

## Chapter 18 - BUILDINGS AND BUILDING REGULATIONS

### ARTICLE I. - IN GENERAL

#### Sec. 18-1. - Scheduling inspections.

- (a) *Posting permit and plans.* Work requiring a permit shall not commence until the permit holder or his agent posts the permit in a conspicuous place on the premises. The permit holder shall maintain the approved plans on site and make them available to the Building Official or his or her designee until the certificate of occupancy or completion certificate is issued by the building official or his or her designee.

#### Sec. 18-2. – General building contractors registration.

It shall be the duty of every contractor who engages in the construction, erection, alteration, repair, moving, demolition, installation or replacements of any building, structure, swimming pool, or sign, whether permanent or temporary, obtain all the necessary permits. Such contractor shall be registered by the City of Schertz.

- (1) *Insurance required.* It shall be the duty of all contractors who practice their trade within the City of Schertz, Texas to show proof of general commercial liability insurance for claims for property damage, or bodily injury regardless of whether the claim arises from a negligence claim or on a contract claim. Coverage amount of liability insurance shall not be less than \$300,000.00.
- (2) *Application.* An application for a contractor's registration will be submitted to the building official or his or her designee on a form prescribed by the city along with the required initial fee.
- (3) *Renewal.* All renewals shall be due January 1, of each year.
- (4) *Revocation.* Any registration issued under this section may be revoked by the building official or his or her designee for failure to remedy unsatisfactory work, violations of the chapter, failure to obtain permits, or failure to obtain proper inspections in addition to any additional penalties provided by this chapter.
- (5) *Appeal.* An applicant, whose registration has been denied or revoked, may appeal to the Building and Standards Commission.

#### Sec. 18-3. - Electrical registration.

No person shall install, repair or remove electrical wiring or devices unless he is licensed as an electrical contractor issued by the State of Texas who employs any of the listed tradesmen as established by the Texas Department of Licensing and Regulation (TDLR). A licensed master, sign master, journeyman, sign journeyman, residential wireman, or journeyman lineman must directly supervise work done by an apprentice or sign apprentice.

Directly supervise is defined as follows:

- (1) Where a single family or duplex residential structure is under construction. The supervisor shall be on the property while any electrical work as defined by TDLR Rules and Law is underway.
- (2) Where a commercial or industrial project is under construction. The supervisor shall be not less than one supervisor per 50,000 square feet or each story above the first floor or sub-floor over 50,000 square feet and shall be on the property while any electrical work as defined by TDLR Rules and Law is underway.

Exception:

- (1) A registration is not required of a homeowner who is doing electrical work on his own home. The homeowner may receive help from others to do such work, provided that the principal occupation of the person giving help is not that of an electrical contractor or electrician.

- (2) A registration is not required of a person who is hired as a full-time employee to perform normal maintenance excluding alterations and additions of electrical systems in commercial establishments, provided that the person does not work as an electrician or electrical contractor for the general public.

*Renewal.* All renewals shall be due January 1, of each year.

Sec. 18-4. - Mechanical registration.

It shall be the duty of all mechanical contractors who practice their trade within the City of Schertz, Texas to show proof of state license as required by the Department of Licensing and Regulation (TDLR), as referenced in Texas State Law.

Sec. 18-5. - Plumbing registration.

It shall be the duty of all plumbing contractors who practice their trade within the City of Schertz, Texas to show proof of state license as required by the Texas State Board of Plumbing Examiners. A registered master plumber, master plumber, journeyman, residential utilities installer, drain cleaner or tradesman plumber are to directly supervise as defined below where compliant with the TSBPE rules and laws.

Directly supervise is defined as follows:

- (1) Where a single family or duplex residential structure is under construction. The supervisor shall be on the property while any plumbing work as defined by Texas State Board of Plumbing Examiners Rules and Law is underway.
- (2) Where a commercial or industrial project is under construction. The supervisor shall be not less than one supervisor per 50,000 square feet or each story above the first floor or sub-floor over 50,000 square feet and shall be on the property while any plumbing work as defined by TSBPE Rules and Law is underway.

Sec. 18-6. - Building and standards commission.

All appeals relative to the application and interpretation of the codes adopted in this chapter shall be to the Building and Standards Commission as established under the Unified Development Code, Article 3, Boards, Commissions and Committees.

Secs. 18-7—18-39. - Reserved.

ARTICLE II. - INTERNATIONAL BUILDING CODE

Sec. 18-40. - Adopted.

The International Building Code, 2018Edition is hereby adopted with the amendments as provided for in this article.

Sec. 18-41. - Amendments.

The International Building Code, 2018Edition is hereby amended as follows:

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

**Permits.**

**105.2 Work exempt from permit.** This section shall be amended to include additions and deletions as follows:

**Building:**

ADD TO EXEMPTIONS

14. Pergolas, Arbors and Trellis under 300 square feet in total size. All materials used shall be of approved fire-resistant materials where fire setbacks as defined in the IBC are required.

DELETE FROM EXEMPTIONS

2. Fences not over 7' high.
4. Retaining Walls
6. Sidewalks and Driveways

**107.3.4 Design professional in responsible charge.** The design professional shall be an architect or engineer legally registered under the laws of the State of Texas regulating the practice of architecture or engineering and shall affix his/her seal to said drawings, specifications and accompanying data.

**113 Board of Appeals.** The Board of Appeals is hereby repealed in its entirety and is replaced by the Building and Standards Commission.

**202 Definitions.** This section is amended to include the following non-referenced definitions:

**Applicable governing body** as referenced within any code adopted under this chapter shall mean the City Council of the City of Schertz

**As Built Plans** are plans submitted after the building is complete showing any alterations, additions or changes that have occurred after construction has begun. All alterations, additions or changes may require Building Division approval.

**Service Systems** are electrical, fire, mechanical, plumbing or other services not associated with structural elements.

**Pergolas, Arbors, and Trellis** are open un-roofed structure intended only to support vegetation or décor shadowing.

**1008.3.3 Room and Spaces** amended to include the following:

(5) Public restrooms equipped for handicap use shall have a minimum of one emergency fixture to provide one foot-candle of illumination throughout the restroom to the point of discharge into the exit pathway.

(6) School classrooms shall have one emergency light at or near the primary or secondary exit door(s) that shall illuminate the egress door from the classroom side of the exit.

**1612.3** Insert: City of Schertz

**1612.3** Insert: Guadalupe County November 2, 2007; Bexar County September 29, 2010 and Comal County September 9, 2009.

**1801.2.1 Design basis.** All foundations shall be designed by a Professional Engineer licensed in the State of Texas and all drawings and documentation must be signed and sealed per Texas Board of Professional Engineers rules. Design Engineers must be registered with the City of Schertz. Documentation shall include:

1. Design letter referencing soils report project numbers, date of report, and soils engineer name; specific location including lot, block and subdivision; specific design criteria including soil bearing capacity and design plasticity index or Post-Tensioning Institute parameters.
6. The engineer must provide to the City of Schertz a Letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to issuance of a Certificate of Occupancy.

#### **1807.1(a) Foundation Walls, Retaining Walls and Embedded Posts and Poles.**

Construction of a retaining wall in excess of four (4) feet in height, as measured from the bottom of the footing of the wall to the top of the wall, constructed on private property and that will not be dedicated to the City as a public improvement, as a part of the building permit application process, shall require submission to, and approval by, the building official of the City of detailed retaining wall design plans sealed by an engineer licensed to practice in the State of Texas, prior to commencing construction of such wall. Construction of such retaining wall shall also require submission to, and approval by, the building official of the City of a sealed engineering inspection report verifying the construction of the retaining wall in conformance with the retaining wall design plans in order to close out the building permit.

**1207 Sound Transmission Standards for High Noise Areas.** All habitable portions of structures located within the 65 dBA as shown on Exhibit A attached, shall be designed and constructed to achieve either:

1. an outside to inside noise level reduction (NLR) of at least twenty-five (25) a-weighted decibels (dBA), or
2. be built to the standards set forth in subsection 2. below.

Options for Compliance. Compliance may be demonstrated using one of the following methods:

1. Use simultaneous noise readings of instantaneous outside and inside noise levels in accordance with ASTM E 966 to ensure the structure achieves an outside to inside NLR of at least twenty-five (25) dBA; or
2. Utilize construction materials with a minimum tested or listed sound transmission class (STC) rating of forty (40), in accordance with ASTM E 90, for walls and ceilings, and with a minimum tested or listed STC rating for doors and windows as specified below, in accordance with the following construction methods:
  - a. Walls. The specific exterior wall assemblies listed below shall include the interior finishes set forth therein. Exception: Exterior wall assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).
    - i. Brick veneer. When exterior walls are constructed using brick veneer, a minimum of one-half (1/2) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3- 1/2) inches of foam insulation shall be sprayed in as allowed by the building and fire code.
    - ii. Vinyl or cement sidings. When exterior walls are constructed using vinyl or cement sidings, a minimum of five-eighths (5/8) inch gypsum drywall shall be applied as the interior finish, or a minimum of three and one-half (3-1/2) inches of foam insulation shall be sprayed in as allowed by the building and fire code.
    - iii. Other assemblies and materials. All other exterior wall assemblies or materials shall have a tested or listed minimum STC rating of forty (40).
  - b. Roof/Ceiling Assemblies. Roof/ceiling assemblies shall be constructed in accordance with the requirements of subsections (i) or (ii) below.

**Exception:** Roof/ceiling assemblies or materials that have been tested or listed with a minimum STC rating of forty (40).

- i. Ceilings with unconditioned attic space shall be insulated with a minimum of one-half (1/2) inch gypsum drywall on the interior ceiling side covered with a minimum of twelve (12) inches of blown in fiberglass insulation, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.
  - ii. Ceilings without attic space above shall be insulated with a minimum of five-eighths (5/8) inch gypsum drywall on the interior side filled with a minimum of nine (9) inches of fiberglass batt insulation with a one (1) inch air space between the roof sheathing and the fiberglass, or a minimum of three and one-half (3-1/2) inches of spray foam insulation shall be applied to the underside of the roof deck as allowed by the building and fire code.
- c. Windows. The cavity between the wood framing and the window frame shall be insulated with fiberglass insulation or foam insulation to the depth of the window frame.
- i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty (30).
  - ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of thirty-two (32).
  - iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all windows shall have a minimum tested or listed STC rating of forty (40).
- d. Doors.
- i. If the exterior windows and doors together comprise no more than thirty percent (30%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty (30).
  - ii. If the exterior windows and doors together comprise more than thirty percent (30%) but no more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of thirty-two (32).
  - iii. If the exterior windows and doors together comprise more than forty percent (40%) of the total exterior wall area, all exterior doors shall have a minimum tested or listed STC rating of forty (40).

**Exception:** An exterior door may have a tested or listed STC rating of less than forty (40) when installed with a storm door which when combined, achieve a minimum tested or listed STC rating of forty (40).

- e. Mechanical Systems. Mechanical ventilation systems (HVAC) shall provide minimum air circulation and fresh air requirements for various uses in occupied rooms without the need to open any windows, doors, or other openings to the exterior.
- i. In-window, through-wall, or through-floor air conditioning, ventilating, or heating units may be used if:
    - 1) the above insulation requirements for walls, ceilings, windows and doors are implemented, or
    - 2) walls, ceilings, windows and doors have a minimum tested or listed STC rating of forty (40).

- ii. Evaporative coolers may be installed if the following is implemented to reduce sound entering through the unit:
  - 1) Insert a duct extension with at least two (2) ninety degree (90°) "elbows" between the structure and the unit.
  - 2) Add acoustically designed "up-ducts" in the ceiling of each room to allow proper circulation of air while windows are closed.

Certification.

1. Prior to approval of final inspection or issuance of a certificate of occupancy, all project applicants shall submit to the Building Inspection Division, a signed statement certifying compliance with this section.
2. A single certification statement for multiple structures in the same development may be used as long as the structures implement the same floor plans and construction methods.

**A110.7 Inspection by Engineer of Record.** The Engineer of Record may conduct required inspections in-lieu-of the *building official* unless precluded by State Law. Prior to issuance of a permit, the Engineer of Record must notify in writing the *building official* which inspections he will be conducted. The *building official* may require such documentation as he deems necessary, including assigned sealed letter by the Engineer of Record indicating the construction was per the approved plans and all applicable code requirements. The *building official* may require any additional documentation as he deems necessary and may also require notice at least 24 hours prior to the inspections.

**Chapter 31 Special Construction, Section 3114. Shipping Container for Approved Permanent Construction Use** {Reference Acceptance Criteria for Structural Building Materials from Shipping Containers (AC462) published by the International Code Council Evaluation Service (ICC-ES) as approved in October 2018}

In order to be an acceptable material used for construction of either a business, residential or accessory building the building permit would need the following:

1. Certification for compliance with Rules for Certification of Cargo Containers and the International Convention for Safe Containers (CSC) by the American Bureau of Shipping, Bureau Veritas, or Lloyd's Registry.
2. Copies of the Container specifications and detail drawings for each shipping container manufacturer in English.
3. A copy of the quality control program inspection for seaworthiness in accordance with the International Convention for Safe Containers after removal from service as a shipping container and prior to use as a source of building materials.
4. Any modifications to the original design of the container will require a Texas Engineer's approval, designs and details to be provided.
5. The permanent foundation shall be approved by a Texas Engineer as acceptable for use as a structural support for the anticipated building design and use will be provided for permitting.
6. If manufactured as a complete assembly with electrical, plumbing and mechanical systems, a Texas Department of Licensing and Regulation Industrialized Housing and Buildings Approval Certification will be provided with the building plans.

**Specific standards:**

- (a) Industrialized buildings must have all local permits and licenses that are applicable to other housing or buildings.

(b) For purposes of this section, industrialized housing is real property.

(c) The single-family or duplex industrialized housing structure to:

(1) have an appraised value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located; and

(2) have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; and

(3) have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; and

(4) comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and

(5) be securely fixed to a permanent foundation.

(d) For purposes of Subsection (c), "value" means the taxable value of the industrialized housing and the lot after installation of the housing.

(e) Except as provided by Subsection (c), the City of Schertz may not adopt a regulation under this section that is more restrictive for industrialized housing than that required for a new single-family or duplex dwelling constructed on-site.

(f) This section does not:

(1) limit the authority of a municipality to adopt regulations to protect historic properties or historic districts; or

(2) affect deed restrictions.

(g) All non-residential buildings or structures shall comply with the City of Schertz Unified Development Code.