

ORDINANCE NO. 1891

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 14, ARTICLE VII "GAS STANDARDS", OF THE BRYAN CITY CODE; REPEALING 2003 EDITION OF THE INTERNATIONAL FUEL GAS CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL AND ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FUEL GAS CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AND ADOPTING LOCAL AMENDMENTS TO THE 2009 EDITION OF THE INTERNATIONAL FUEL GAS CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR PENALTIES; PROVIDING PUBLICATION IN THE NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City Council of the City of Bryan, Texas to repeal the 2003 Edition of the International Fuel Gas Code; and

WHEREAS, it is the desire of the City Council for the City of Bryan, Texas to adopt the 2009 Edition of the International Fuel Gas Code, published by the International Code Council; and

WHEREAS, the adoption of additional local amendments to the code will facilitate proper inspection activities by the City of Bryan, Texas relating to the construction and maintenance of buildings within the corporate limits of the City and relating to public, health, safety and welfare;

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

1.

That Chapter 14, Article VII, "Gas Standards" is amended to read as follows:

ARTICLE VII. GAS STANDARDS

Sec. 14-176. International Fuel Gas Code adopted by reference.

(a) The International Fuel Gas Code, 2009 Edition, with Appendices "A," "B," "C," "D," published by the International Code Council (the "2009 International Fuel Gas Code") is adopted and incorporated by reference into this section as if set out at length herein with deletions and amendments contained in subsection (b) and in section 14-177 (local amendments to the fuel gas code). From the date on which this section shall take effect, the provisions contained therein shall be controlling in the construction of all buildings and other structures within the corporate limits of the city.

(b) The following provisions of the 2009 International Fuel Gas Code are deleted:

Section 109 (Means of appeal).

Section 305.5 (Private garages).

Section 403.4.3 (Copper and brass).

Section 403.5.2 (Copper tubing).

(c) The city secretary shall retain a copy of the amendments to the 2009 International Fuel Gas Code, with the official ordinances of the city. A copy of the 2009 International Fuel Gas Code shall be maintained on file by the chief building official.

Sec. 14-177. Amendments to code.

The following sections of the Fuel Gas Code are hereby amended:

Section 102.8 (Referenced codes and standards) is amended by adding the following exception: Exception: Any reference to the ICC Electrical Code shall mean the National Electrical Code, as adopted and amended by the city.

Section 103 (Department of Inspection) is amended by deleting (Department of Inspections) and replacing with Section 103 (Building Services Division of the Development Services Department) of the International Building Code.

Section 105.1 (Modifications) is amended by replacing "Department of Inspection" with "Building Services Division" in the last sentence.

Section 106.3 (Application for permit) is amended by deleting the text in said section and replacing it with the following: The code official may require a permit application for work regulated by this code.

Section 106.6.1 (Work commencing before permit issuance) is amended by deleting the text in said section and replacing with the following: Any person who commences work on an installation before obtaining the necessary permits shall be subject to five times the usual permit fee.

Section 106.6.2 (Fee schedule) is amended to read: The fees for work shall be in accordance with the schedule of fees as established by the city.

Section 106.6.3 (Fee refunds) is amended by deleting the text in said section and replacing it with the following: The city manager or his or her designee is authorized to establish a refund policy.

Section 108.4 (Violation; penalties) is amended by deleting and replacing the penalty provision as follows: Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs gas work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a class C misdemeanor, punishable by a fine as set forth in section 1-14 of the Bryan Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 (Stop work orders) is amended by deleting the last sentence and replacing with: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine as set forth in section 1-14 of the Bryan Code."

Section 301.11 (Flood hazard): is amended by deleting and replaced with the following: "Equipment and appliances located on property with 100 year flood plain limits and where a City Development Permit and/or Elevation Certificates are required shall be elevated one foot minimum above the base flood elevation as established by the city. All installations of appliances, systems, and equipment in flood

hazard areas shall comply with flood-resistant construction requirements of the International Building Code.”

Section 305.7 (Clearances from grade) is amended by replacing "six inches (152 mm)" with "three inches-" And adding the following sentence to the end of the section: “Equipment and appliances located on property with 100 year flood plain limits and where a City Development Permit and/or Elevation Certificates are required shall be elevated one foot minimum above the base flood elevation as established by the city.

Section 403.4.2 (Steel) is amended by adding: galvanize pipe shall not be used.

Section 406.1.2 (Repairs and additions) is amended by deleting the existing text in its entirety and replacing it with the following: In the event repairs or additions are made after the pressure test, the affected piping shall be tested. If approved by the code official, minor repairs and additions are not required to be pressure tested provided the work is inspected and connections are tested with a noncorrosive leak detecting fluid or other leak detecting methods.

Section 406.4 (Test pressure measurement) is amended by adding the following to the end of the section: For gas systems with a working pressure up to and including five psi., a diaphragm gauge utilizing a dial with a minimum diameter of 3 1/2 inches, a set hand, two-tenths pound incrimination and a pressure range not more than 20 psi shall be acceptable. A mechanical spring gauge is only acceptable for use on gas systems requiring a pressure test of more than 20 psig.

Section 406.4.1 (Test pressure) is amended by deleting the section in its entirety and replacing with the following: The test pressure to be used shall be no less than twice the proposed maximum working pressure, but no less than five psig, irrespective of design pressure.

Section 406.4.2 (Test duration) is amended by deleting the section in its entirety and replacing with the following: Gas piping shall withstand the required pressure test for a period of not less than ten minutes without showing any drop in pressure.

2.

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

3.

The Code of the City of Bryan, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

4.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this Ordinance are declared to be severable.

5.

It is hereby found and determined that the meetings at which this Ordinance was passed were open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of time, place and purpose of said meetings was given.

6.

It is the intention of the City Council that this Ordinance shall become a part of the Code of the City of Bryan, Texas, and it may be renumbered and codified therein accordingly.

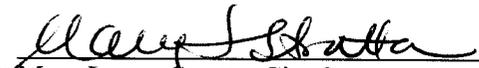
7.

That the City Secretary is directed to publish this ordinance in a newspaper of general circulation in the City of Bryan in accordance with the provisions of Section 9 of the City Charter, which publication shall be sufficient if it contains the title, penalty, and effective date of this Ordinance.

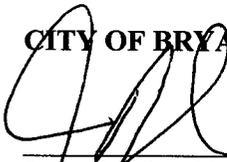
This Ordinance will be effective from and after its final passage and publication as required by law. The effective date of this ordinance will be December 1, 2010.

PRESENTED AND GIVEN first reading the 26th day of October, 2010, at a regular meeting of the City Council of the City of Bryan, Texas; and given a second reading, passed and approved on the 9th day of November, 2010, by a vote of 7 yeases and 0 noes at a regular meeting of the City Council of the City of Bryan, Texas.

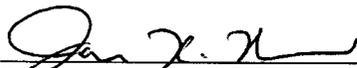
ATTEST:


Mary Lynne Stratta, City Secretary

CITY OF BRYAN:


Jason P. Bienski, Mayor

APPROVED AS TO FORM:


Jahnis K. Hampton, City Attorney