800.154(A), while installation rules are covered at new 800.113.

Article 810 –Part III 810.51 through 810.58: Provisions for antenna systems for citizen band transmitting and receiving stations were added to Part III of Article 810.

820.100, Exception: A new exception was added at 820.100 which will allow coaxial cable shield to be grounded by a connection to an equipment grounding conductor.

830.44(f): Aerial spans between buildings and “structures” for network powered broadband communications cables are required to have sufficient strength to withstand the loads to which they may be subjected. Aerial cable and the supports or attachment fixtures re required to be “identified as suitable for outdoor aerial applications.”

Article 840: A new Article 840 was added to address premises-powered broadband communication systems.

Chapter 9 – Notes to Tables, Note (5): Optical fiber cables were added to note (5) of Chapter 9, Notes to Tables, for conductor fill requirements.

NEC 2014 Summary of Changes

Article 100

Code Wide: New articles for the 2014 NEC include Article 393 – Low Voltage Suspended Deiling Power Distribution Systems, Article 646-Modular Data Centers, Article 728 – Fire Resisteive Cable Systems, and Article 750 – Energy Management Systems.

Code Wide: Code wide changes include: Field Applied Hazard Markings, Lockable Disconnecting Means in Article 110, Requirements for dc Systems Integrated throughout the NEC, Use of the Term Switchgear Incorporated throughout the NEC, and Definitions Relocated to Article 100.

Code Wide: Numerous changes were made throughout the NEC from the 600 volts threshold to 1000 volts.

90.1(A): Previous “Intention” of the Code was deleted and incorporated into “Purpose” of the Code.

90.8(B): The words “in one circuit” in the last sentence has been deleted.

Article 100: Definitions of adjustable speed drive and adjustable speed drive system were relocated from 430.2 to Article 100 and revised for clarity.

Article 100: Revision and relocation of the definitions of motor control circuit and control circuit.

Article 100: Definition of selective coordination was revised to improve clarity and readability.

Article 100: Definition of device was revised to indicate that a device is not a conductor.

Article 100: The definition for effective ground-fault current path was revised and relocated from 250.2 to Article 100.

Article 100: Only intersystem bonding conductors are permitted to terminate on the intersystem bonding termination.

Article 100: New Informational Note was added to the existing definition to provide examples of premises wiring systems.

Article 100: The definition of raceway was revised by removing the laundry list of raceways listed in the previous definition.

Article 100: Revised definition to prohibit “the use of tools” when equipment is required to be readily accessible.

Article 100: A new definition for the term retrofit kit was added to Article 100.

Article 100: The definition of separately derived system was revised to clarify that the required grounding and bonding may create a connection between systems and that separately derived systems are not services.

Article 100: The definition of substation was relocated from 225.2 to Article 100 and revised for clarity.

Article 100: The definition of metal-enclosed power switchgear was revised to switchgear.

110.16: Revision to Arc-Flash Hazard Warning ads the words “or factory” to the rule to clarify that the required arc-flash warning label could be applied in the field or at the factory by a manufacturer.

110.21(B): New subsection for Field-Applied Hazard Markings was added for specific requirements for warning labels and similar markings required elsewhere in the Code.

110.24(A)IN: New Informational Note was added to clarify that the available fault current markings are for equipment rating purposes and not for arc-flash hazard analysis as required by NFPA 70E.

110.25: New 110.25 was added in Article 110 to provide consistent requirements at one location for lockable disconnecting means rules.

110.26(C)(3): The ampere value related to provisions for “Personnel doors” for “Entrance to and Egress from Working Space” was lowered to 800 amperes from 1200 amperes. The term listed panic hardware replaces the previous list of specific hardware provided at this requirement.

110.26(E)(2)(a) & (b): Dedicated equipment space is now required for both outdoor installations and for indoor installations.

110.27(A)(4): Revision for “Guarding of Live Parts” increases the elevation of live parts against accidental contact to 2.6 m (8 ½ ft) when voltages range from 301 to 600 volts.

200.4(B): New provisions require grouping the common neutral conductor for multiple circuits with its associated ungrounded conductors when contained in the same enclosure.

200.6(A)(3): Revision permits three continuous white “or gray” stripes along the grounded conductor’s entire length on other than green insulation for identification of sizes 6 AWG or smaller.

210.5(C)(2): New branch circuit identification requirements were added for dc systems. Sizes 6 AWG and smaller will be identified by red for positive dc conductors and by black for negative dc conductors.

210.8(A)(7): GFCI protection is required within 1.8 m (6 ft) of all dwelling unit sinks (including kitchen sinks).

210.8(A)(9): GFCI protection is now required where receptacles are installed within 1.8 m (6 ft) of the outside edge of dwelling unit bathtubs or shower stalls.

210.8(A)(10): All dwelling unit laundry areas now require GFCI protection for 125-volt, single phase, 15- and 20-ampere receptacles, regardless of the presence of a sink or the distance from the same.

210.8(B)(8): GFCI protection is required for all 125 volt, single phase, 15- and 20-ampere receptacles installed in all non-dwelling unit garages, service bays, and similar areas (other than vehicle exhibition halls and showrooms).

210.8(D): GFCI protection is now required for all outlets that supply dishwashers installed in dwelling units.

210.12: New provision requires all AFCI devices mandated by 210.12 to be installed in a readily accessible location.

210.12(A): Kitchens and laundry areas were added to the list of areas requiring AFCI protection. AFCI protection was also expanded from outlets only to outlets or devices, which would now include switches, etc.

210.12(A)(1) thru (A)(6): AFCI protection methods were expanded and language was put into a list format. Provisions for outlet branch circuit (OBC) AFCI devices were expanded.

210.12(B) Exception: Existing branch circuit conductors can be extended up to 1.8 m (6 ft) without AFCI protection where no additional outlets or devices are installed for when modified or extended.

210.12(C): Dormitory units will now require AFCI protection.

210.13: GFP of equipment is now required for branch-circuit disconnects meeting provisions described at 230.95.

210.17: Outlet(s) installed for the purpose of charging electric vehicles are required to be supplied by a separate branch circuit with no other outlets.

210.52(E)(1) & (E)(2): The requirements for outdoor receptacles at dwellings have been revised to permit the required receptacle outlets to be “readily accessible from grade.”

210.52(E)(3): The requirement for a receptacle located at “Balconies, Decks, and Porches” has been revised to require the balcony, deck, or porch to be attached to the dwelling, and to eliminate the requirements for the outdoor receptacle outlet to be installed “within the perimeter of the balcony, deck or porch”.

210.52(C): Receptacle provisions for basements, garages, and accessory buildings were revised into a list format. A branch circuit supplying garage receptacle(s) is to supply only the garage. Receptacles are required for each car space in a garage.

210.64: New provision requires 125-volt, single phase, 15- or 20-ampere receptacle outlet to be installed at electrical service areas.

Table 220.3: A new line item was added to Table 220.3 for “Electric Vehicle Charging Equipment” and a reference to 625.14.

221.12 Exception: New exception to “Lighting Loads for Specified Occupancies” will permit lighting loads to be calculated in accordance with locally adopted energy codes.

225.52(A): Revision correlates location and operating requirements for outside branch circuit and feeder disconnecting means operating at over 1000 volts with that of service disconnecting means.

230.30: Section 230.30 was divided into two sub-sections (A) Insulation and (B) Wiring Methods, and a list of acceptable wiring methods for underground service conductors was added.

230.44: Cable trays containing service entrance conductors are required to include warning labels, spaced at intervals not to exceed 3.0 m (10 ft).

230.82(3): For “Equipment Connected to the Supply Side of Service Disconnect,” provisions for a meter disconnect switch were revised by adding a label requirement to indicate “METER DISCONNECT NOT SERVICE EQUIPMENT.”

240.21(B)(1): Tap conductor ampacity for feeder taps not over 3 m (10 ft) long is to be not less than the rating of the equipment containing an overcurrent device(s).

240.87: Title was changed to “Arc Energy Reduction” and the section was revised for usability and formatted into subdivisions.

250.8(A): The permitted methods for connecting equipment grounding conductors, bonding jumpers, etc. to such things as enclosures were expanded to one “or more” of the methods described at 250.8(A).

250.21(C): Ungrounded systems are to be legibly marked “Caution Ungrounded System Operating -- _____ Volts Between Conductors”.

250.24(A)(1): References to overhead service conductors and underground service conductors have been added to sections where needed in Article 250.

250.64(B): New provisions were added to clarify that grounding electrode conductors and grounding electrode bonding jumpers are not required to comply with 300.5 for underground installations.

250.64(D)(1): “Common Grounding Electrode Conductor and Taps” was revised to address busbar specifications and where buildings or structures are supplied by a feeder or a service.

250.64(E): Requirements for raceways and enclosures for grounding electrode conductors are broken into four (4) list items for clarity.

250.66(A) and (B): Clarification to the term sole connection makes it clear that this sole connection is related to the grounding electrode conductor itself and not to the number of specified electrode(s) involved.

250.68(C)(2): Provisions for metal structure steel used as a conductor to interconnect electrodes have been revised. The title of 250.68(C) has been changed to “Grounding Electrode Connections.

250.68(C)(3): An extension from a concrete encased electrode has been recognized for connection of grounding electrode conductors. The title of 250.68(C) has been changed to “Grounding Electrode Connections.”

Table 250.102(C): New Table 250.102(C) was added to be used for sizing grounded conductors, main bonding jumpers, system bonding jumpers, and supply side bonding jumpers, rather than Table 250.66.

250.122(B): Wire-type equipment grounding conductors are required to be increased in size when the minimum sized ungrounded conductors are increased in size.

250.130(C)(4): Connection to an equipment grounding conductor that is part of another branch circuit that originates from the enclosure where the branch circuit for the receptacle or branch circuit originates is permitted for replacement of non-grounding-type receptacles and for branch-circuit extensions.

250.166: A maximum size requirement for grounding electrode conductor of dc systems was added.

250.167: New section requiring ground fault detection on dc systems was added to “Direct-Current Ground Fault Detection.

250.186: New section for “Ground Fault Circuit Conductor Brought to Service Equipment” was added to require services over 1000 volts to have a grounded conductor to be brought to the service for a grounded system. Ungrounded systems (over 1000 volts) will require a supply side bonding jumper brought to the service.

250.194: New section was added for bonding and grounding metal fences and other metal structures around substations.

285.13: Type 4 component assemblies and Type 5 SPDs are incomplete devices that are only acceptable when provided as part of listed equipment.

Article 300, and 300.1(A): Title to Article 300 has been revised. Similar revision to 300.1, Scope, was made to better reflect what is covered by Chapter 3 and Article 300.

300.6(A)IN: A new Informational Note was added indicating what constitutes “field cut threads”.

300.11(B)(1): Raceways can be used as a means of support where the raceway is identified “as a means of support.”

300.22(C)(1): Cable ties used to secure cables in plenums must be listed as having fire resistant and low smoke producing characteristics.

300.38: Interior of raceways installed in wet locations above grade are now considered go be a wet location for installations of over 1000 volts, nominal.

310.10(H)(2): Parallel conductor installations were expanded to include grouping requirements for induction purposes.

310.15(B)(3)(a) and Table 310.15(B)(3)(a): Titles of 310.15(B)(3)(a) and corresponding tale were changed to “More Than Three Current Carrying Conductors”. Note to Table 310.15(B)(3)(a) was revised to make it clear that the table applies to spare conductors but does not apply to conductors that cannot be simultaneously energized.

310.15(B)(3)(c) EX and Table 310.15(B)(3)(c): Title was revised for clarity and a new exception was added to permit the use of Type XHHW-2 conductors in raceways or cables on rooftops without having to apply an ambient temperature adjustment correction factor.

310.15(B)(7): This revision deletes Table 310.15(B)(7) and replaces it with a provision allowing an 83% revision in ampacity for dwelling service and feeder conductors.

314.15: All outlet box hood covers are required to be listed for use in a wet location, not just extra duty outlet box hood covers installed in wet locations.

314.15: New provision was added to permit field-installed drainage openings in boxes or conduit bodies in accordance with the manufacturer’s instructions.

314.23(B): Enclosures can be supported from any structural member, not just from a structural member of a building.

314.25: Drywall screws are not permitted to be used to attach box covers or other equipment fastened to a box. Cover and canopy screws need to be suitable for this purpose.

314.27(A)(1): Requirements of 314.27(A)(1) apply to outlet boxes used to support luminaires and lampholders mounted on vertical surfaces (not just on walls).

314.27(A)(2): Outlet boxes used to support ceiling mounted luminaires that weigh more than 23 kg (50 lb) are now required to be marked, on the interior of the box, with the maximum weight the box will support.

324.41: Carpet squares that cover flat conductor cable (Type ECC) are required to be no larger than 1.0 m (39.37 in.) square.

330.30(B): Type MC cable is permitted to be secured in intervals not exceeding 3 m (10 ft) for vertical installations when listed and identified for such use.

330.30(D)(3): Type MC cable now is permitted to be installed unsupported in lengths not exceeding 900 mm (3 ft) where necessary for vibration reasons or flexibility.

334.40(B): Nonmetallic-sheathed cable interconnectors have been recognized to be used without a box and concealed where used for “repair wiring” rather than “rewiring” in existing buildings.

344.2 and 344.100: Definition of rigid metal conduit was revised by removing the last two existing sentences and relocating this permitted construction material text to a new 344.100, Construction.

348.30(A) Ex. No. 4: Revision to Exception No. 4 for “Securely Fastened” clarifies that listed flexible metal conduit fittings are permitted as a support means for the purpose of applying this exception.

350.42: Only fittings listed for use with LFMC shall be used with LFMC. Straight LFMC fittings are permitted for direct burial where marked.

356.12: Deletion of previous 356.12(4) will no longer limit LFNC to 600 volts and below applications.

Article 370: Article 370, Cablebus, was reorganized to more closely follow the Chapter 3 parallel numbering system format.

376.22(B): Ampacity adjustment factors for more than three current-carrying conductors in a raceway shall only apply to metal wireways where the number of current-carrying conductors exceeds 30 at any cross section of the wireway.

376.56(B)(1) and (B)(5): Power distribution blocks installed in wireways ahead of the service main (line side) must be listed for the purpose. Also, conductors in wireways are required to be arranged so that power distribution block terminals are unobstructed after their installation.

386.120: Surface metal raceways are now required to have each length identified and marked according to 110.21(A) (manufacturer’s marking requirements).

Table 392.10(A): Table 392.10(A) was revised to reflect and clarify the permitted wiring methods that can be used in cable trays.

392.18(H) and Exception: The marking requirement for cable trays containing conductors rated over 600 volts has been relaxed for industrial establishments with maintenance, supervision, and qualified persons servicing the installation.

392.20(A) and (B): Cables installed in cable trays will be based upon the operating voltage and not the cable rating.

Article 393: A new article was added to address low voltage Class 2 equipment connected to ceiling grids and walls constructed for this purpose.

399.2: The definition of outdoor overhead conductors was revised to include the words “in free air” to ensure that the definition clearly indicated that wiring installed under the scope of Article 399 was not installed in raceways, etc.

400.4: The use of flexible cords and flexible cables not described in Table 400.4 requires the permission of the AHJ.

400.5(A): Temperature correction factors apply to ampacity values for flexible cords and cables in both Table 400.5(A)(1) and Table 400.5(A)(2).

400.6(A): Standard marking requirements for flexible cords and cables are now required to include the maximum operating temperature of the flexible cord or cable.

400.7(A)(11): A flexible cord between an existing receptacle outlet and an inlet, where the inlet provides power to an additional single receptacle outlet as a listed assembly is now permitted.

404.2(C): Requirements and exceptions for the grounded conductor at switching locations have been revised into positive text and rearranged into a list format.

404.8(C): Multipole snap switches that are rated not less than the system voltage (whether listed for multiple circuits or not) are no longer permitted to be fed from more than a single circuit.

406.3(E) and Figure 406.3(E): A new marking symbol for receptacle outlets controlled by an automatic control device or by an automatic energy management system. New requirement includes new Figure 406.3(E).

406.4(D): AFCI- and GFCI-type replacement receptacles are required to be installed in a readily accessible location.

406.5(E): Restrictions to prohibit receptacles from being installed in the face up position expanded to all occupancies, not just dwelling units. Listed receptacle assemblies for countertop applications have been recognized for this application as well.

406.5(F): New provisions were added which prohibit receptacles from being installed in a face up position in seating areas or similar surfaces unless they are part of an assembly listed for the application.

406.9(B)(1): Extra duty covers are now required for all 15- and 20-ampere, 125- and 250-volt receptacles installed in a wet location (not just for those supported from grade). This requirement also includes dwelling unit wet location receptacles as well.

406.12: Exception for tamper-resistant receptacles at dwelling units has been expanded to guest rooms and guest suites of hotels and motels and to child care facilities.

406.15: Dimmer controlled receptacles are now permitted for a plug/receptacle combination in listed nonstandard configuration types.

Article 408 and 408.1: The title of Article 408 was changed to “Switchboards, Switchgear, and Panelboards”, and the scope of Article 408 was revised to reflect this revision.

408.3(E): A new “DC Bus Arrangement” was added for dc ungrounded buses.

408.4(B): A revision was added to indicate that switchboards, switchgear, and panelboards can have more than one source of power.

408.55: Section 408.55 was reorganized into a list format of types of bending spaces. Wire-bending space for rear entry, with a removable cover on the opposite wall of enclosure, is incorporated as well.

409.20: All heating loads – not just resistance heating loads – are required to be calculated when sizing the conductors which supply industrial control panels.

410.6: Listing requirements for luminaires and lampholders have been expanded to retrofit kits.

410.10(F): Luminaires are no longer permitted to be installed within 38 mm (1 ½ in) of the lowest metal deck surface.

410.130(G)(1) Ex. No 4: Exception 4 has been deleted. This exception stated that disconnecting means were not required in industrial establishments that had limited public access and qualified personnel who serviced by written procedures.

422.5: GFCI devices providing protection to appliances in Article 422 are required to be installed in readily accessible locations.

422.11(F)(3): Resistance-type immersion electric heating elements for low-pressure water heater tanks or open-outlet water heater vessels are permitted to be subdivided into 120-amperes circuits and protected at not more than 120 amperes.

422.23: GFCI protection is now required for all tire inflation and automotive vacuum machines provided for public use.

422.49: GFCI protection in the cord or the plug of high pressure spray washing machines was expanded to three-phase equipment rated 208Y/120 volts and 60 amperes or less.

422.51: GFCI protection has been expanded to hard-wired vending machines as well as to cord- and plug-connected vending machines.

424.19: Fixed electric space heating equipment can be supplied by more than one source that can include more than one feeder or branch circuit.

424.66(A) and (B): New provisions were put in place to require limited forms of working space about duct heaters for fixed electric space-heating equipment.

430.22(G): The current referred to within 430.22(G) is the current of the motor and not of the conductors. The term ampacity was removed as motors do not have ampacities; they have current values.

430.52©(5): Semiconductor fuses intended to protect bypass contactors, isolation contactors, and conductors in a solid-state motor control system are permitted in lieu of devices listed in Table 430.52.

430.53(D): Revisions clarify that the 3 m (10 ft) and the 7.5 m (25 ft) tap conductors measurements for a motor are intended to begin from the point of the tap.

430.233: The minimum voltage levels for live parts of motors or controllers requiring guarding against accidental contact by insulating mats or platforms were lowered from 150 volts to ground to 50 volts to ground.

440.9: A wir type equipment grounding conductor is now required for outdoor HVAC equipment in the outdoor portion of the wiring method of LFMC or EMT.

445.11: Marking is required for generators to indicate when the neutral of a generator is bonded to the generator frame.

445.18: Portable generators that employ a cord and plug connection have been added as an acceptable disconnecting means for a generator.

445.20: New GFCI requirements were added for portable generators and associated 125-volt, single phase, 15- or 20-amperes receptacles.

450.10: A grounding and bonding terminal bar in transformer enclosures is not permitted to be installed on or over the vent screen portion of the enclosure.

450.11: Marking requirements for transformers were revised into a list format. Transformers can be supplied at the secondary voltage (reversed wired) only in accordance with manufacturer's instructions.

Article 480: Several changes occurred in Article 480 that resulted in the article's being restructured. New 480.3 was added for "Battery and Cell Terminations". New 480.6 was added for "DC Disconnect Methods". Section 480.9 was revised from "Working Space" to "Battery Locations".

490.48: Requirements for substations were removed from 225.70 in their entirety and relocated at new 490.48(B). New provisions for substations were added at 490.48(A) and (C).

501.40 and Exception: Sections 501.40 and the associated exception dealing with multiwire branch circuits in Class I, Division 1 were deleted entirely.

Article 504: Article 504 was revised to align with intrinsically safe products standards.

Table 514.3(B)(1), Footnote 2 and Figures 514.3(a) and 514.3(b): Footnote 2 following Table 514.3(B)(1) now references Figure 514.3(a) and new Figure 514.3(b).

Article 516: Article 516 was revised and reorganized for the 2014 NEC, including a new title of "Spray Application, Dipping, and Coating, and Printing Processes Using Flammable or Combustible Materials".

517.2 Definitions: Several definitions in Article 517 were revised, deleted, or added.

517.16: Isolated grounding type receptacles are not permitted within patient care vicinity (rather than the entire health care facility).

517.18(A): All receptacles or the cover plate supplied from the critical branch are required to have a distinctive color or marking so as to be readily identifiable. Marking is also to indicate the panelboard and branch circuit number supplying them.

517.18(B): The minimum number of receptacles required for general care area patient bed locations of health care facilities was increased from four to eight.

517.19(B): The minimum number of receptacles required for critical care area patient bed locations of health care facilities was increased from six to fourteen.

517.19(C): New 517.19(C) was added requiring a minimum number of 36 receptacles in an operating room of health care facilities.

517.30(B): The use of, and term, emergency systems has been eliminated from Article 517, leaving only the essential system with the three separate branches: critical, life safety and equipment. The diagram in Figure 517.30, No. 1 has been re-worked to reflect these changes as well.

517.30(E): Cover plates or the receptacles supplied from the essential electrical system are required to have a distinctive color or marking, and must also be supplied with an illuminated face or an indicator light to indicate that there is power to the receptacle.

517.30(G): Overcurrent devices for the essential electrical system do not need to be fully selectively coordinated but only required "coordination" for fault events that exceed 0.1 seconds.

520.2 Definitions: Three new definitions were added to Article 520 to meet demands of new theatre stage lighting technology.

547.2 Definition: Equipotential plane for agriculture buildings is to minimize (not prevent) voltage potentials within the plane and between the plane, grounded equipment, and the earth.

547.5(F): An insulated or covered aluminum or copper equipment grounding conductor is now permitted for underground agricultural building installations.

550.15(H): "Under-Chassis Wiring (Exposed to Weather)" has been revised to allow any raceway or conduit "approved" for a wet location or where subject to physical damage.

551.4(C) New subsection was added to standardize label requirements in Article 551 at one location.

551.71: Every recreational vehicle site equipped with a 50-ampere receptacle is now required to also be equipped with a 30-ampere, 125-volt receptacle.

555.15(B) and (C): An insulated aluminum or copper equipment grounding conductor is now permitted at marinas and boatyards.

590.4(D)2: "Extra duty" covers are now required for all 15- and 20-ampere, 125- and 250-volt receptacles installed at temporary installations in a wet location (not just those supported from grade). This requirement now also includes dwelling unit temporary installation wet location receptacles as well.

590.4(1): Flexible cords and cables must be secured to boxes with fittings "listed for connecting flexible cords and cables to boxes".

590.4(J): Cable assemblies and flexible cords installed as branch circuits or feeders are now prohibited from being installed or laid on the floor or the ground for temporary installations such as construction sites. (This does not include extension cords.)

600.4(E): All signs, outline lighting, skeleton tubing systems and retrofit kits are required to be marked to indicate that field wiring and installations instructions are required (not just section signs).

600.6(A)(1): Disconnect is required to be located at the point feeder(s) or branch circuit(s) supplying a sign or outline lighting system enters a sign enclosure or pole. This new language requires disconnection of all wiring where it enters the enclosure of the sign or pole.

600.7(A)(1): Metal parts of skeleton tubing as well as signs and outline lighting systems are required to be grounded by connection to the equipment grounding conductor of the supply branch circuit(s) or feeder.

610.31: New reference to 430.109, Types of Disconnecting Means, replaces the previous laundry list of types of disconnecting means which was incomplete.

620.21, EX: The cords and cables of listed cord- and plug-connected equipment are not required to be installed in a raceway in hoistways, escalators, moving walkways, etc.

620.51(C)(1): Both fused and non-fused motor circuit switches are allowed when motor controllers are installed within the elevator hoistway and are not supplied with a means for protection from internal short circuits.

Article 625: Article 625 was renumbered and reorganized to provide a logical sequence and arrangement.

630.13: Revision requires the arc welder disconnect be marked to “identify” what the disconnect actually disconnects rather than requiring the disconnect be “identified”.

645.14 and 645.15: This revision divides the grounding requirements for information technology equipment into two separate sections: one for equipment grounding and bonding, and new provisions for systems grounding.

645.27: All overcurrent devices in critical operations data systems are required be selectively coordinated with all supply-side overcurrent devices.

Article 646: A new article was added entitled, “Modular Data Centers”.

680.2: Definition for storable swimming, wading, or immersion pools has been revised to include storable/portable spas and hot tubs.

680.12: Fountains were added to requirements for “Maintenance Disconnecting Means”.

680.21(C): All single phase, 120-volt through 240-volt outlets supplying pool pump motors now require GFCI protection (regardless of ampacity).

680.22(A)(1): At least one 125-volt, 15- or 20-ampere receptacle on a general purpose branch circuit must to be located not less than 1.83 m (6 ft) from, and not more than 6.0 m (20 ft) from the inside wall of all permanently installed pools (not just dwelling unit pools).

680.22(A)(2): Receptacles that provide power for pool pump motors located between 3.0 m (10 ft) and 1.83 m (6 ft) from the pool no longer are required to “employ a locking configuration”.

680.22(B)(6): Specific low voltage luminaires are now permitted to be installed within 1.5 m (5 ft) of the inside walls of permanently installed pools.

680.25(A)(1), EX: The exception allowing an “existing” feeder between an “existing” remote swimming pool panelboard and service equipment to be run in flexible metal conduit or an approved cable assembly has been revised to allow this exception for any feeder and remote swimming pool panelboard. Cable assembly is required to have an “insulated” EGC.

680.26(C) The requirement for “bonding “ of pool water has been revised.

680.42(B): Equipotential bonding of perimeter surfaces is not required for outdoor spas and hot tubs with (4) specific conditions that must be met.

680.57(B): GFCI protection is required for either the branch circuit or feeder supplying electric signs installed within a fountain, but not both.

690.2 Definitions: Two new definitions were added to Article 690: DC to DC Converter and Direct Current (dc) Combiner.

690.5(A): Requirements for ground-fault protection devices or systems for PV systems were revised into a list format. This ground fault protection device or system must also be listed for providing PV ground fault protection.

690.7(F): A new subsection was added for “Disconnects and Overcurrent Protection” at 690.7, Maximum Voltage, dealing with batteries and other energy storage devices.

690.9: “Overcurrent Protection” requirements were revised for clarity by grouping similar overcurrent protection requirements for PV systems together in order to make Article 690 easier to use.

690.10(E): “Utility-interactive systems” were removed from the requirements of having to have back-fed circuit breakers secured in place by an additional fastener. “Multimode” inverter output in stand alone systems was added to the requirement.

690.12: New provisions were added for rapid shutdown of PV systems on buildings.

690.31: Section 690.31 was revised and reorganized for clarity and to bring PV wiring methods to one location.

690.35(C): Ground-fault protection for ungrounded PV systems is required to be listed.

690.41: System grounding requirements for PV systems have been revised into a list format for clarity.

690.47(D): An auxiliary grounding electrode system is required to be installed in accordance with 250.52 and 250.54 at all ground and pole mounted PV arrays and as close as practicable to roof mounted PV arrays.

690.81: New 690.81 was added for listing requirements for PV wire used with systems over 600 volts but not exceeding 2000 volts.

Article 694: The title, scope and appropriate text throughout Article 694 were revised by removing the word “small”, leaving the subject of the article simply “Wind Electric Systems.”

700.8: Listed surge protective devices (SPD) are now required for emergency systems.

700.12(F): Section 700.12(F) was reformatted into a list. For emergency systems, a separate branch circuit for unit equipment that is permitted (by exception) in a separate and uninterrupted area supplied by a minimum of three normal lighting circuits cannot be part of a multiwire branch circuit.

700.19: Branch circuits for emergency power or lighting are restricted from being part of a multiwire branch circuit.

700.24: Emergency system luminaires and all external bypass controls are required to be individually listed for use in emergency systems.

700.27: A licensed professional engineer or other qualified persons must design and select the selective coordination of the overcurrent protective devices for emergency systems.

702.7(C): Where an optional standby systems power inlet is used for a temporary connection to a portable generator, a warning sign is required to be placed near the inlet to indicate the type of derived system involved (bonded neutral or floating neutral).

702.12: Portable generator (rated 15 kW or less) using a flanged inlet or other cord- and plug-type connection is not required to have a disconnecting means where ungrounded conductors serve or pass through a building or structure.

705.12(D): Section 705.12(D) covering “Utility-Interactive Inverters” was reorganized for clarity.

708.52(D): Section 708.52(D) was revised to require separation of GFP time-current characteristics to conform to manufacturer's recommendations.

725.2: New definition was added for power-limited tray cable (PLTC).

725.3(K) and (L): Two new conditions were added to "Other Articles" applying to Class 1, Class 2, and Class 3 remote-control, signaling, and power-limited circuits.

725.154 and Table 725.154: Section 725.154 and subsections were revised and reference new Table 725.154 entitled "Applications of Listed Class 2, Class 3, and PLTC Cables in Buildings".

725.179(F): Section 725.179(F) has been split into two list items for establishing cable survivability. Cables are tested either as C1 cables or as part of an electrical circuit protective system.

Article 728: New article entitled "Fire-Resistive Cable Systems" has been added to address installations of fire-resistive cables.

Article 750: New article, "Energy Management Systems," was added to address the types of loads permitted to be controlled through energy management systems.

760.24: "Mechanical Execution of Work" requirements for fire alarm systems have been divided into two subsections and requirements for circuit integrity (C1) cables added.

770.110: The title of 770.110 was revised to "Raceways and Cable Routing Assemblies for Optical Fiber Cables." New 770.110(C) was added to include provisions for "Cable Routing Assemblies."

770.154 and Table 770.154(a): Revisions to 770.154 and Table 770.154(a) delete references to raceways and cable routing assemblies.

770.180: New 770.180, Grounding Devices has been added for listing requirements (or be part of listed equipment) for grounding devices used for optical fiber cables.

800.2: Definition of point of entrance has been revised by deleting "connected by a bonding conductor or grounding electrode in accordance with 800.100(B).

800.12: A new definition and new provisions have been added for Innerduct.

800.179(G): A revision to 800.179(G) will now contain listing requirements for an "Electrical Circuit Protective System". A new definition for electrical circuit protective system has also been added to 800.2.

800.182: Revisions have occurred at 800.182(A), (B), and (C) as to the specific cable routing assembly being discussed in each subsection. Three Informational Notes have been deleted and replaced with one Informational Note.

810.6: Listing requirements for "Antenna Lead-In Protectors" have been added to Article 810. 820.3: New subsections for "Wiring in Ducts for Dust, Loose Stock, or Vapor Removal" and "Equipment in Other Space Used for Environmental Air" have been added to 820.3.

820.47(A): Underground coaxial cables are required to be sectioned off from electric light, power, Class 1, or "non-power-limited fire alarm" circuit conductors.

830.24: Nonmetallic cable ties and other nonmetallic cable accessories used to secure and support network powered broadband communications cables are required to be listed as having low smoke and heat release properties.

Chapter 9 Tables: Table 1: Table was revised to include provisions for cables as well as conductors.

Chapter 9 Tables: Notes to Tables: Note (10): New Note (10) was added addressing the values for approximate conductor diameter and area shown in Table 5.

Chapter 9 Tables: Table 4: Table 4 was rearranged with “Over 2 Wires 40%” as the first column after “Trade Size.”

Chapter 9 Tables: Table 5: Table 5 has been rearranged by repositioning the “Approximate Area” column next to “Size (AWG or kcmil)” column.

Example D7 (Example using 310.15(B)(7): New Example D7 was added to informative Annex D describing how to apply revised 310.15(B)(7) by using a .83 percentage factor rather than the former Table 310.15(B)(7)

Annex J: New Informative Annex J, ADA Standards for Accessible Design, was added to assist in usability and to provide information about ADA electrical device mounting heights, etc.

SIGNIFICANT CHANGES TO THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE

PART 1 ADMINISTRATION

Table of Contents: The 2012 IECC was completely reorganized and renumbered for an easier and more user friendly format. Although the format has changed, there should be little to no practical difference in the application and utilization of the code, other than it should be easier to identify specific code provisions. CLARIFICATION

C101.2/R101.2: The 2012 IECC has divided the Commercial and Residential Provisions into two separate documents. The Scoping statement in both has been expanded to include building sites and associated systems and equipment. CLARIFICATION

C101.3/r101.3: The 2012 IECC has expanded the Intent statement from “effective use of energy” to “effective use and conservation of energy over the useful life of each building.” CLARIFICATION

Section 202: Most new definitions in Chapter 2 are almost identical in the Commercial and Residential sections. The author has taken the liberty of identifying the category where the definition will generally be most applicable. New definitions in this document are those that were not included in the 2009 IECC, but are now found in the 2012 IECC. CLARIFICATION

Section 202: Modified definitions in this document were included in the 2009 IECC, but have been modified in the 2012 IECC. CLARIFICATION

Sections 202 and C402.2.2.1: Multiple definitions in this document were included in the 2009 IECC, whereas in the 2012 edition the format change might have the potential of conflicting definitions. One term found in the Commercial Provisions of the 2012 IECC (Above grade wall) has multiple definitions of significance. CLARIFICATION

Tables C303.1.3 (3) and R303.1.3 (3): Visual transmittance (VT) values are new to Table 102.1.3 (3). VT is the ratio of visible light entering the space through the fenestration product assembly to the incident visible light. VT includes the effects of glazing material and frame, and is expressed as a number between 0 and 1. A “0” is opaque; a “1” is totally transparent. CLARIFICATION

PART 2 – COMMERCIAL ENERGY EFFICIENCY

C401.1: Understanding the magnitude of change in this section is perhaps one of the most crucial tasks that must be achieved prior to this code. This section provides compliance options. CLARIFICATION

C401.2.1: This new section provides that additions, alterations, and repairs to existing buildings are required to comply with the ANSI/ASHRAE/IESNA 90.1 or the prescriptive requirements of the IECC.

ADDITION

Section C402: In earlier versions of the Energy Codes, the Commercial section focused primarily on obtaining savings through the mechanical, lighting, and service water heating systems, with the building

thermal envelope being regulated significantly less stringently than a residential counterpart in the same climate zone. In the 2012 IECC, the Commercial Building Thermal Envelope performance requirements are similar to the Residential provisions. CLARIFICATION

C402.2: Thermal performance values have changed, which will reflect in the overall performance of the building. Section 402.2 added provisions for the installation of continuous insulation. ADDITION

C402.2.1.1: This is a completely new section that addresses the amount of solar heat reflected and radiated from low-sloped roofs in Climate Zones 1, 2, and 3. All low-sloped roofs are required to comply with one or more of the options in Table C402.2.1.1, unless listed in the Exceptions. ADDITION

C402.2.6: There are two significant changes in this section:

- There is a new minimum prescriptive protection requirement for insulation extending away from the building. This new protection requirement for insulation extending away from the building works in conjunction with C303.2.1 Protection of Foundation Insulation. Fig. C402.2.6-1.
- There is a new exception for perimeter insulation with slab-on-grade floors greater than 24 inches below the finished exterior grade.

ADDITION

C402.2.8: This is a new requirement for all radiant floor slabs. The R-3.5 minimum corresponds to Table C403.2.8 MINIMUM PIPE INSULATION, up to 1 ½ inches. See Figure C402.2.8. ADDITION

C402.3: Table C402.3 (Prescriptive) reflects improved fenestration U-factors. 2009 IECC Table 502.3 received a major overhaul, and is now supplemented with SHGC ADJUSTMENT MULTIPLIERS 2012 IECC TABLE C402.3.3.1. ADDITION

C402.3.1: Lighting of occupied space using free sunlight consumes less energy than lighting using purchased electricity. This section provides new regulations for daylighting controls. ADDITION

C402.3.3: The area-weighted option has gone away. Each area with a different projection factor value will be required to be evaluated separately. ADDITION

C402.3.3.1-4: In the 2009 IECC, SHGC adjustment was limited to the values in Table 502.3 and totally dependent on Projection Factor (PF). The 2012 IECC provides additional variables to allow increased design flexibility. These variables include a consideration for:

- Glazing projection factor and orientation
- Glazing that is entirely located not less than 6 feet above the finished floor
- Automatic daylighting controls
- Dynamic glazing

Each separate fenestration product category listed in Table C402.3 and those with dynamic glazing (in each category) shall all be considered separately. ADDITION

C402.4.1: The air barrier requirement is new to the 2012 IECC. Air leakage had previously been limited to a general requirement for sealing the building envelope, along with specific requirements for fenestration and other openings. This has now changed, with prescriptive and/or measurable mandatory requirements. **ADDITION**

C402.4.7: Although the text is largely unchanged, the 2012 IECC clarifies many of the previously unclear issues in application of the vestibule requirement:

- The 2012 code clearly spells out that vestibules are required on doors adjacent to revolving doors.
- The term building entrance door is no longer used, stipulating a clear exception for employee-only doors.

CLARIFICATION

C403.2.3: There is no change in the text of Section C403.2; the significant changes occur in subsections C403.2.3 and C403.2.3.2 and in Tables C403.2.3 (1) to (9).

- There is a new column "Heating Section Type," which differentiates electric resistance equipment from other types in some of the tables.
- There are new columns to reference effective dates in some of the tables.
- Some additional equipment types (e.g., through-the-wall, air-cooled) have been added.
- The SEER requirements have been improved.
- Some test procedures have changed.
- Two new tables have been added for heat rejection and heat transfer equipment.

The efficiencies have improved for some of the equipment listed in the previously existing tables.

ADDITION

C403.2.4.3.3: In the 2012 IECC all HVAC systems are required to be capable of automatically adjusting the daily start time in order to bring the space that is controlled to temperature immediately prior to occupancy. This is in addition to the manual override with timer or occupancy sensor that is required by Section C403.4.3.2. **ADDITION**

C403.2.5.1: The threshold for Demand Control Ventilation (DCV) was reduced from average occupant load of 40 people/1,000 square feet to 25 people/1,000 square feet. There is also an exception added for process loads. **ADDITION**

C403.2.6: The major change in this section is the introduction of new Table C403.2.6, which replaces a single fixed trigger point of 5,000 cfm and 70 percent outside air. **ADDITION**

C403.2.8: The exceptions have been expanded and clarified to include smaller strainers, control valves, and balancing valves and direct buried piping that conveys fluids at or below 60 degrees F. The simple table for pipe insulation-differentiated by fluid type- has been replaced with a more comprehensive table. **RELAXATION**

C403.2.8.1: The 2012 edition provides a new section which codifies the good practice of protecting the installed insulation to maintain its effectiveness. The section wisely prohibits the utilization of adhesive tape as the protective measure. **ADDITION**

C403.3.1: In this section, the most significant change is not in the code text or exceptions, although the exceptions do have some new entries. The real change is in Table C403.3.1 (1), making the requirements far more comprehensive than in earlier editions. **ADDITION**

C403.4.1.3, C403.4.1.4: In the 2012 IECC, economizers are required to be integrated with the associated mechanical cooling system, operate even when additional cooling is required, and provide no-to-minimal impact on the heating system, both of these sections have specific exceptions. **ADDITION**

C403.4.2: In 2012 the minimum motor size for a VAV fan requiring controls is reduced from 10 hp to 7.5 hp and allows vane axial fans with variable-pitch blades.

The 2012 IECC now specifies the location(s) for static pressure sensors.

The final paragraph of Section 503.4.2 was carved off into a new subsection: C403.4.2.2.2. Otherwise, the language is unchanged. **ADDITION**

C404.5: The 2012 IECC clarifies the insulation requirement by removing a possible maximum thickness dimension for insulation on circulating systems. For the first time, heat-traced piping is addressed as an individual item. The insulation requirement for non-circulating systems without heat traps has been clarified.

The controls section has been reworked to clarify that manually controlled circulating systems are required to stop pumping when there is limited hot water demand.

The 2012 IECC replaces “convenience” with ready access, which is improved code language. **ADDITION**

C404.7: The change excludes temporary and above-ground spas from the scope of the regulations, raises the benchmark percentage for site-recovered energy, and sets the criteria for energy-use calculation. **ADDITION**

C405.1: The 50 percent high-efficacy bulb requirement has been increased to 75 percent, excluding all low-voltage fixtures. **ADDITION**

C405.2.1.2: All of the changes in this section are in the exceptions. **RELAXATION**

C405.2.2: This is a new section, replacing Section 505.2.2.2 Automatic lighting shutoff, which was deleted in its entirety. Although this is a new section, most of the control strategies, with the exception of automatic daylighting controls, are retained from the 2009 edition. The exceptions include sleeping units, spaces for patient care, spaces where an automatic shutoff would endanger safety or security, and lighting intended for continuous operation. There are also specific exceptions and conditions for each of these subsections. **CLARIFICATION**

C405.2.2.1: The important points are:

- The 5,000 square feet threshold for automatic controls has been removed and the section applies to all areas of every building, regardless of size.
- The maximum override control area has been reduced from 25,000 square feet and not to exceed one floor to:
 - o 5,000 square feet and
 - o 20,000 square feet, within malls, arcades, auditoriums, single tenant retail spaces, industrial facilities and arenas.
- Emergency egress lighting and lighting controlled by occupancy sensors are specifically exempted from this requirement, in addition to the exceptions found in Section C405.2.2.

ADDITION

C405.2.2.2: Classrooms, conference rooms, restrooms, private offices, and all areas 300 square feet or less enclosed by floor-to-ceiling height partitions are required to have occupancy sensors. The sensors shall shut the lights off within 30 minutes of the time it became vacant. If the sensor is used to activate the lighting, it must turn on at a load of 50 percent or less, unless a manual override is utilized or it is otherwise exempted. **ADDITION**

C405.2.2.3: Daylight zones were introduced in the 2009 edition. The concept is quite straightforward; a daylight zone is an area likely to have sufficient sunlight for compliance with the International Building Code minimum lighting requirements during the day, thus allowing the artificial lighting to be reduced or turned off during that time. The additional language limits each daylight zone control area to 2,500 square feet. **ADDITION**

C405.2.2.3.2: The user is allowed to choose from two control methods: continuous dimming or stepped dimming, both of which provide incremental controls of the lighting load. **CLARIFICATION**

C405.2.3: In the 2009 IECC, sleeping rooms were classified separately, and separate control requirements were given. The section has been expanded to include all permanently installed lighting and switched receptacle, deleting the exception for the bathroom. Bathroom lighting is now included in the devices that are to be controlled by the master control device.

This section has also been expanded with the addition of five new application classification, each with its own specific control requirements. The new classifications all require separate switching, and they include:

- Display and accent light
- Lighting in cases used for display
- Supplemental task lighting
- Lighting for nonvisual applications
- Lighting equipment that is for sale or for demonstrations in lighting

ADDITION

C405.5.2: In the 2012 IECC the Building Area Method for demonstrating compliance has been joined by the Space-by-Space Method for demonstrating compliance. The building area method table format is not significantly changed. **RELAXATION**

Table C405.5.2.1: The Lighting Power Density budget numbers are unchanged. In the 2009 IECC, the additional power allowance for specific merchandise categories power was included in the Building Area Method. It has been deleted and relocated to the Space-by-Space Method, below. CLARIFICATION

Table C405.5.2: The Space-by-Space Method has been added as a compliance option, including a complete new Table C405.5.2 (2). In 2009, the additional power allowance to highlight specific merchandise categories included a base retail merchandise power allowance of 1,000 watts with allowances for specific categories. The 2012 IECC keeps the same category structure; however, the base power allowance for merchandise has been decreased to 500 watts. ADDITION

C406.1: Section C406 is new to the 2012 IECC. These are additional efficiency package options. If using the prescriptive compliance path, at least one of these options is required in addition to all other code requirements. ADDITION

C406.2: One efficiency option is to continue to utilize off-site generated energy and increase the HVAC efficiency. ADDITION

C406.3: A designer may choose to utilize an efficient lighting system for the entire building as the additional energy efficiency package. From the layout of the table, it appears that this option is available exclusively in conjunction with Table C405.5.2 (1) Building Area Method. To attempt to exercise this option with Table C405.5.2 (2) Space-by-Space Method would be virtually impossible. ADDITION

C406.4: To utilize this option, one must use on-site renewable energy that is equivalent to or greater than:

- 75 Btu, or 0.50 watts per square foot of conditioned floor area. This represents one-half of the energy-use threshold point for a low-energy building, as defined by Section C101.5.2, or
- Three percent of the energy used within the building for non-process loads.

ADDITION

C407.3: Performance-based compliance methodology continues to be consistent with previous edition of the code, however it is impacted by Section 401.2 where *"The building energy cost shall be equal to or less than 85 percent of the standard reference design building"*. This minimum 15 percent improvement in efficiency is required in lieu of the Additional Efficiency Options found in Section C406. ADDITION

C408.1: Although the 2009 IECC had completion requirements, it was not until the advent of the 2012 IECC that commissioning was formally introduced into the code. ADDITION

C408.2: With certain exceptions, this section places additional requirements on the registered design professional, or approved agency, in addition to the requirements of Section C103.2 Information on Construction Documents and Section C408.2.4 Preliminary Commissioning Report.

- Before completion of the final mechanical inspection, the registered design professional is required to provide evidence of commissioning and completion.

- Construction document notes shall clearly indicate provisions for commissioning and completion requirements in accordance with this section.
- Copies of all documents shall be given to the owner and made available to the code official upon request.
- A written commissioning plan is required.

ADDITION

C408.2.2: With certain exceptions for smaller systems, both air and hydronic systems shall be balanced. Balancing by throttling is prohibited unless the throttling has a minimal impact on the power consumption of the motor. **ADDITION**

C408.2.3: Mechanical equipment, including controls and economizers, must be tested, and function properly, prior to approval of the final inspection. **ADDITION**

C408.2.4: The registered design professional or approved agency is required to complete and certify a preliminary report of the commissioning test procedures. Certain information is required, including itemization of uncorrected deficiencies, deferred tests, and conditions for performing the deferred tests. The final mechanical inspection shall not be passed until the building owner acknowledges receipt of the report. The code official may require that a copy of the report be made available for review. **ADDITION**

C408.2.5: There is a deletion and an addition in this section. The mechanical contractor is no longer named as the responsible party for provision of documentation. There is a 90-day timeframe. Documentation requirements have been clearly spelled out to include drawings, manuals (including the name of at least one service agency), system balancing report, and a final commissioning report.

ADDITION

C408.3: Functional lighting control testing is now required as part of the commissioning process.

ADDITION

SIGNIFICANT CHANGES TO THE 2012 INTERNATIONAL RESIDENTIAL CODE – CHAPTER 11

N1101: The IRC energy efficiency provisions have been replaced with the applicable residential requirements of the International Energy Conservation Code. CLARIFICATION

Note: This chapter is copied directly from the 2012 International Energy Conservation Code, Part I – Residential. Therefore, the Significant Changes does not provide descriptions of any changes. Although we will be proposing to adopt Chapter 11 of the IRC in lieu of the IECC – Residential section, the following sections are from the “Significant Changes to the 2012 International Energy Conservation Code – Part 1 – Residential” book.

Table R402.1.1: The prescriptive insulation and fenestration Table R402.1.1 has been modified with half of the values left unchanged. ADDITION

Table 402.1.1: As always the footnotes are as important as the table they modify.

- Footnote a notes the reduction in R-value when batt insulation is compressed.
- Footnote b allows the exclusion of certain skylights from the Solar Gain Heat Coefficient (SHGC) requirements in Climate Zones 1 to 3.
- Footnote h has been completely reworked to allow for consistent sheathing thickness while maintaining wall bracing.
- Footnote j, regarding impact rated fenestration, has been deleted.

ADDITION

Table R402.1.3: The prescriptive Equivalent U-Factor Table has been modified; even so, half of the values are unchanged. ADDITION

R402.2.3: The 2012 IECC contains the first eave baffle requirements found in the IECC. ADDITION

R402.2.6: The Exception in 2009 IECC which allowed a reduction in R-value in Climate Zones 1 and 2 has been removed. The R-values for steel-framed walls have changed significantly. ADDITION

R402.2.12 and R402.3.5: In the 2012 IECC, the wall separation provision was clarified; the word “new” was deleted from the wall provisions. “New” remains in the fenestration section and the U-factors have been slightly reduced. The section was also revised to make it clear that these provisions do not apply to spaces that are not thermally isolated. CLARIFICATION

R402.4.1: There is now no option for testing OR visual inspection. The requirement is now testing AND visual inspection. The code official is authorized to require an approved third party to inspect and verify. ADDITION

R402.4.1.2: The 2009 IECC introduced testing as an option. The 2012 IECC deletes the option and makes both inspection and testing mandatory while increasing the tightness requirements. It should be

noted that in most, if not all, cases, mechanical ventilation will be required in houses that meet the air tightness requirements. **ADDITION**

R402.4.2: The 2012 IECC has relocated the gasketed doors requirement from the text of the code, to Table R402.4.1.1. A requirement for tight-fitting flue dampers has been added. **ADDITION**

R403.2: In order to properly address the changes in this section, the comments are broken into two portions. This first portion addresses construction and sealing. The second will address tightness verification.

- In order to understand the intent of this provision, the reader should become familiar with the referenced sections of the IRC and IMC; they are NOT identical. Although the referenced codes are not identical, they do result in substantially similar construction:
 - SMACNA HVAC Duct Construction Standards – Metal and Flexible and NAIMA Fibrous Glass Duct Construction Standards are referenced.
 - UL-181 A listing is required for Duct Board construction.
 - UL-181B listing is flexible construction
 - Unlisted duct tape is prohibited on any duct.
 - An exception for certain longitudinal seams (found in this section's exceptions).
- The three exceptions, new to the IECC, are common with the 2012 IRC (*including the one found in the IMC).
- Affected
 - Air-impermeable spray foam products
 - Where a duct connection is made partially inaccessible
 - *Continuously welded and locking longitudinal joints.
- Air handlers shall have the manufacturer's designation for an air leakage of no more than 2 percent.
- Building framing cavities may not be used as ducts or plenums (supply or return).

ADDITION

R403.2: In order to properly address the changes in this section, the comments are broken into two portions. The first portion (above) addressed construction and sealing. This second will now address the changes in tightness verification.

- In the 2009 IECC, there were two acceptable methods:
 - Leakage to outdoors, utilizing both a blower door and duct blower.
 - Total leakage, pressurizing the ducts only. In the 2012 IECC, total leakage is the only acceptable test method.
- The allowable leakage performance numbers have been improved.

ADDITION

R403.3.1: The 2012 edition provides a new section which codifies protection of the installed insulation to maintain its effectiveness. **ADDITION**

R403.4: The insulation provisions have been changed, increasing the minimum R-value to R-3 and there is now a list of specific situations where insulation is required, detailed in Table R403.4.2. **ADDITION**

R403.5: 2012 International Residential Code Section R303.4 mandates mechanical ventilation in any building that has less than five air changes per hour at 50 Pascals. IECC Section R402.4.1.2 allows a maximum of 5 ACH/50 in any residential building. It is very unlikely that many residential buildings will have EXACTLY 5.00 ACH/50 in a testing environment. The practical outgrowth of this change is that mechanical ventilation with appropriate dampers is required in virtually every residential building.

ADDITION

R403.5.1: Simple efficiency requirements have been included. ADDITION

R403.6: The reference throughout the International Residential Code has been replaced by a direct statement of the requirement. ADDITION

R403.9: The section title and content of the text are revised to make it clear that in-ground permanently installed spas are intended to be included, while portable above-ground spas are not. Insulated pool covers are no longer required. CLARIFICATION

R404.1: There are two ways to calculate compliance: lamp count and fixture count. The 75 percent calculation is made for all electrical lighting fixtures that are not covered by the low-voltage exception. Both interior and exterior lighting are included. Fuel gas systems may not have constantly burning pilot lights. ADDITION

R405.3: It should be noted that the Commercial provisions require computer modeled performance 15 percent better than the standard reference design, the Residential provisions do not. CLARIFICATION

Table R405.5.2 (1): The basic principles of this section remain the same, with the significant changes primarily limited to technical details that clarify the acceptable compliance methodology. CLARIFICATION

SIGNIFICANT CHANGES TO THE 2012 INTERNATIONAL RESIDENTIAL CODE

R105.2: Fences up to 7 feet high are now exempt from permit requirements. **RELAXATION**

R202: Definitions for structural composite lumber have been added to Chapter 2. **CLARIFICATION**

R301.2.1: Revisions to the section titles and text clarify the intent and application of the wind provisions. New maps update the nominal wind speeds for the United States to correlate with the 2010 edition of ASCE 7 and define the high-wind regions that require structural design in accordance with one of the referenced standards. The threshold of 100-mph wind speed in hurricane-prone regions has been deleted to provide for consistent application of the wind provisions and to correspond to the new wind maps. The prescriptive provisions related to wind loads apply to buildings in regions with a wind speed of less than 110 mph. **CLARIFICATION**

R301.2.1.2: Windborne debris regions are now defined in a new map. Revisions to the text clarify that protection from windborne debris is required for all exterior glazing in a building, not just windows. **CLARIFICATION**

R301.2.2: The general rule and exception for application of the seismic provisions to buildings regulated by the IRC have been replaced by separate rules for one- and two-family dwellings and townhouses to clarify the intent. **CLARIFICATION**

Table R301.5: The terminology related to live loads has been updated for consistency with ASCE 7-10. Footnotes b and g pertaining to attic live loads have been revised to clarify the application. **CLARIFICATION**

R302.1: The minimum clearances to lot lines have been reduced from 5 feet to 3 feet for unrated exterior walls when the dwelling is protected with a fire sprinkler system. The code now permits construction of unrated exterior walls on the lot line when all dwellings in the subdivision are protected with automatic fire sprinkler systems and the opposing lot maintains a minimum 6-foot clearance from the common lot line. **RELAXATION**

R302.2.2: When a parapet is not installed, openings and penetrations of the roof are no longer permitted within 4 feet of the separating wall between townhouse dwelling units. **ADDITION**

R302.5.1: Doors between the garage and dwelling unit now require self-closing devices. **ADDITION**

R303: When used for satisfying the ventilation requirements for dwellings, mechanical ventilation must now comply with new provisions in Section M1507 for whole-house ventilation of habitable rooms and local exhaust of bathrooms. A whole-house mechanical ventilation system is now required for any dwelling that is tested with a blower door test and determined to have an air infiltration rate of less than 5 air changes per hour. Definitions for whole-house mechanical ventilation system and local exhaust have been added to Section R202. **ADDITION**

R303.5: The minimum vertical clearance between a contaminant source and an outdoor air intake below has increased from 2 feet to 3 feet. **ADDITION**

R308.4: The provisions for hazardous locations related to the installation of glazing have been reorganized for ease of use and consistent application. Each item in the numbered list of hazardous locations has been placed in a separate subsection and given a descriptive title. **CLARIFICATION**

R308.4.5: The separate provisions regulating glazing near tubs and swimming pools have been consolidated into one subsection titled Glazing and Wet Surfaces. **CLARIFICATION**

R308.4.6: For glazing that is not considered to be in a hazardous location, the rule for the minimum height above a tread at the side of a stairway is now 36 inches to correspond to the height of a guard as previously found in the exception. Other revisions to the text clarify the meaning and application of the glazing requirements at stairways. **RELAXATION**

R308.4.7: The provisions for glazing installed near the landing at the bottom of a stairway have been revised to clarify the application. The threshold for the minimum height above the walking surface is now 36 inches for determining that the glazing is not in a hazardous location. **RELAXATION**

R309.5: In a subdivision where all homes are protected with dwelling fire sprinkler systems, nonrated exterior walls of garages are permitted to be constructed on a lot line when the garage is protected with a fire sprinkler system and meets the other conditions of Section R302.1. **RELAXATION**

R310.1: The maximum sill height for an emergency escape and rescue opening is now measured from the finished floor to the bottom of the clear opening. **CLARIFICATION**

R310.2.2: Except for locations with well-drained soils, window wells serving emergency escape and rescue openings now require a means to drain surface water to the foundation drainage system. **ADDITION**

R311.3.1: The exception allowing a floor or landing to be 7 ¾ inches below the top of the threshold at the required egress door now applies to the exterior side of the door only. **ADDITION**

R311.7.5: Reorganization of the provisions for treads and risers places related information in the corresponding sections and creates a separate section for winders. **CLARIFICATION**

R311.7.6: For a turn in a stairway, the IRC now specifically permits angular and curved stair landings with certain dimensions less than 36 inches if the prescribed depth is provided at the walkline and minimum area criteria are satisfied. The maximum vertical rise requirement of 12 feet has been moved from the exception to a new Section R311.7.3. **RELAXATION**

R312: The provisions for window fall protection have been relocated from Chapter 6 to Chapter 3. The terminology for window opening control devices has been updated for consistency with the referenced

standard of ASTM F 290. Operation criteria found in the 2008 edition of the standard have been deleted from the prescriptive provisions of the IRC. CLARIFICATION

R314: The code now specifically recognizes wireless technology in lieu of interconnection for smoke alarm installations in both new and existing dwelling units. The interconnection provisions have been moved out of the sections related to location and power source and placed in a new Section R314.5.

RELAXATION

R315.2: The IRC now specifically recognizes carbon monoxide detection systems with separate detectors and notification appliances installed in accordance with NFPA 720. RELAXATION

R316.4: Reference to a new standard, NFPA 275, replaces references to the previous standards for determining an acceptable thermal barrier material other than ½-inch gypsum wallboard.

CLARIFICATION

R316.5.13: New provisions allow the installation of structural insulated panels and other materials containing foam plastic insulation as part of a floor system without requiring a thermal barrier on the upper surface. The code requires a minimum ½-inch wood structural panel or equivalent material to protect the foam plastic insulation. RELAXATION

R404.1.9: The IRC now includes prescriptive provisions for the construction of isolated masonry pier foundations supporting raised floor systems. ADDITION

R405.1: A filter membrane is now required for perforated foundation drains. ADDITION

R501.3: With some exceptions, the code now requires ½-inch gypsum board or equivalent material to be applied to the underside of floor assemblies in buildings regulated by the IRC. ADDITION

R507: All deck provisions have been relocated to a new section. The prescriptive provisions related to the placement of bolts and lags for deck ledger attachment to the band joist have been revised to correlate with the National Design Specification (NDS) for Wood Construction. CLARIFICATION

R602.1.1: End-jointed lumber used in fire-rated assemblies must have HRA in the grade mark.

RELAXATION

Table R602.3 (1): Table R602.3 (1) now includes requirements for nailing roof trusses to plates, abutting studs at intersecting wall corners, and connection of rim board to sill plates. ADDITION

R602.7, Table R602.7.1: The code now includes prescriptive provisions for single member headers under limited conditions. ADDITION

R602.10, R602.12: The IRC wall bracing provisions provide a prescriptive method for building walls capable of resisting lateral loads caused by high winds and earthquakes. No engineered design is required as long as the building meets the prescriptive limits of the IRC. Section R602.10 has been

substantially rewritten and Section R602.12 has been added to provide a simplified, conservative wall bracing procedure. **ADDITION**

R602.10.1: This section has been reorganized to address braced wall lines only. **ADDITION**

R602.10.2: Information on braced wall panels has been placed in one section. Braced wall panels now may be located up to 10 feet from both ends of the braced wall line. **ADDITION**

R602.10.3: Information on the required length of wall bracing is consolidated into one section. Wind wall bracing adjustments have been placed in a separate table from the bracing requirements based on wind speed. **ADDITION**

R602.10.4: Bracing construction methods and the allowable mixing of bracing methods have been grouped into a single section. Braced wall lines that change from exterior to interior wall lines may now mix bracing methods along the braced wall line. **ADDITION**

R602.10.5: Braced wall panel minimum lengths are combined in Table R602.10.5. Other braced wall panel length information also is placed in this section. **ADDITION**

R602.10.6: This change places all of the alternate braced wall panel methods of the 2009 IRC into one section and adds a new Method BV-WSP, Wall Bracing for Dwellings with Stone and Masonry Veneer in Seismic Design Categories D0, D1, and D2. **ADDITION**

R602.10.6.5: Information on wall bracing with stone or masonry veneer has been moved from Section R602.12 to Section R602.10.6.5 and defines a new method, BV-WSP, wall bracing for dwellings with stone and masonry veneer in Seismic Design Categories D0, D1, and D2. **ADDITION**

R602.10.7: Braced wall line end conditions for continuous sheathing have been placed in one section. A fifth end condition is defined for braced wall panel connections. When a 48-inch braced wall panel is at the end of a wall line, the intersecting wall line does not require a return panel or hold-down at the corner. **ADDITION**

R602.10.9: Concrete stem walls 48 inches long or less that are less than 6 inches thick require reinforcement similar to narrow masonry stem walls. **ADDITION**

R602.12: This new section offers an alternative method to brace wall lines for detached dwellings located in SDC A, B, or C and townhouses located in SDC A or B. The simplified bracing method is also limited to construction sites with a basic wind speed of 90 mph or less and Wind Exposure Category A or B. **ADDITION**

R602.12.6: This new section provides an alternative for narrow braced panels to be used in place of bracing units when applying the simplified bracing methods of Section R602.12. Construction must comply with the applicable provisions of Section R602.10. **ADDITION**

R607.3: This provision now includes the minimum mortar coverage for wall ties in exposed faces. Wall tie embedment length is clarified. **ADDITION**

R703.7.3.2: Minimum and maximum heights of masonry veneer are established for masonry lintels spanning not greater than 18 feet 3 inches. **ADDITION**

R703.7.4: Tie fastener and air space requirements for anchored veneer have been placed in a new table for ease of use. The veneer tie spacing requirements have been modified for consistency with Building Code Requirements and Specification for Masonry Structures. **CLARIFICATION**

R703.7.4.2: Mortar is no longer permitted to fill the air space behind anchored masonry veneer. **ADDITION**

R703.8: Pan flashing, a newly defined term in the code, is now required for window and door openings when flashing details are not provided by the manufacturer. Additional options include a design by a registered design professional or another method approved by the building official. **ADDITION**

R703.12: Minimum clearance and flashing requirements have been added to apply to the base of adhered masonry veneer on exterior walls. **ADDITION**

R802.7: Text in Section R802.7 has been deleted in favor of referencing Section R502.8.1 for provisions related to cutting, drilling, and notching of solid lumber. Provisions for notching of cantilevered rafters are placed in a new section, and the nominal dimension is replaced by the actual minimum dimension of 3 ½ inches for the remaining portion of the rafter. A new section clarifies the limits for taper cuts on the ends of ceiling joists. Two new figures aid in determining the correct application of cantilevered rafters and ceiling joist taper cut requirements. **CLARIFICATION**

R802.11: The provisions for roof connections to resist wind uplift forces have been updated to current standards and simplified for ease of use. Table R802.11 has been replaced to provide accurate values for both low- and high-slope roofs in Wind Exposure Categories B and C. **ADDITION**

R806: The code now provides an option to omit attic ventilation where climate and experience demonstrate it is not necessary. The provisions for minimum vent area have been revised by placing two exceptions after the general rule to clarify the meaning. The exception for reducing the ventilation area when a vapor retarder is installed on the ceiling now only applies to cold-weather climates. The reduction in vent area based on cross ventilation now requires no less than 40% and no more than 50% (previously 50% and 80%) of the required ventilating area to be placed in the upper portion of the roof and no more than 3 feet below the ridge. The requirement for the upper vents to be at least 3 feet above the eave vents have been removed. **RELAXATION**

R806.5: The added text clarifies that the unvented attic provisions also apply to rafter assemblies typically used for vaulted or cathedral ceilings. References to vapor retarders now specify the applicable class as defined in Section R202. A new sentence clarifies that insulation board installed as an air-impermeable barrier must have the edges sealed to provide a continuous barrier. **CLARIFICATION**

R903.2.1: The general flashing provisions of Chapter 9 now require a kick-out flashing where the eave of a roof intersects a wall to prevent water intrusion into the wall assembly. **ADDITION**

R903.2.2: A new exception clarifies that unit skylights or roof windows must be installed in accordance with the manufacturer's installation instructions, which may not require a cricket even when they exceed 30 inches in width. **CLARIFICATION**

R905.2.7.2: New requirements for installation of roof covering underlayment have been added for high-wind areas where the nominal design wind speed is equal to or greater than 120 mph. An exception exempts adhered underlayment that conforms to ASTM D1970. **ADDITION**

R905.2.8.3: For asphalt shingles, the IRC now recognizes both step and continuous base flashings where sloped roofs meet walls. Where the wall has anchored or adhered masonry veneer, or stucco, the provisions are clarified by referencing the applicable section of the code for counterflashing. **CLARIFICATION**

R905.2.8.5: A roof drip edge is now required for asphalt shingles. **ADDITION**

R907.3: The hail exposure map, related definitions, and the limitations on reroofing in hail zones have been deleted from the code. A new exception clarifies that the reroofing provisions do not require the removal of self-adhered ice barrier underlayment. **RELAXATION**

R1003.9.1, R1003.9.3: New language includes provisions for commonly used masonry chimney caps and rain caps consistent with ASTM C 1283 and C 315. **ADDITION**

R1005.7: Factory-built chimney assemblies must be installed vertically with no offsets greater than 30 degrees. No more than four elbows are permitted within the entire length of the chimney assembly. **ADDITION**

M1301: All pipe, tubing, and fittings used in mechanical systems now require a manufacturer's mark and third-party testing or certification. New definitions supplement the provisions. **ADDITION**

M1411.6: The code now recognizes any approved means to prevent unauthorized access to outdoor refrigerant ports. **ADDITION**

M1502.4: The maximum support spacing for dryer exhaust ducts has increased from 4 feet to 12 feet. Dryer exhaust ducts now specifically require mechanical fastening. Screw fasteners are permitted to penetrate the exhaust duct no more than 1/8 inch. The maximum specified length of dryer exhaust duct has been increased from 25 to 35 feet and now matches the corresponding dryer exhaust provisions of the IMC, IFGC, and the IRC fuel-gas provisions. **RELAXATION**

M1506: Minimum clearances between air exhaust terminations and openings into the building have been introduced into the IRC. **ADDITION**

M1507: Prescriptive design criteria for whole-house ventilation systems have been added to the mechanical ventilation provisions. Mechanical ventilation of kitchens and bathrooms is now described as local exhaust. New definitions for whole-house ventilation and local exhaust have been added to Section R202. **ADDITION**

M1601.1: Stud cavities of exterior walls are no longer permitted to be used for return air plenums. **ADDITION**

M1601.4.1: The IRC provisions for duct connections have been replaced with language from the IMC and now reference the SMACNA HVAC Duct Construction Standards. Unlisted duct tape is not permitted for sealing joints or seams of ductwork. **CLARIFICATION**

M1602.2: The prohibition on taking return air from a garage does not apply to an HVAC system that serves the garage only. Mechanical rooms are no longer listed as prohibited sources of return air. Modification of the 10-foot rule for separation of return air inlets and fuel-burning appliances clarifies that the requirement applies to the draft hood and open combustion chamber of atmospheric burner appliances, not direct vent appliances with sealed combustion chambers. **RELAXATION**

M1901: The provisions for kitchen ranges have been updated to match those for gas-fired ranges in Section G2447. References to Sections M1504.1 and M1505.1 alert the code user to specific provisions related to installation of cooking appliances above ranges and clearances for open-top broiler units. Mandatory code language now clarifies that cooking appliances used in dwellings must be listed and labeled for household use. Commercial cooking appliances are not permitted in dwelling units. **ADDITION**

M2301, M2302: Photovoltaic solar energy systems have been added to the mechanical provisions of the IRC to distinguish them from thermal solar energy systems. **ADDITION**

G2409.1: Gypsum board is now specifically identified as a combustible material for purposes of determining required clearances around gas-fired appliances. **CLARIFICATION**

G2412, G2415: All pipe, tubing, and fittings used in a fuel-gas system now require a manufacturer's mark and third-party testing or certification. New definitions supplement the provisions. **ADDITION**

G2419.4: A new figure illustrates the correct configuration of a sediment trap. Gas-fired decorative vented appliances installed in vented fireplaces and gas fireplaces are not required to be equipped with a sediment trap. **RELAXATION**

G2442.4: For an HVAC system that serves the garage only, return air is permitted to be taken from the garage. The requirement for a 10-foot separation between return air inlets and fuel-burning appliances applies only to the draft hood and open combustion chamber of atmospheric burner appliances, not direct vent appliances with sealed combustion chambers. **RELAXATION**

P2503.5.1: The IRC no longer permits air testing of plastic piping in DWV systems. **ADDITION**

P2601.2: Waste water from lavatories, bathtubs, showers, clothes washers, and laundry trays is now defined as gray water and is permitted to be discharged to an approved gray-water system.

RELAXATION

P2603.4: A sleeve or relieving arch is not required for pipes passing under a footing. **RELAXATION**

P2606: Provisions for sealing pipe penetrations of the building envelope have been placed in a new section and revised to more precisely prescribe the approved types of materials and their correct application. The new language also correlates with the provisions for sealing against air leakage in the International Energy Conservation Code. **ADDITION**

P2609.1, P2609.4: Pipe, fittings, and plumbing components are required to meet the marking requirements of the applicable referenced standard in addition to bearing the identification of the manufacturer. The code now requires all plumbing products and materials to be listed by a third-party certification agency. Table 2608.4 and third-party testing requirements have been deleted. **ADDITION**

P2702.1, P2706.1: The definition of plumbing fixture has been revised to include receptacles and devices that discharge to the drainage system but are not connected to a water supply, such as floor drains and standpipes. The requirement for strainers on plumbing fixture outlets has been clarified by specifically excluding hub drains and standpipes. Attics and crawlspaces are now listed as prohibited locations for waste receptors and standpipes. Clothes-washer standpipes are permitted to be installed in bathrooms. **CLARIFICATION**

P2709.1, P2709.2: The distance shower liners must extend above finished thresholds has been reduced from 3 inches to 2 inches. Minimum thickness requirements for PVC and CPE shower liners have been deleted in favor of requirements in the referenced standards. **RELAXATION**

P2709.2.4: The IRC recognizes a new liquid-applied shower liner material. **RELAXATION**

P2713.1: The revised text clarifies that bathtubs require an overflow outlet. **CLARIFICATION**

P2801.5: The provisions for safety pans under water heaters have been clarified by prescribing such protection for water heaters with storage tanks only. Tankless water heaters do not require pans. **CLARIFICATION**

P2904.2.4.2: A new figure provides prescriptive values for minimum separation distances between fire sprinklers and obstructions. Lesser distances are permitted in accordance with the manufacturer's installation instructions. **ADDITION**

P3003.19: Use of a waste connector and sealing gasket is now permitted as an alternative to a flanged connection for floor-mounted water closets. **RELAXATION**

P3007.3.5: The discharge from ejector pumps is now permitted to connect to soil stacks, waste stacks, and horizontal branch drains in addition to building sewers and building drains. **RELAXATION**

P3009: Provisions for gray-water recycling systems, previously found in Appendix O, have been placed into the body of the code in a new Section P3009. Waste water from lavatories, bathtubs, showers, clothes washers, and laundry trays is now defined as gray water and is permitted to discharge to an approved gray-water system. **RELAXATION**

P3103.5: The minimum clearance for vent terminations above openings within 10 feet has been increased from 2 feet to 3 feet. **ADDITION**

SIGNIFICANT CHANGES TO THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE

BUILDING ENVELOPE

Table C402.1.3 and 4: Minimum R values and Maximum U factors for roof insulation entirely above deck in climate zones 1-5 have changed. **ADDITION**

C402.1.5: Component Performance Alternative method of compliance has been added. **RELAXATION**

C402.2.3: Definition of mass wall expanded to include heat capacity of wall. **CLARIFICATION**

C402.5.1: Air barrier requirements have been expanded to include Climate zones 1, 2A, and 3. **ADDITION**

C402.5.1.2.1 and 2: Clay and Shale masonry are now deemed to comply as air barriers. **RELAXATION**

C402.5.3: Rooms containing fuel burning appliances are now required to be isolated from the building thermal envelope in climate zones 3 through 8. **ADDITION**

C402.1.2: Exempts Equipment buildings from the provisions of the thermal envelope requirements if the building meets certain provisions. **RELAXATION**

C402.5.7: Vestibule requirements are exempt with the use of an air curtain. **RELAXATION**

C403.2.9: Supply and return ducts and plenums in unconditioned or outdoor spaces are now required to be insulated with R12 in higher climate zones. Climate zones 1 – 4 can still use R8. **ADDITION**

BUILDING MECHANICAL SYSTEMS

Tables C403.2.3: Some minimum efficiency requirements have changed and will increase on January 1, 2016 (footnote C). **ADDITION**

C403.2.4.4: HVAC systems serving over 25,000 square feet or more than one story designed to operate or be occupied non-simultaneously shall be divided into isolation areas. Each isolation area will be controlled independently. **ADDITION**

C403.2.4.7: Air-cooled unitary direct-expansion units and variable refrigerant flow (VRF) units equipped with an economizer must include a fault detection and diagnostics (FDD) system. **ADDITION**

Tables C403.2.7: The requirements for energy recovery ventilation systems is now dependent on whether or not the ventilation system operates less than 8,000 hours per year. There are now two tables listing the supply air flow rate of the fan system depending on annual run time. **ADDITION**

C403.2.8: This new section regulates the replacement air for kitchen exhaust systems where the total kitchen hood exhaust flow rate is greater than 5,000 cubic feet per minute. Each hood shall be a factory built commercial exhaust hood listed in compliance with UL 710. **ADDITION**

C403.2.12.3: Fans serving HVAC units must be labeled by the manufacturer with a fan efficiency grade of not less than 67. **ADDITION**

Table 403.2.3(9): Air conditioners serving computer rooms are separately regulated by the code with the addition of this new table. **ADDITION**

SERVICE WATER HEATING SYSTEMS

C404.2.1: This new section addresses High-input-rated service water heating systems. **ADDITION**

C404.4, Table C403.2.10: Piping for water heaters to the termination of the heated water fixture supply pipe shall be insulated in accordance with Table C403.2.10, the same as piping serving as part of a heating or cooling system. **ADDITION**

C404.5: This new section limits the flow rates through piping. There are two methods of compliance. The first is the Maximum allowable pipe length method (Table C404.5.1). The second method is the Maximum allowable pipe volume. **ADDITION**

C404.6.1, C404.6.2, C404.6.3, C404.7: Specific control functions for heated water circulating and temperature maintenance systems can be found in these sections. **ADDITION**

GLAZING AND DAYLIGHT ZONES

C402.4.1.1: Requirements for increased vertical fenestration area with daylight responsive control in climate zones 1 – 6 for buildings greater than 2 stories have been reduced. 25% of the net floor area must be within a daylight zone. The requirement for buildings up to two stories remains at 50%.

RELAXATION

C402.4.2: Minimum skylight fenestration areas have been decreased from 10,000 square feet to 2,500 square feet for spaces with a ceiling over 15'. This includes some new additional exceptions for areas adjacent to daylight zones. **ADDITION**

C405.2.3.2 and 3: Daylight zones have been redefined to more closely match the definition in ASHRAE 90.1. Items clarified or redefined include: dimensions of daylight zones are closer to those defined in ASHRAE 90.1; clear directions for rooftop monitors; distance to buildings or geologic formations; and Visible Transmission (VT) of existing glazing. **CLARIFICATION**

LIGHTING AND CONTROLS

Table C405.4.2: Most interior lighting densities have decreased and common space types have been expanded. **RELAXATION**

C405.2.2: Shop and laboratory classrooms are now exempt from the requirement for time switch controls. **RELAXATION**

C405.2.1.2: Locker rooms and warehouses now require occupant sensor controls that automatically reduce lighting power by at least 50% when an area is unoccupied. The sensors shall control lighting in each aisle way independently. **ADDITION**

C405.2.3: Daylight responsive controls are required in rooms with more than 150 W of general lighting. Exceptions have been added for: health care facility spaces where patient care is directly provided; dwelling units and sleeping units; lighting required to have specific application control; and sidelight daylight zones on the first floor above grade in Group A-2 and Group M occupancies. **RELAXATION**

NEWLY-REGULATED ELECTRICAL EQUIPMENT

C403.2.4.6: Freeze-protection system controls are now required to have automatic shut off systems when outdoor air temperatures are above 40 degrees F or when the conditions of the protected fluid prevent freezing. **ADDITION**

C405.7, C405.8: These new mandatory requirements state that electric transformers and electric motors must meet minimum efficiency requirements of Tables C405.7 and C405.8(1) – (4). The efficiency must be verified through certification or data furnished by the manufacturer. **ADDITION**

C405.9: This new section specifies requirements for elevators and escalators. Elevator cabs have new regulations for luminaires and ventilation. Escalators will have automatic controls reducing speeds to a minimum when empty. **ADDITION**

REFRIGERATION SYSTEM PERFORMANCE

C403.2.14: This new section lists the maximum refrigeration equipment energy use in KW hours per day when tested and rated in accordance with the Air Conditioning Heating and Refrigeration Institute's Standard 1200. **ADDITION**

C403.2.15: Walk-in coolers and freezers and refrigerated warehouse coolers and freezers are now regulated by this new section. **ADDITION**

C403.2.16: This new section regulates Site-assembled walk-in coolers and freezers. **ADDITION**

C403.5: This new section regulates refrigeration systems served by remote equipment. **ADDITION**

C403.2.17: Site-assembled Refrigerated display cases are required to have new lighting controls including a time switch that shuts off lights after business hours and motion sensor controls that dim lighting when customers have vacated the area. These cases must also include temperature based defrost termination controls and anti-sweat heater controls. **ADDITION**

ADDITIONAL ENERGY EFFICIENCY PACKAGES

C406.2: The additional efficiency package option has been expanded to include three new options for a total of six options:

- More efficient HVAC performance (C406.2)
- Reduced lighting power density system (C406.3)
- Enhanced lighting controls (C406.4)
- On-site supply of renewable energy (C406.5)
- Provision of a dedicated outdoor air system for certain HVAC equipment (C406.6)
- High-efficiency service water heating (C406.7)

ADDITION

C406.4: This is the first of the three new options for the additional efficiency package (Enhanced Lighting Controls). It includes the following:

- Luminaires shall be capable of continuous dimming and addressed individually
- Not more than 8 luminaires controlled together in a daylight zone
- Fixtures controlled through a digital control system
- Occupancy sensors
- Construction documents include Sequence of Operations
- Functional testing of lighting controls

ADDITION

C406.6: This is the second of the three new options for the additional efficiency package (Dedicated Outdoor Air System). It includes the following:

- Buildings covered by Section C403.4
- Equipped with an independent ventilation system that provides a minimum 100% outdoor air to each individual occupied space and is capable of total energy recovery.
- The HVAC system shall include supply-air temperature controls that automatically reset the supply-air temperature in response to representative building loads or to outdoor air temperatures. The controls shall reset the supply-air temperature at least 25% of the difference between the design supply-air temperature and the design room-air temperature.

ADDITION

C406.8: This is the third of the three new options for the additional efficiency package (High Efficiency Service Water Heating). It includes the following:

- Buildings shall be of certain listed types to be able to use this compliance method OR show a service hot water load of more than 10% of total building energy loads.
- Not less than 60% of the hot water requirements should be supplied by waste heat recovery or solar water heating systems.

ADDITION

COMMISSIONING

C408.2: With the exception of mechanical systems and service water heating systems in buildings where the total mechanical equipment capacity is less than specified thresholds, Service Water Heating Systems, Swimming Pool water heating systems, Spa water heating systems, and controls for those systems shall be commissioned and completed in accordance with this section. Systems that serve

individual dwelling units and sleeping units are exempt from the requirement. Reports shall be organized with mechanical and service water findings in separate sections to allow for independent review prior to final inspections. Service hot water controls manuals covering maintenance and calibration information must be provided to the building owner. **ADDITION**

C408.3.1.1, C408.3.1.2, C408.3.1.3: Requirements for lighting control systems commissioning have been expanded based on the type of controller. Specifications are clearly spelled out for Occupant sensor controls, Time-switch controls, and Daylight responsive controls. Construction documents must specify documented performance criteria for lighting. O&M manuals must be provided to the building owner including schedules for inspection and recalibrating. **ADDITION**

SIGNIFICANT CHANGES TO THE 2015 INTERNATIONAL RESIDENTIAL CODE – CHAPTER 11

N1101.13: The compliance paths in the energy provisions have been clarified. The mandatory provisions combined with either the prescriptive provisions or the performance provisions are deemed to comply with the code. CLARIFICATION

N1101.14: The code now requires the permanent energy certificate to be placed on a wall in proximity to the furnace, in a utility room, or in another approved location inside the building. ADDITION

N1102.1.3: The code now allows insulated siding to be used in the calculation for satisfying the wall insulation R-value. The labeled R-value for the siding must be reduced by R-0.6 for calculation purposes. RELAXATION

N1102.2.4: Vertical doors that access unconditioned attics and crawl spaces do not require an R-value to match the required wall insulation. Such doors must comply with the fenestration U-factor requirements of Table N1102.1.2. RELAXATION

N1102.2.27, Table N1102.1.2: The allowed R-value reduction for portions of walls with structural sheathing and requiring continuous insulation has been moved from footnote h of Table N1102.1.2 and placed in a new section to clarify the application. CLARIFICATION

N1102.2.8, Table 1102.4.1.1: The code now permits an air space above required insulation installed in a floor framing cavity above unconditioned space. Table N1102.4.1.1 has been reformatted into three columns to separate the air barrier requirements from the insulation requirements. CLARIFICATION

Table N1102.4.1.1: Insulation requirements at framed wall corners and headers only apply when there is space to install insulation. The minimum insulation thermal resistance is R-3 per inch of insulation. CLARIFICATION

N1102.4.2, Table N1102.4.1.1: Doors on wood-burning fireplaces must be listed for the application. The requirement for gasketed doors on fireplaces has been removed. RELAXATION

N1103.3: The duct sealing and testing provisions have been reorganized to clarify the application. The maximum duct leakage rates are now prescriptive rather than mandatory provisions to accommodate design flexibility. CLARIFICATION

N1103.5: The code now requires automatic controls to maintain hot water temperature for heated water circulation systems and for heat trace temperature maintenance systems when such systems are installed. To save energy, continuously operating circulation pumps are no longer permitted. Heat trace systems must comply with one of the referenced standards. ADDITION

RESIDENTIAL ENERGY RATING INDEX

R406: The energy rating index approach is one of three IECC compliance options, the others being the Prescriptive and Performance based approaches.

- The ERI is a numerical value that is a percentage of a home's energy usage based on a sliding scale that includes an ERI "reference design" with an index value of 100 to a home that uses no net purchased energy with an indexed value of zero. The code provides a maximum ERI for each climate zone. The ERI reference design is configured to meet the minimum requirements of the 2006 IECC prescriptive requirements.
- Verification of compliance with the ERI approach shall be completed by an approved third party.

ADDITION

SIGNIFICANT CHANGES TO THE 2015 INTERNATIONAL RESIDENTIAL CODE

R101.2, R202: The maximum height for accessory structures has been increased from two to three stories above grade plane. Technical requirements have been removed from the definition, and accessory structures are now permitted to be unlimited in area. **RELAXATION**

R104.11: When proposed alternatives are not approved, the reason for the disapproval must be stated in writing by the building official. **RELAXATION**

R105.3.1.1: Determination of substantial improvement for existing buildings in flood hazard areas is the responsibility of the building official. The related provisions are now consolidated in Section R105.3.1.1. **ADDITION**

R106.1.4: Construction documents for dwellings in Coastal A Zones shall include the elevation of the bottom of the lowest horizontal structural member. **ADDITION**

Table R301.2 (1): Table R301.2 (1) Climatic and Geographic Design Criteria now contains a section to include whether the jurisdiction contains special wind regions or wind borne debris zones. **CLARIFICATION**

R301.2: Ultimate design wind speed values replace basic wind speed values for 3-sec gust wind speeds in Section R301.2.1. A wind speed conversion table has been added for conversion from ultimate design to nominal design wind speed. **CLARIFICATION**

R301.2: New to the 2015 IRC, wind maps use ultimate design wind speeds. Figure R301.2 (4) A shows the new wind speeds within the continental United States, Alaska, and Puerto Rico. A list of wind speeds for special wind regions in Hawaii, Guam, American Samoa, and the Virgin Islands is included. Figure R301.2 (4) B shows the regions of the United States that require engineered design of residential structures for high wind loads. **ADDITION**

Table R301.2 (2): The component and cladding table uses ultimate design wind speeds in place of former basic wind speeds as limits for loads. Roof slopes are divided into new categories for determining component and cladding loads. **ADDITION**

R301.2.1.1.1: The 2015 International Residential Code requires sunrooms to comply with AAMA/NPEA/NSA 2100-12. The standard contains requirements for habitable and nonhabitable sunrooms. **ADDITION**

R301.2.1.1.2: Requirements for glazed openings to be protected from wind borne debris have been clarified by the addition of a new section detailing changes to the ASTM E 1996 standard. **CLARIFICATION**

R301.2.1.4: Wind Exposure Category A is a legacy category that no longer exists in the IBC and ASCE 7, which is the basis for determination of wind exposure categories. In the 2015 IRC, Exposure Category A is deleted. In the 2012 IRC, Wind Exposure Category D applied to regions adjacent to open water in non-hurricane-prone regions. Wind Exposure Category D now applies to open water, mud and salt flats, and unbroken ice fields. Exposure Category D also applies in hurricane-prone regions to residences on or near the ocean floor. CLARIFICATION

Table R301.2.1.5.1: Table R301.2.1.5.1, Ultimate Design Wind Speed Modification for Topographic Wind Effect, is updated for the change in wind speed values. The table gives minimum ultimate design wind speed values depending upon the slope of the upper portion of the ridge, hill, or escarpment. CLARIFICATION

R301.2.4: Buildings located in a flood hazard area must comply with the provisions for the most restrictive flood hazard area and may use ASCE 24 for design. CLARIFICATION

R301.3: Story height of wood and steel wall framing, insulated concrete, and SIP walls may not exceed 11 feet, 7 inches. Masonry wall height is limited to 13 feet, 7 inches. CLARIFICATION

R302.1: Unprotected roof overhangs are now permitted to project to within 2 feet of the property line when fireblocking is installed between the top of the wall and the roof sheathing. In most cases, projections are not permitted less than 2 feet from the property line. For dwellings with or without fire sprinkler protection, penetrations of exterior walls do not require fire-resistant protection unless they are located less than 3 feet from the property line. ADDITION

R302.2: The provisions for separating townhouses with structurally independent fire-resistant-rated walls in accordance with Section R302.1 have been removed in favor of the common wall provisions of Section R302.2. Common walls separating townhouses must now be rated for 2 hours when an automatic fire sprinkler system is not installed in the townhouse dwelling units. RELAXATION

R302.13: The provisions for fire protection of floors have been relocated from Chapter 5 to the fire-resistant construction provisions of Section R302. New language clarifies that the code does not regulate penetrations or openings in the fire protection membrane. CLARIFICATION

R303.7, R303.8: Interior and exterior stairway illumination provisions have been placed in separate sections. Conflicting language has been removed to clarify the requirements. CLARIFICATION

R304.1: The requirement for one habitable room with a minimum floor area of 120 square feet has been removed from the code. RELAXATION

R305: The minimum ceiling height for bathrooms, toilet rooms, and laundry rooms has been reduced to 6 feet 8 inches. The exception for allowing beams, girders, ducts, or other obstructions to project to within 6 feet, 4 inches of the finished floor has been expanded to include basements with habitable space. RELAXATION

R308.4.2: Glazing installed perpendicular to a door in a closed position and within 24 inches of the door only requires safety glazing if it is on the hinge side of an in-swinging door. **RELAXATION**

R308.4.5: The exception from the safety glazing requirements for glazing that is 60 inches or greater from the water's edge of a bathtub, hot tub, spa, whirlpool, or swimming pool has been expanded to include glazing that is an equivalent distance from the edge of a shower, sauna, or steam room. **RELAXATION**

R308.4.7: Glazing adjacent to the bottom stair landing is now defined as the area in front of the plane of the bottom tread. **CLARIFICATION**

R310: The emergency escape and rescue openings provisions have been reorganized. Separate provisions spell out the requirements for windows and doors used for emergency escape and rescue. **CLARIFICATION**

R310.5, R310.6: The basement of a dwelling addition does not require an emergency escape and rescue opening if there is access to a basement that does have an emergency escape and rescue opening. Remodeling of an existing basement does not trigger the emergency escape and rescue opening requirements unless a new bedroom is created. **CLARIFICATION**

R311.1: The required egress door of a dwelling unit must open directly into a public way or to a yard or court that opens to a public way. **CLARIFICATION**

R311.7.3, R311.7.5.1: The total vertical rise in a stairway without an intermediate landing has increased from 144 inches to 147 inches. The provision for allowing open risers has been clarified. It is based on the distance above grade or the floor below, not on the total rise of the stair. A new exception clarifies that open risers are permitted on spiral stairways. **RELAXATION**

R311.7.10.1: The code adds a definition of spiral stairway that omits any requirement for a center post to allow for design flexibility. The code now limits the size of spiral stairways by restricting the radius at the walkline to a dimension not greater than 24 ½ inches. The method of measurement for tread depth now matches the winder provisions and measures at the intersection of the walkline and the tread nosings rather than perpendicular to the leading edge of the tread. **ADDITION**

R311.7.11, R311.7.12: Alternating tread devices and ship ladders have been added to the stair provisions. Neither device is approved for use as a means of egress. **ADDITION**

R311.8: Ramps that do not serve the required egress door are now permitted to have a slope not greater than 1 unit vertical in 8 units horizontal. **RELAXATION**

R312.1.2: The provision requiring that the guard height be measured from the surface of adjacent fixed seating has been removed from the code. **RELAXATION**

R312.2.1: The window fall prevention provisions have been revised to clarify the meaning, remove redundant language, and achieve consistency with the IBC provisions. CLARIFICATION

R314: Battery operated smoke alarms are permitted for satisfying the smoke alarm power requirements when alterations, repairs, and additions occur. Household fire alarm systems no longer require monitoring by an approved supervising station. New provisions address smoke alarms installed near bathrooms and cooking appliances. ADDITION

R315: Carbon Monoxide alarms now require connection to the house wiring system with battery backup. Exterior work such as roofing, siding, windows, doors, and deck and porch additions no longer trigger the carbon monoxide alarm provisions for existing buildings. An attached garage is one criterion for requiring carbon monoxide alarms, but only if the garage has an opening into the dwelling. A carbon monoxide alarm is required in bedrooms when there is a fuel fired appliance in the bedroom or adjoining bathroom. Carbon monoxide detection systems only require detectors installed in the locations prescribed by the code and not those locations described in NFPA 720. ADDITION

R322.1, R322.2: Section R322.1 is modified to emphasize that the provision applies to existing buildings in flood hazard areas where 50 percent or more of the structure has damage and requires restoration. Section R322.2 limits the minimum elevation allowed for dwellings in flood hazard areas and defines a Coastal A Zone. ADDITION

R322.3: Coastal A Zones are defined and an exception for foundation types in Coastal A Zones is added. ADDITION

R325: New provisions in Section R325 place limitations on the construction of mezzanines related to ceiling height and openness consistent with the International Building Code (IBC). ADDITION

R403.1.1: This code change divides minimum footing size and thickness into three expanded tables based on the type of construction being supported: light frame, light frame with veneer, and concrete or masonry. The values are also based on the type of foundation: slab on grade, crawlspace, or basement. ADDITION

R403.1.2, R602.10.9.1: This code change clarifies the continuous footing requirements in Section R403.1.2 and moves requirements in Section R602.10.9.1 to the foundation chapter. CLARIFICATION

R403.1.3: Updated figures and code provisions in Section R403.1.3 now clearly define minimum required reinforcement in footings and stem walls located in Seismic Design Categories (SDC) D-0, D-1, and D-2. ADDITION

R403.1.6: Anchor bolts are now required to be placed in the middle third of the sill plate. Approved anchors may be used instead of ½-inch anchor bolts. RELAXATION

R404.1.4.1: Minimum vertical reinforcement in masonry stem walls has been increased from No. 3 bars to No. 4 bars spaced a maximum of 4 feet on center in grouted cells. ADDITION

R404.4: Retaining walls, freestanding walls not supported at the top, with more than 48 inches of unbalanced backfill must be designed by an engineer. Retaining walls resisting additional lateral loads and with more than 24 inches of unbalanced backfill must also be designed in accordance with accepted engineering practice. **ADDITION**

Tables R502.3.1 (1), R502.3.1 (2): Changes to Southern Pine (SP), Douglas Fir-Larch (DFL), and Hemlock Fir (HF) lumber capacities have changed the floor joist span length in the prescriptive tables of the IRC. Span lengths for Southern Pine have decreased; lengths for DFL and HF joists have increased. **ADDITION**

R502.10: Requirements for header joist and trimmer connections in the framing of floor openings have been deleted. This section conflicted with Section R502.6, which contains minimum bearing lengths for all joists and headers. **RELAXATION**

R507.1, R507.4: The code sets the maximum allowable spacing for deck joists supporting the various types of common decking materials. **ADDITION**

R507.2: The deck ledger section is reorganized to better describe the minimum requirements for connection of deck ledgers to band joists. **CLARIFICATION**

R507.2.4: When the prescriptive deck lateral load connection that has appeared in the previous editions of the code is chosen as a design option, the code now requires the two hold-down devices to be within 2 feet of the ends of the deck. A new lateral load connection option prescribes four hold-downs installed below the deck structure. **ADDITION**

R507.5, R507.6, R507.7: New sections and tables provide prescriptive methods for joists and beams in deck construction. Section R507.5 describes requirements for deck joists, Section R507.6 lists requirements for deck beams, and Section R507.7 describes minimum bearing requirements for joists and beams. **ADDITION**

R507.8: New Section R507.8 establishes minimum sizes of wood posts supporting wood decks and describes the requirements for connection of deck posts to the footing. **ADDITION**

Table R602.3 (1): The fastening Schedule now contains multiple nail size options. Clarification of roof rafter connections at ridge, valley, and hip is added. **CLARIFICATION**

Table R602.3 (1): The Fastening Schedule for Structural Members now contains multiple nail size options. Clarification of double top plate splicing is added. Descriptions are updated in the IRC and the International Building Code (IBC) for attachments in walls as well. **CLARIFICATION**

Table R602.3 (1): The Fastening Schedule for Structural Members now contains multiple nail size options. Clarification of the joist-to-band-joist (rim board) connection is added. **CLARIFICATION**

R602.3.1: Table R602.3.1 is deleted and the exception for walls greater than 10 feet tall is added to the text of Section R602.3.1. If studs in a tall wall meet Exception 2, they meet the requirements of the IRC and do not need engineering or use of an alternate standard. **RELAXATION**

R602.7: The girder and header span tables of Chapter 5 have been moved into Chapter 6, to the header section. Multi-ply and single header tables are combined. A new section describing rim board headers is added. **CLARIFICATION**

Table R602.10.3 (1): Table values in Table R602.10.3 (1) have changed slightly due to use of ultimate design wind speed values to calculate required bracing length. **ADDITION**

Table R602.10.5: The contributing length of continuously sheathed portal frames (Method CS-PF) in low-seismic regions has increased by 50 percent. **ADDITION**

R602.10.6.2: Due to recent testing of Method PFH (Portal Frame with Hold-downs), the minimum required capacity of the hold-downs is lowered to 3500 lbs in the 2015 IRC. Additionally, the new testing confirms that two sill plates are sufficient under each braced wall panel of the portal rather than three plates used in Method PFH for the 2012 IRC. **RELAXATION**

R602.10.11: A reduction is no longer required in determining the maximum distance between braced wall panels in a cripple wall. References to the bracing length adjustment tables clarify that increased bracing is required if gypsum wall finish is not applied to the cripple walls. **CLARIFICATION**

R602.12: Simplified wall bracing is now allowed for one- to three-story dwellings and townhouses in Wind Exposure Category B or C with ultimate design wind speeds of 130 mph or less. **RELAXATION**

R603.9.5: Section R603.9.5 addressing the bracing requirements for cold-formed steel framing with stone or masonry veneer has been expanded to include the higher seismic design categories. This section directs the user to increase bracing length when a structure is located in SDC C, D-0, D1, or D-2 and has stone or masonry veneer. **ADDITION**

R606: Sections R606, R607, R608, and R609 have been organized into one section providing requirements for masonry construction of single- and two-family dwellings and townhouses. Table 6-1 summarizes the relocation of sections in the 2015 IRC and lists sections that are new. **CLARIFICATION**

R606.3.5: With reorganization of the masonry wall provisions in the 2015 IRC, the section covering provisions for grouting above ground masonry walls now combines all the requirements for single, multi-wythe, and reinforced masonry construction in one section. Clarified provisions address grout placement, cleanouts, and construction for all three types of masonry construction. **CLARIFICATION**

R610.7: Drilling and notching provisions for structural insulated panels (SIP) are clarified. **CLARIFICATION**

R703.3: Table R703.4, Weather Resistant Siding Attachment and Minimum Thickness, is simplified. New code language is added to Section R703 to clarify limitations of use of the table and to describe fastener type, length, and penetration. CLARIFICATION

R703.5: Minimum spacing based on siding thickness has been moved from 2012 IRC Table R703.4 footnote i, siding attachment and minimum thickness, to 2015 IRC Section R703.5.2, panel siding. Requirements for vertical wood siding have moved from 2012 IRC footnote j to 2015 IRC Section R703.5.1, vertical wood siding. CLARIFICATION

R703.6: The provisions for the application of wood shakes and shingles on exterior walls have been reorganized to give more information within tables for ease of use. CLARIFICATION

R703.9: Limitations for exterior insulation and finish systems with and without drainage have been added to the 2015 IRC. CLARIFICATION

R703.11.1: This code change clarifies nailing penetration and spacing requirements for horizontal and vertical vinyl siding. CLARIFICATION

R703.13, R703.14: New sections set minimum requirements for insulated vinyl siding and polypropylene siding. ADDITION

R703.15, R703.16, R703.17: Three new sections set minimum requirements for cladding attachment over foam sheathing to wood framing (R703.15), cold-formed steel framing (R703.16), and masonry or concrete walls (R703.17). For light-frame construction, prescriptive requirements are given. Connection to concrete and masonry construction continues to require engineered design in most cases when placing foam over the concrete or masonry wall. ADDITION

Tables R802.4, R802.5: Changes to Southern Pine, Douglas Fir-Larch, and Hemlock Fir capacities have changed the maximum spans for lumber in the ceiling joist and rafter span tables of the International Residential Code. ADDITION

R806.1: The 2012 IRC exception allowing the building official to waive ventilation requirements due to atmospheric or climatic conditions has been deleted. ADDITION

Table R806.5: For unvented attics and unvented rafter spaces, Table R806.5 has a new footnote allowing calculation of insulation thickness when the insulation is placed above the structural roof sheathing. ADDITION

R905.1.1: The multiple code provisions placed in the 2012 IRC for underlayment have been combined into Section R905.1.1, with three tables listing underlayment type, application, and attachment. Sections on ice barriers from the 2012 IRC are reorganized and combined into Section R905.1.2. CLARIFICATION

R905.7.5: The minimum requirements for application of wood shingles are expanded. Fastener type is clarified and a new table lists minimum sizes for box nails. Labeling requirements for fastener packaging have also been added. **ADDITION**

R905.8.6: The minimum requirements for application of wood shakes are expanded. Fastener type is clarified, and a new table lists minimum sizes for box nails. Labeling requirements for fastener packaging have also been added. **ADDITION**

R905.16: Additional requirements and limits for photovoltaic shingles have been added to Section R905.16. **ADDITION**

R907: This code provision describes the requirements and limits of rooftop-mounted photovoltaic systems. **ADDITION**

M1502.4.4, M1502.4.5: The code now recognizes the use of dryer exhaust duct power ventilators (DEDPVs) to increase the allowable exhaust duct length for clothes dryers. **RELAXATION**

M1502.4.6: A permanent label identifying the concealed length of the dryer exhaust duct is no longer required where the equivalent duct length does not exceed 35 feet. For the dryer exhaust duct exceeding 35 feet, a label or tag is required whether the duct is concealed or not. **RELAXATION**

M1503.4: Automatic operation of a mechanical damper is no longer required for supplying makeup air for kitchen exhaust systems exceeding a rating of 400 cubic feet per minute (cfm). Transfer openings are permitted to obtain makeup air from rooms other than the kitchen. **RELAXATION**

M1506.2: The code establishes maximum exhaust duct lengths based on duct diameter, type of duct and the exhaust fan airflow rating. **ADDITION**

M1601.1.1, Table M1601.1.1, M1601.2: The list of duct system requirements has been revised to reference the applicable standards and delete redundant language. The table for material thickness of metal ducts was replaced with what is currently consistent with the SMACNA sheet metal construction standard. **CLARIFICATION**

M1601.4: Tapes and mastics used to seal sheet metal ducts must be listed to UL 181 B as has been required for sealing flexible ducts. Snap-lock and button-lock seams are no longer exempt from the sealing requirements. **ADDITION**

M1602: The provisions for return air have been simplified and clarified to improve understanding while preserving the intent of keeping contaminants out of the airstream of the heating, ventilation and air-conditioning (HVAC) system. The provisions for outdoor air openings have been removed and the code now references the applicable provisions for outdoor air in Chapter 3. **CLARIFICATION**

G2404.11: Condensate pumps located in uninhabitable spaces must be connected to the appliance to shut down the equipment in the event of pump failure. **ADDITION**

G2411.1.1: The maximum allowable length of the bonding jumper for corrugated stainless steel tubing (CSST) is 75 feet. Bonding methods must comply with NFPA 70 and devices, such as clamps, must be listed in accordance with UL 467. **ADDITION**

G2413.2: Table G2413.2 and the reference to it were deleted to clarify that the code requires the actual maximum input rating of the appliances to be known and used for gas sizing purposes. **CLARIFICATION**

G2414.6: PVC and CPVC pipe are expressly prohibited materials for supplying fuel gas. **CLARIFICATION**

G2415.5: This section retains the basic intent while being completely reorganized to clarify the correct application. Threaded elbows, tees, and couplings are now specifically approved for concealed locations as the code always intended. The code now provides the applicable referenced standards for fittings that are listed for concealed locations. **CLARIFICATION**

G2415.7: The section on protection of piping has been completely rewritten to address more than just bored holes and notches in structural members. It now addresses piping parallel to framing members and piping within framing members. The new text requires that the protection extend well beyond the edge of members that are bored or notched. **ADDITION**

G2421.2: Medium-Pressure (MP) line regulators installed in rigid piping must have a union installed to allow removal of the regulator. **ADDITION**

G2422.1: Where portable gas appliances are used outdoors, such as gas grills, fire pits, and patio heaters, the options for connecting to the gas distribution system are practically limited to gas hoses designed for the purpose. Such hoses must comply with ANSI Z21.54. **ADDITION**

G2426.7.1: An appliance vent terminal is not permitted in a location within 12 inches of the arc of a swinging door. **ADDITION**

G2427.4.1, G2427.6.8.3: The approval of plastic pipe for venting appliances is no longer a responsibility of the building official and, instead, that responsibility rests with the appliance manufacturer and the appliance listing agency. The code previously addressed only vents, which are defined as listed and labeled factory-made products. The code is no longer silent on the sizing of plastic pipe vents that do not fall under the definition of "vent". **ADDITION**

G2427.8: New text addresses the location of sidewall vent terminals with respect to adjoining buildings. A 10-foot separation is required when a vent discharges in the direction of an opening in an adjacent building. **ADDITION**

G2439.4, G2439.7: New text recognizes the use of dryer exhaust duct power ventilators (DEDPVs) to increase the allowable exhaust duct length for clothes dryers. A permanent label identifying the concealed length of dryer exhaust duct is no longer required where the equivalent duct length does not exceed 35 feet. For dryer exhaust duct exceeding 35 feet, a label or tag is required whether the duct is

concealed or not. Instead of prohibiting all duct fasteners such as screws and rivets, the code now limits the penetration of fasteners, where installed. **ADDITION**

G2447.2: The code does not prohibit the installation of cooking appliances that are listed as both commercial and domestic appliances. **CLARIFICATION**

P2502.1, P2503.4: New text clarifies the method for examining existing building sewers and building drains when the entire sanitary drainage system is replaced. Internal examination is required to verify the size, slope, and condition of the existing piping. A new provision prescribes a pressure test for a forced sewer at a test pressure of 5 psi greater than the pump rating. **ADDITION**

P2503.5: The head pressure for a water test on drain, waste, and vent (DWV) systems has been reduced from 10 feet to 5 feet. **RELAXATION**

P2603.2.1: For piping installed through bored holes or in notches, the minimum clearance distance from the concealed piping to the edge of the framing member has been reduced from 1 ½ inches to 1 ¼ inches. Protection is required for piping installed less than 1 ¼ inches from the edge of the framing member. **RELAXATION**

P2603.3: The minimum thickness of sheathing material for protection of piping against corrosion has been reduced from 0.025 inches to 0.008 inches. The corrosion protection requirement applies to metallic piping other than cast iron, ductile iron, and galvanized steel that is in direct contact with concrete, masonry or steel framing. Previously, protection was only required for materials passing through walls and floors of these materials. All metallic piping requires corrosion protection when located in corrosive soils. **RELAXATION**

Table P2605.1: Support spacing requirements for PEX and PE-RT tubing 1 ¼ inches and greater in diameter have been added to the table. Footnote b of Table P2605.1 clarifies the mid-story guide requirements for some types of vertical pipe 2 inches and smaller in diameter. **ADDITION**

P2702.1, P2706.1: A definition of waste receptor has been added to the code. Waste receptors are now permitted in bathrooms and closets. **CLARIFICATION**

P2717: The code now references the applicable standards for integral air gaps protecting the potable water supply to dishwashers. The term “food waste disposer” replaces “food waste grinder.” Sections P2717.2 and P2717.3 regarding dishwasher discharge to the sink tailpiece or the food waste disposer have been combined into a single Section P2717.2, eliminating redundant language and improving understanding of the provisions. **CLARIFICATION**

P2801: The code now specifically requires drain valves with a threaded outlet for water heaters. The water heater pan requirements have been expanded to accept aluminum and plastic pans of the prescribed thickness. The code clarifies that a pan drain is not required when a water heater is replaced and there is no existing drain. **ADDITION**

P2804.6.1: The temperature and pressure (T&P) relief valve discharge pipe termination must have an air gap suitable to protect the potable water supply distribution system of the building. PEX and PE-RT tubing used for relief valve discharge piping must be one size larger than the T&P valve discharge outlet, and the outlet end of the tubing must be fastened in place. **ADDITION**

P2901, P2910 through P2913: Nonpotable water outlets, such as hose connections, that utilize nonpotable water must be identified with a warning and a symbol that nonpotable water is being used. The color purple is established for identifying distribution piping conveying nonpotable water. New Sections P2910 through P2913 are extracted from the International Green Construction Code (IgCC) and intend to provide guidance on the collection, storage, and distribution of various types of nonpotable water for residential buildings. **ADDITION**

P2905: Pointers have been added to the IRC plumbing provisions to direct the user to the applicable energy conservation provisions of IRC Chapter 11 related to heated water distribution systems. Section N1103.5 requires automatic controls to maintain hot water temperature for heated water circulation systems and for heat trace temperature maintenance systems when such systems are installed. **ADDITION**

P2906.2: The code has a more stringent limitation for lead content in pipe, pipe fittings, joints, valves, faucets, and fixture fittings that convey water used for drinking and cooking. **ADDITION**

P3003.9: The application of a primer to drain, waste, and vent PVC pipe and fittings prior to solvent cementing is not required for 4 inch pipe size and smaller, provided that the piping is for a non-pressure application. **RELAXATION**

P3005.2: The section on cleanouts has been completely reorganized and reworded for clarity. Brass cleanout plugs are only permitted for non-metallic piping. Where located at a finished wall, the cleanout must be within 1 ½ inches of the finished surface. A cleanout is no longer required at the base of each waste or soil stack. **ADDITION**

P3008.1: For existing buildings, fixtures that are located above the next upstream manhole cover are allowed to discharge through a backwater valve. **RELAXATION**

P3103.1, P3103.2: Where a minimum 3 inch diameter vent terminal is required to prevent frost blockage in cold climates, the 3 inch diameter pipe must extend at least 12 inches inside the building's thermal envelope. The minimum 7 foot height requirement for vent terminations applies only to roofs used for purposes similar to residential decks, patios and balconies. **ADDITION**

P3201.2: Trap seal protection against evaporation can now be accomplished in a variety of ways, including trap seal primer valves supplied with nonpotable water and barrier-type trap seal protection devices. **RELAXATION**

Appendix R: Prescriptive provisions for light straw-clay construction have been added as an appendix to the 2015 IRC. Light straw-clay walls are nonbearing infill around a structural frame. **ADDITION**

Appendix S: Prescriptive provisions for strawbale construction have been added as an appendix to the 2015 IRC. Strawbale walls may be bearing walls or nonbearing infill around a structural frame depending upon the method of construction and detailing. Appendix S contains requirements for both construction methods. **ADDITION**

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Alfonso Torres, Building Official, Construction Management, 325-657-4210 ext 138

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

Consider awarding RFB PK-03-18 Renovation and Expansion of Ruffini Parking Lot to Symco Structural, Inc. of San Angelo, TX, in the amount of \$279,655, budgeted for purchase in FY19, and authorizing the City Manager to execute any related documents - (Presentation made by Construction Manager Alfonso Torres)

Summary/History:

This project is in conjunction with the construction of the Ruffini Chapel at 11 E. Avenue B. The Ruffini Chapel is being constructed and paid for by the Old Town Conservancy. As part of the agreement to construct the chapel, the City agreed to improve the parking lot that will serve the chapel and already serves the Senior Center. The improvements will create an improved, safer parking area for use by the Senior Center as well as for the chapel.

This bid award is contingent upon approval of the ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019 for equipment, replacement, grants, reimbursed expenses, and obligations (item #31415-1745).

Financial Impact:

A funding plan will be presented to the City Council. If approved, a Budget Amendment will be required.

Other Information/Recommendation:

Attachments:

- | | | |
|----|----------|--------------|
| 1. | PK-03-18 | PK-03-18.pdf |
|----|----------|--------------|

Presentation:

Approvals/Reviews:

Alfonso Torres	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Candice Blake	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



CITY OF SAN ANGELO

RFB Bid TABULATION * PK-03-18/ RENOVATION AND EXPANSION OF RUFFINI PARKING LOT
7/26/18 AT 2:00 P.M.

		Reece Albert	Symco Structural
1	Base Bid:	\$ 317,600.00	\$ 249,250.00

Add Alternates:

1	Curb Cut infill sidewalk and curb along Chadbourne	\$ 23,500.00	\$ 7,000.00
2	Remove asphalt and install concrete walk along building	\$ 26,100.00	\$ 12,650.00
3	Replace existing sidewalk behind curb along Chadbourne	\$ 27,800.00	\$ 10,775.00
4	Chip seal parking lot in lieu of asphalt paving	no additional cost	\$ 85,000.00

Unit Prices:

1	Concrete flatwork - 4" sidewalk	12.00/sf	11.40/sf
2	Asphalt paving Heavy Duty	49.50/sy	3.15/sf
3	Asphalt Paving - Light Duty	49.50/sy	3.15/sf

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: James "Todd" Sanford, Assistant Chief, Fire Department, 325-657-4355

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

Consider authorizing the San Angelo Fire Department to accept and execute the Staffing for Adequate Fire and Emergency Response (SAFER) grant for \$1,096,192 for 8 additional firefighters. This is a three year grant that the city will pay 25% of the salaries in year one, 25% year two, 65% in year three and the full amount of salaries and benefits starting the fourth year. Cost at the end of the fourth year will be \$592,536. - (Presentation made by Assistant Chief Todd Sanford)

Summary/History:

The San Angelo Fire Department applied for the Staffing for Adequate Fire and Emergency Response (SAFER) grant in April 2018 for 8 additional firefighters. These firefighters will be placed on Ladder 1 and Battalion 1 to meet National Standards for these vehicles. The Fire Department was notified on September 7, 2018, that they had received the SAFER grant in the amount of \$1,096,192. The Fire Department has till October 5, 2018, to accept or deny the grant offer.

The grant is a three year grant that consists of the Federal Government paying 75% of the of the salaries and benefits the first two years and paying 35% of the salaries and benefits the third year. The city will pick up the entire cost of salaries and benefits in the fourth year.

We plan to move back the hiring of personnel previously budgeted for if we receive approval of the SAFER grant. This will allow us to use budgeted money and not have to increase this year's budget at all for the 8 SAFER Grant firefighters. Year two of the grant period will cost the City \$148,134, year three \$385,148, and starting in year four, the total cost to the city each year will be \$592,536.

Financial Impact:

The first year of the grant will require a local match of \$148,134 with a proposed funding source of salary savings. Year two of the grant period will cost the City \$148,134, year three \$385,148, and starting in year four, the total cost to the city each year will be \$592,536.

Other Information/Recommendation:

Attachments:

Presentation:

James "Todd" Sanford

Approvals/Reviews:

James "Todd" Sanford

Created/Initiated

Brian Dunn
Theresa James
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Coordinator, Budget, 325-657-6291

Meeting Date: October 2, 2018

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019, for capital items, grants, and reimbursed expenses - (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This proposed amendment contains the following items (additional information attached):

- Capital items from fiscal year 2018 Sales Tax surplus
- Middle Concho Project Grant
- Uncompensated Care Cost Reimbursement
- Fire Exhaust Grant
- Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|---------------|-----------------------------------|
| 1. | 10.2.18 Memos | 10.2.18 BA Memos ALL.pdf |
| 2. | Ordinance | Ordinance 10.16.18.docx |
| 3. | Presentation | 10.2.18 FIN Budget Amendment.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

Memo

To: Tina Dierschke, Finance Director
From: Kimberly Holle, Budget Manager
Date: 10/02/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Capital improvements as discussed with council on September 18, 2018.

Source of Funding:

Fund Balance (\$941,170 from fiscal year 2018 Sales Tax Surplus and \$12,455 from Parks departmental savings in fiscal year 2018)

Funding previously approved? If so, by City Manager or City Council and when?

Yes, City Council on 09/18/18.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Animal Services	0	200,000	200,000
Traffic Signal Battery Back-up	0	200,000	200,000
Tree Irrigation	0	120,300	120,300
Station 618 Parking Lot	0	200,000	200,000
Departmental FY18 Savings	0	12,455	12,455
River Bank Stabilization	0	60,000	60,000
Fort Concho Improvements	0	161,170	161,170

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Carl White, Director of Parks & Recreation
Date: 10/02/18
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for grant, local match, and project expenses for Middle Concho Park Boat Ramp, and transfer the original local match from Water Fund to Grant Fund



Source of Funding:

Texas Parks & Wildlife additional grant award of \$146,250 and the local match of \$48,750 is from Fiscal Year 2018 departmental savings. \$117,750 transfer from Water Fund to Grant Fund.

Funding previously approved? If so, by City Manager or City Council and when?

Approved by City Council on September 18, 2018.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Grant	353,250	146,250	499,500
Local Match	0	48,750	48,750
Original Local Match	0	117,750	117,750
Expense:			0
Project	353,250	312,750	666,000

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Brian Dunn, Fire Chief

Date: 09/21/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for reimbursement to cover cost of the peak hours ambulance, contract services, and a new ambulance and equipment.

Source of Funding:

Uncompensated Care Cost Reimbursement

Funding previously approved? If so, by City Manager or City Council and when?

Peak hours ambulance was discussed at the General Fund Budget Workshop on August 28, 2018.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue: Reimbursement	0	549,486	549,486
Expenses:			0
Peak Hours Ambulance	0	258,804	258,804
Contract Services	395,000	32,969	427,969
New Ambulance	0	257,713	257,713
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Brian Dunn, Fire Chief

Date: 09/21/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Funding for diesel exhaust system for station 1, 2,3, 6, and 8. This system will remove the exhausts from the vehicles to the exterior of the building.

Source of Funding:

\$231,810 will come from federal AFG grant

\$23,181 is the local match from our General Capital Project Fund.

Funding previously approved? If so, by City Manager or City Council and when?

The grant was accepted by City Council on 9-18-2018

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Grant Revenue	0	231,810	231,810
Local Match	0	23,181	23,181
			0
Project Expenses	0	254,991	254,991
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Brian Dunn, Fire Chief

Date: 10/02/18

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for Staffing for Adequate Fire and Emergency Response (SAFER) Grant for an additional 8 firefighters.

Source of Funding:

75% Federal Staffing for Adequate Fire and Emergency Response Grant Funded
25% Local match funded using departmental salary savings

Funding previously approved? If so, by City Manager or City Council and when?

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Grant		444,402	444,402
Local Match		148,134	148,134
			0
Expense:			0
Fire Salaries		592,536	592,536

Additional Comments:

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2018, AND ENDING SEPTEMBER 30, 2019, FOR CAPITAL
ITEMS, GRANTS, AND REIMBURSED EXPENSES.**

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS THAT:

The City's budget for fiscal year 2018-2019 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 2th day of October, 2018, and APPROVED and ADOPTED on this 16th day of October.

ATTEST:

CITY OF SAN ANGELO, TEXAS

Bryan Kendrick, City Clerk

Brenda Gunter, Mayor

Approved as to Content and Form:

Tina Dierschke, Finance Director

**City of San Angelo
Proposed Budget Amendment
Exhibit A**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
General Fund	\$549,486	\$1,552,161	\$(1,002,675)
Intergovernmental Fund	\$1,160,277	\$1,160,277	\$-
Water Fund	\$-	\$-	\$-
Fort Concho Fund	\$161,170	\$161,170	\$-
General Equipment Replacement Fund	\$257,713	\$257,713	\$-
General Capital Fund	\$532,755	\$532,755	\$-
	\$2,661,401	\$3,664,076	\$(1,002,675)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Capital Items	Fund Balance	\$693,925	\$1,647,850	\$(953,925)
Middle Concho Project	Grant / Fund Balance / Water Fund	\$312,750	\$361,500	\$(48,750)
Peak Hours Ambulance / Ambulance Replacement	Uncompensated Care Cost Reimbursement	\$807,199	\$807,199	\$-
Fire Exhaust Grant	Grant / General Capital Project Fund	\$254,991	\$254,991	\$-
Staffing for Adequate Fire and Emergency Response Grant	Grant / General Fund	\$592,536	\$592,536	\$-
		\$2,661,401	\$3,664,076	\$-



City Council

October 2, 2018



Budget Amendment

	Revenue	Expense
Animal Shelter Improvements		\$200,000
Traffic Signal Battery Back-up		\$200,000
Parks Tree Irrigation		\$120,300
Station 618 Parking Lot		\$200,000
Departmental FY18 Savings		\$12,455
River Bank Stabilization		\$60,000
Fort Concho Improvements		\$161,170



Budget Amendment

	Revenue	Expense
Texas Parks & Wildlife Grant	\$146,250	
Local Match	\$48,750	
Original Local Match	\$117,750	
Middle Concho Project		\$312,750



Budget Amendment

	Revenue	Expense
Uncompensated Care Cost Reimbursement	\$549,486	
Peak Hours Ambulance		\$258,804
Contract Services		\$32,969
New Ambulance		\$257,713



Budget Amendment

	Revenue	Expense
Fire Exhaust Grant	\$231,810	
Local Match	\$23,181	
Fire Exhaust Project		\$254,991



Budget Amendment

	Revenue	Expense
SAFER Grant Revenue	\$444,402	
Local Match	\$148,134	
Fire Salaries		\$592,536





City Council

October 2, 2018



From: info@cosatx.us
To: [Kendrick, Bryan](#); [Antilley, Julia](#)
Subject: City of San Angelo, TX: Boards and Commissions application
Date: Tuesday, September 18, 2018 1:49:49 PM

A new entry to a form/survey has been submitted.

Form Name: Boards and Commissions application
Date & Time: 09/18/2018 11:49 AM
Response #: 88
Submitter ID: 26281
IP address: 172.24.96.111
Time to complete: 33 min. , 2 sec.

Survey Details

Page 1

NOTE: This application is information of public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: Max Puello
Address: [REDACTED]
ZIP code: 76904
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 2005
City Council Single-Member District in which you reside: SAN ANGELO
Registered San Angelo voter? (yes or no) Yes
Occupation/business affiliation: Coldwell Banker Legacy
Occupation/business address: 3017 Knickerbocker Rd
Title/position: REALTOR
Email: [REDACTED]

- 2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.**

(o) Yes

3. Date

9/18/2018

4. Applying for:

NOTE: Specific membership requirements apply to boards/commissions marked with an asterisk. See the bottom page at [this link](#) for more details.

(o) Development Corporation

5. Recommended by:

(Name): Harry Thomas

6. Based on your board selection, do you meet the membership criteria?

(o) Yes

7. If so, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

MBA in Finance

Licensed REALTOR.

Current municipal and civic organization memberships (positions and dates):

Concho Educators, Supervisory Committee Chairman 2016-Present

San Angelo Association of REALTORS, Board Member 2013-Present

Texas Real Estate Political Action Committee (TREPAC) Region 2 Trustee, 2016-Present

Previous municipal experience (positions, dates, where):

San Angelo, July Pops Concert Committee 2009-2016

San Angelo Association of REALTORS, President, 2015

What personal qualifications can you bring to the board?

I have a corporate background from working at Verizon for 12 years and have been self employed as a REALTOR since 2010. I believe that being a small business owner and also having worked for a Corporation gives me insight and experience that I can share with the Board. In addition, I grew up in New York City and have multiple job experiences that may be contribute a different perspective than other Board Members.

What is your personal vision for the City?

I loved San Angelo as soon as I moved here in 2005 and decided to stay here to raise my family after I left the Corporate world in 2010. I enjoy the collaboration of the City, along with the Chamber of Commerce, and the Community to help San Angelo be a great place, to live, work, and play. I would love to contribute to the economic success of our great city by continuing to foster these relationships and to explore future partnerships that will enhance our way of life for all of our Citizens.

Why do you want to serve on this board?

It would be an honor for me to serve on this Board and contribute ideas and assess situations that will improve the quality of life for our Citizens.

Is there anything else you would like to share about yourself?

I appreciate your consideration.

Please feel free to view my profile on LinkedIn at <https://www.linkedin.com/in/max-puello-48588338/>

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 325-657-4405.

Thank you,
City of San Angelo, TX

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

From: info@cosatx.us
To: [Kendrick, Bryan](#); [Antilley, Julia](#)
Subject: City of San Angelo, TX: Boards and Commissions application
Date: Wednesday, September 12, 2018 3:13:46 PM

A new entry to a form/survey has been submitted.

Form Name: Boards and Commissions application
Date & Time: 09/12/2018 1:13 PM
Response #: 87
Submitter ID: 26216
IP address: 172.24.96.111
Time to complete: 9 min. , 39 sec.

Survey Details

Page 1

NOTE: This application is information of public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: Jon Mark Hogg
Address: [REDACTED]
ZIP code: 76901
Home/mobile phone: [REDACTED]
Office/mobile phone: [REDACTED]
Resident of San Angelo since (year): 1992
City Council Single-Member 5
District in which you reside:
Registered San Angelo voter? (yes or no) Yes
Occupation/business affiliation: Jackson Walker LLP
Occupation/business address: 135 W. Twohig Suite C
Title/position: Partner
Email: [REDACTED]

- 2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.**

(o) Yes

3. Date

9/12/2018

4. Applying for:

NOTE: Specific membership requirements apply to boards/commissions marked with an asterisk. See the bottom page at [this link](#) for more details.

(o) Parks and Recreation Advisory Board

5. Recommended by:

(Name): Not answered

6. Based on your board selection, do you meet the membership criteria?

(o) Yes

7. If so, which criteria?

All

8. Tell us about yourself.

Education and/or professional licenses:

Baylor University B.A. 1988

St. Mary's Law School 1992

Admitted to State Bar of Texas, Federal Court, Fifth Circuit, Supreme Court of the United States

Board certified in labor and employment law by the Texas Board of Legal Specialization

Member American Board of Trial Advocates

Current municipal and civic organization memberships (positions and dates):

Masonic Lodge 1260

Be Theatre - President Board of Directors

Previous municipal experience (positions, dates, where):

San Angelo City Council SMD 5 2006-2010

What personal qualifications can you bring to the board?

Experience in municipal government

What is your personal vision for the City?

To continually improve the quality of life for all its citizens, and make it an attractive destination for business and regional tourism.

Why do you want to serve on this board?

To be of service to the community and serve on a board that has a direct impact on the quality of life for the community.

Is there anything else you would like to share about yourself?

Avid hiker, backpacker and a great love of nature

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been

convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 325-657-4405.

Thank you,
City of San Angelo, TX

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