



**AGENDA
CONSTRUCTION BOARD OF
ADJUSTMENT & APPEALS**

***Tyler Development Center
Large Conference Room
423 W Ferguson St
Tyler, Texas
August 17, 2022
3:00 pm***

Please call (903) 531-1151 if you need assistance with interpretation or translation for this City meeting.

Si usted necesita ayuda con la interpretación o traducción de cualquier material en este sitio o en una reunión pública de la Ciudad de Tyler por favor llame al (903) 531-1151.

AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to ensure that all Board meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to participate in this Construction Board of Adjustment & Appeals meeting, please contact the Building Department for the City of Tyler, at (903) 531-1151 in advance so accommodations can be made.

BOARD PROCEDURES

Like other City Boards the Construction Board of Adjustment and Appeals is subject to the Texas Open Meetings law, all meetings must be posted, and all meetings are public. A quorum (simple majority) is necessary for the Board to meet. The technical codes provide that the Board shall consist of 7 regular members, and 2 alternates that shall serve in the absence of a regular member. Due to the fact there are 7 **regular** members, it is necessary for **at least 4** members to be present or otherwise participate. The quorum can be a combination of regular and alternate members.

General rules of parliamentary procedure are followed. Before the Board votes, the Chair asks for a motion, which is seconded, and all of the members vote. If the Board is considering an item that has been **tabled** from a previous meeting, there should be a motion, second, **and vote to remove from the table** before the Board discusses the item.

INTERNATIONAL CODES

The City Council has adopted various international codes (the “Technical Codes”), with local amendments. These include the 2015 International Building Code, 2015 International Fire Code, 2015 International Fuel Gas Code, 2015 International Plumbing Code, 2015 International Mechanical Code, 2015 International Residential Code, 2015 International Energy Conservation Code, and 2017 National Electrical Code. From time to time, these Codes are updated.

Most of the above codes refer to a “Construction Board of Adjustment and Appeals”. The 2015 International Fire Code has been amended so that appeals from the Fire Code are appealed to the Construction Board of Adjustment and Appeals, rather than to a “Fire Board”. Also, questions and variances relating to the National Electrical Code are heard by the Construction Board of Adjustment and Appeals.

THREE PRINCIPAL DUTIES OF CONSTRUCTION BOARD

The three main duties of the Construction Board of Adjustment and Appeals are:

1. **Review appeals from the decision of a City official interpreting a provision of one of the technical codes.** The Board can uphold, reverse, or modify the City official’s interpretation. The person challenging a City official’s interpretation of one of the technical codes must file the appeal within (30) thirty days of the City official’s decision. The Board must meet within 30 days after the notice of appeal is filed.
2. **Review requests for variances to provisions of one of the technical codes.** The Board must meet within 30 days after the request for variance is filed.
3. **Review proposed ordinance amendments to the technical codes and make recommendations to the City Council.** Generally, City staff will prepare a proposed Ordinance change and Communication explaining the reason for the change. These materials are then placed on a Construction Board agenda for review. The Board is reviewing the actual documents that will be presented to City Council, although the Board can always recommend changes to the drafts before they are submitted to Council.

AGENDA

- I. Call meeting to order; review and consider minutes of previous meeting.
- II. **Request for variance(s).** Request that the Construction Board of Adjustment and Appeals consider a request from Trane Technologies for variances to provisions of 2015 International Building Code (IBC) table 307.1(1) and 2015 International Fire Code (IFC) table 5003.1.1(1).

Trane Technologies, Inc. requests a variance to allow for a higher MAQ (Maximum Allowable Quantity) in the facility, the recognition of A2L gases and their new categorization of 1B with “low burning velocity” and use of gas detection and positive pressure air circulation as mitigation based on the lower risk categorization. The new definitions for flammable gases adopted by the International Code Council (ICC) in the upcoming 2024 editions of the IBC and IFC reflect the new categorization of A2L type gases as Category 1B with a "low burning velocity", less than or equal to 10 cm/sec which pose significantly less danger than A3 gases. Additionally, the MAQ (Maximum Allowable Quantity) tables adopted by the ICC in the upcoming 2024 editions of the IBC and IFC account for the significantly lower risk of these types of material and have

updated the values for MAQ (Maximum Allowable Quantity) in the Category 1B to 67 times greater than that of Category 1A gases with “high burning velocity”.
Code Ref: 2015 IBC table 307.1(1), 2015 IFC table 5003.1.1(1)
2024 IBC table 307.1 (1), 2024 IFC 5003.1 (1).

III. Adjourn.

CERTIFICATE OF POSTING

This is to certify that on the _____ day of _____, 2022, at _____ M., the above notice was posted on the bulletin boards of City Hall.

City Clerk or Staff Designee

This is to certify that on the _____ day of _____, 2022, at _____ M., the above notice was posted at Tyler Development Center, 423 W Ferguson St, Tyler, Texas.

Staff Designee