

ORDINANCE NO. O-2019-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 6, "BUILDINGS AND STRUCTURES," ARTICLE IX., "RESIDENTIAL CODE", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY AMENDING THE 2015 INTERNATIONAL RESIDENTIAL CODE STORY HEIGHT AND MAXIMUM STUD LENGTH PROVISIONS RELATED TO ENGINEERED DESIGNS BY PROVIDING AN EXCEPTION FOR WOOD FRAMING WALLS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to protect the public health, safety and welfare; and

WHEREAS, as part of the ongoing recodification and review of City ordinances, it is necessary to amend certain chapters of the Code to reflect current policies and procedures of the City and to be consistent with changing state and federal statutes; and

WHEREAS, Texas Local Government Code Section 214.212(a) adopts the International Residential Code as the standard municipal residential building Code in the State; and

WHEREAS, Texas Local Government Code Section 214.212 states that municipalities may establish procedures to adopt local amendments to the International Residential Code, as well as for the administration and enforcement thereof; and

WHEREAS, the 2015 version of the International Residential Code with amendments is adopted in Tyler City Code Section 6-150 and is currently in effect; and

WHEREAS, IRC Sec. 301.3 currently requires that an engineered design is mandated whenever the story height of a structure is over the 10 feet plate height; and

WHEREAS, the current requirement in IRC Sec.301.3 places a substantial undue burden on residential builders; and

WHEREAS, the engineering design requirement in IRC Sec. 301.3 should provide an exception for wood wall framing; and

WHEREAS, the engineering design requirement should also provide an exception for the maximum stud lengths referenced in Section R602; and

WHEREAS, these proposed amendments were reviewed by the Construction Board of Adjustment and Appeals and the Board recommended that they should be adopted;

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

PART 1: That Tyler City Code Chapter 6, "Buildings and Structures", Article IX., "Residential Code", is hereby amended by Section 6-151 to read as follows:

Section 6-151. Amendments to residential code.

The 2015 International Residential Code, as adopted in Section 6-150, is amended as follows:

a. through f. No changes...

g. Section R301.3 is amended to read as follows:

R301.3 Story height. Buildings constructed in accordance with these provisions shall be limited to story heights of not more than the following:

Sections 1. through 5. No changes...

Individual walls or wall studs shall be permitted to exceed these limits as permitted by Chapter 6 provisions, provided story heights are not exceeded. Floor framing height shall be permitted to exceed these limited provided the story height does not exceed 11 feet 7 inches (3531 mm). An engineered design shall be provided for the wall or wall framing members when they exceed the limits of Chapter 6. Where the story height limits are exceeded, an engineered design shall be provided in accordance with the International Building Code for the over-all wind and seismic force resisting systems.

Exception: Engineered drawings are not required for wood framing walls that exceed the story height in Section R301.3 and the maximum stud length referenced in Section R602. (Ord. No. 0-2019-16; 2/13/19)

Current subsections g. through h. are hereby re-ordered as new Subsections h. and i., with no other changes.

j. Section R602. is amended by adding a new Section R602.13 to read as follows:

R602.13. Exception. Engineered drawings are not required for wood framing walls that exceed the story height in Section R301.3 and the maximum stud length referenced in Section R602. (Ord. No. 0-2019-16; 2/13/19)

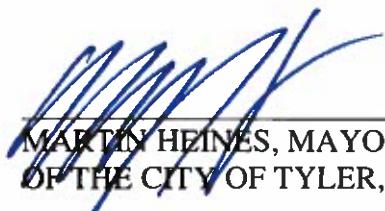
Current Subsections i. through m. are hereby re-ordered as new Subsections k.. through o., with no other changes.

(Ord. No. O-2007-11; 1/24/07) (Ord. No. O-2013-27; 3/27/13) (Ord. No. O-2016-17; 2/24/16)
(Ord. No. O-2018-14; 1/24/18) (Ord. No. 0-2019-16; 2/13/19)

PART 3: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 4. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be February 15, 2019.

PASSED AND APPROVED this 13th day of February, A. D., 2019.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY