

ORDINANCE NO. 2024-O0032

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LUBBOCK BY ADDING ARTICLE 28.17 WITH REGARD TO ADOPTION OF THE 2021 INTERNATIONAL EXISTING BUILDING CODE AND PROVIDING FOR CERTAIN AMENDMENTS THERETO TO MEET LOCAL CONDITIONS; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council of the City of Lubbock, Texas deems it in the best interest of the health, safety, and welfare of the citizens of Lubbock to adopt the 2021 International Existing Building Code for the City of Lubbock with certain amendments thereto to meet local conditions; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

SECTION 1. THAT That the Code of Ordinances, City of Lubbock, Texas, is hereby amended by adding an article, to be numbered Article 28.17, which said article reads as follows:

ARTICLE 28.17

INTERNATIONAL EXISTING BUILDING CODE

§ 28.17.001. **Adopted.**

The 2021 edition of the International Existing Building Code, as published by the International Code Council, Inc., as hereinafter amended, is hereby adopted as the existing building code of the City of Lubbock, Texas. A copy of said code is attached hereto and incorporated herein as though set out herein in detail. References to the existing building code in this chapter or to "this code" within this article shall mean and refer to the 2021 edition of the International Existing Building Code as amended herein. One copy of the 2021 International Existing Building Code shall be filed with the city secretary and a copy shall be maintained in the office of the city building official. All such copies, with the amendments thereto, shall be open to public inspection during the usual hours of business of the offices where they are maintained.

§ 28.17.002. **Coordination of administrative provisions.**

TABLE 28.17.002		
ADMINISTRATIVE PROVISIONS CROSS-REFERENCE		
2021 International Existing Building Code Section	Section Heading/Subject	Refer to Lubbock Code of Ordinances Chapter Section
108.6	Fee refunds	28.05.109
113.4	Violation penalties	28.02.006
114.1	Stop work orders	28.02.007
112	Means of appeals	2.03.491-2.03.501

§ 28.17.003. **Amendments.**

- (a) Referenced codes and standards. Section 102.4 is hereby amended to read as follows:

102.4 Referenced codes and standards. The codes, when specifically adopted, and

standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.

(b) Certificate issued. Section 110.2 is hereby amended to read as follows:

110.2 Certificate issued. After the *code official* inspects the structure and does not find violations of the provisions of this code or other laws that are enforced by the department, the *code official* shall issue a certificate of occupancy that contains the following:

1. The permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *code official*.
7. The edition of the code under which the permit was issued.
8. The use and occupancy in accordance with the provisions of the *International Building Code*.
9. The type of construction as defined in the *International Building Code*.
10. The design occupant load and any impact the *alteration* has on the design occupant load of the area not within the scope of the work.
11. Any special stipulations and conditions of the building permit.

(c) Scope. Section 306.1 is hereby amended to read as follows:

306.1 Scope. The provisions of Sections 306.1 through 306.7.16 apply to maintenance and *repair, change of occupancy, additions and alterations to existing buildings*, including those identified as *historic buildings*.

Exception:

1. Components of projects regulated by and registered with Architectural Barriers Division of Texas Department of Licensing and Regulation shall be deemed to be in compliance with the requirements of this chapter.
2. If the cost of the project is less than \$50K, it must comply with ICC A117.1, or shall be reviewed and inspected to the Texas accessibility Standards by a Registered Accessibility Specialist.

(d) Design. Section 306.2 is hereby amended to read as follows:

306.2 Design. Buildings and *facilities* shall be designed and constructed to be accessible in accordance with this code and the *alteration and existing building* provisions in ICC A117.1, as applicable.

Exception: Projects subject to the Texas Accessibility Standards as adopted by the Texas Department of Licensing and Regulation are exempt from this section.

Projects with a valuation of less than \$50,000.00 (which are subject to the Texas Accessibility Standards) may be accepted as equivalent to this section where reviewed and inspected to the Texas Accessibility Standards by a Texas Department of Licensing and Regulation Registered Accessibility Specialist when a plan review report and a compliant inspection report are provided to the building *code official*.

(e) Flood hazard areas. Section 401.3 is hereby deleted in its entirety.

(f) Flood hazard areas. Section 405.2.6 is hereby deleted in its entirety.

(g) Material. Section 406.1 is hereby amended to read as follows:

406.1 Material. Existing electrical wiring and equipment undergoing *repair* shall be allowed to be repaired or replaced with like material, in accordance with the requirements of NFPA 70.

(h) Flood hazard areas. Section 502.3 is hereby deleted in its entirety.

(i) Flood hazard areas. Section 503.2 is hereby deleted in its entirety.

(j) Enhanced classroom acoustics. Section 503.16 is hereby amended to read as follows:

503.16 Enhanced classroom acoustics. In Group E occupancies, where the *work area* exceeds 50 percent of the building area, enhanced classroom acoustics shall be provided in all classrooms with a volume of 20,000 cubic feet (565 m³) or less. Enhanced classroom acoustics shall comply with the reverberation time in Section 808 of ICC A117.1.

Exception: Compliance with the Texas Accessibility Standards is not considered equivalent compliance for the purpose of enforcement of this code section.

(k) Existing fire escapes. Section 504.1.2 is hereby amended to read as follows:

504.1.2 Existing fire escapes. Existing fire escapes shall continue to be accepted as a component in the means of egress in *existing buildings* only, where approved by the Building Code Official and Fire Official. Existing fire escapes shall be permitted to be repaired or replaced. Ladders of any type are prohibited on fire escapes used as a required means of egress.

(l) New fire escapes. Section 504.1.3 is hereby deleted in its entirety.

(m) Flood hazard areas. Section 507.3 is hereby deleted in its entirety.

(n) Flood hazard areas. Section 701.3 is hereby deleted in its entirety.

(o) Materials and methods. Section 702.7 is hereby amended to read as follows:

702.7 Materials and methods. All new work shall comply with the materials and methods requirements in the *International Building Code*, *International Energy Conservation Code*, *International Mechanical Code*, National Electrical Code, and *International Plumbing Code*, as applicable, that specify material standards, details of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

(p) Minimum requirement. Section 802.5.1 is hereby amended to read as follows:

802.5.1 Minimum requirement. Every portion of open-sided walking surfaces, including *mezzanines*, *equipment platforms*, *aisles*, *stairs*, *ramps*, and landings that is more than 30 inches (762 mm) above the floor or grade below and is not provided with guards, or those in which the existing guards are judged to be in danger of collapsing, shall be provided with guards.

- (q) Scope of Fire Protection. Section 803.1 is hereby amended to read as follows:

803.1 Scope. The requirements of this section shall be limited to *work areas* in which Level 2 *alterations* are being performed, and where specified they shall apply throughout the floor on which the *work areas* are located or otherwise beyond the *work area*.

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by fire walls or fire barriers containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

- (r) Supervision. Section 803.2.6 is hereby amended to read as follows:

803.2.6 Supervision. Fire sprinkler systems required by this section shall be supervised by one of the following methods:

1. *Approved* central station system in accordance with NFPA 72.
2. *Approved* proprietary system in accordance with NFPA 72.
3. *Approved* remote station system of the jurisdiction in accordance with NFPA 72.
4. Where *approved* by the *code official*, *approved* local alarm service that will cause the sounding of an alarm in accordance with NFPA 72.

Exception: Supervision is not required where the Fire Code does not require such for new construction.

- (s) Standpipes. Section 803.3 is hereby amended to read as follows:

803.3 Standpipes. Refer to Section 1103.6 of the Fire Code for retroactive standpipe requirements.

- (t) General. Section 804.2 is hereby amended to read as follows:

804.2 General. The means of egress shall comply with the requirements of this section.

Exception: Means of egress complying with the requirements of the building code under which the building was constructed shall be considered to be compliant means of egress if, in the opinion of the *code official*, they do not constitute a distinct hazard to life.

- (u) Fire escapes required. Section 804.4.1.2 is hereby amended to read as follows:

804.4.1.2 Fire escapes required. Where more than one exit is required, an existing fire escape complying with Section 804.4.1.2.1 shall be accepted as providing one of the required means of egress, where approved by the Building Code Official and Fire Official.

- (v) Fire escape access and details. Section 804.4.1.2.1 is hereby amended to read as follows:

804.4.1.2.1 Fire escape access and details. Fire escapes shall comply with all of the following requirements:

1. Occupants shall have unobstructed access to the fire escape without

having to pass through a room subject to locking.

2. Access to a fire escape shall be through a door, except that windows shall be permitted to provide access from a single dwelling units or sleeping units in Group R-1, R-2 and I-1 occupancies or to provide access from spaces having a maximum occupant load of 10 in other occupancy classifications.
 - 2.1. The window shall have a minimum net clear opening of 5.7 square feet (0.53 m²) or 5 square feet (0.46 m²) where located at grade
 - 2.2. The minimum net clear opening height shall be 24 inches (610 mm) and net clear opening width shall be 20 inches (508 mm).
 - 2.3. The bottom of the clear opening shall not be greater than 44 inches (1118 mm) above the floor.
 - 2.4. The operation of the window shall comply with the operational constraints of the *International Building Code*.
3. Openings within 10 feet (3048 mm) of fire escapes stairways shall be protected by fire assemblies having a minimum ¾ - hour fire-resistance ratings.
Exception: Opening protection shall not be required in buildings equipped throughout with an *approved* automatic sprinkler system.
4. Ladders of any type are prohibited on fire escapes used as a required means of egress.

(w) Transoms. Section 804.6.2 is hereby amended to read as follows:

804.6.2 Transoms. In all buildings of Group B, E, I-1, I-2, R-1, and R-2 occupancies, all transoms in corridor walls in *work areas* shall be either glazed with ¼ - inch (6.4 mm) wired glass set in metal frames or other glazing assemblies having a fire protection rating as required for the door and permanently secured in the closed position or sealed with materials consistent with the corridor construction.

(x) Automatic sprinkler systems. Section 904.1 is hereby amended to read as follows:

904.1 Automatic sprinkler systems. An automatic sprinkler system shall be provided in a *work area* where required by Section 803.2 or this section.

For the purpose of fire sprinkler protection and fire alarm requirements included in this section, the *work area* shall be extended to include at least the entire tenant space or spaces bounded by fire walls or fire barriers containing the subject *work area*, and if the *work area* includes a corridor, hallway, or other exit access, then such corridor, hallway, or other exit access shall be protected in its entirety on that particular floor level.

(y) High-rise buildings. Section 904.1.1 is hereby amended to read as follows:

904.1.1 High-rise buildings. An automatic sprinkler system shall be provided in *work areas* of high-rise buildings.

(z) Fire sprinkler system. Section 1011.2.1 is hereby amended to read as follows:

1011.2.1 Fire sprinkler system. Where a change in occupancy classification occurs or where there is a *change occupancy* within a space where there is a different fire protection system threshold requirement in Chapter 9 of the *International Building Code* that requires an automatic fire sprinkler system to be provided based on the *International Building Code*. The installation of the automatic sprinkler system shall

be required within the area of the *change of occupancy* and areas of the building not separated horizontally and vertically from the *change of occupancy* by one of the following:

1. Fire barrier, as required by Section 707 of the *International Building Code*.
2. Fire wall, as required by Section 706 of the *International Building Code*.

Exceptions.

1. An automatic sprinkler system shall not be required in a one- or two-family dwelling constructed in accordance with the *International Residential Code*.
2. Automatic sprinkler system shall not be required in a townhouse constructed in accordance with the *International Residential Code*.
3. The townhouse shall be separated from adjoining units in accordance with Section R302.2 of the *International Residential Code*.

(aa) Fire separations. Section 1102.2.1 is hereby added to read as follows:

1102.2.1 Fire Separations. Where fire separations are utilized to allow additions without exceeding the allowable area provisions of Chapter 5 of the IBC for either the existing building or the new addition, the decreased clear space where the two buildings adjoin shall be accounted for in such calculation relative to the allowable frontage increase.

(bb) Flood hazard areas. Section 1103.3 is hereby deleted in its entirety.

(cc) Flood hazard areas. Section 1201.4 is hereby deleted in its entirety.

(dd) Compliance with other codes. Section 1301.3.2 is hereby amended to read as follows:

1301.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the International Fire Code.

(ee) Compliance with flood hazard provisions. Section 1301.3.3 is hereby deleted in its entirety.

(ff) Conformance. Section 1401.2 is hereby amended to read as follows:

1401.2 Conformance. The building shall be safe for human occupancy as determined by the *International Fire Code* and City of Lubbock's Property Maintenance Code. Any *repair, alteration or change of occupancy* undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the *International Building Code* or the *International Residential Code*, as applicable.

(gg) Flood hazard areas. Section 1402.6 is hereby deleted in its entirety.

(hh) Moved structures permits and procedures. Section 1403 is hereby added to read as follows:

SECTION 1403

MOVED STRUCTURES PERMITS AND PROCEDURES

1403.1 Permit required to move building or structure. Except as set forth herein, no person or persons shall hereafter move any building into, or out of, the city limits, or from one location to another within the city limits, where the same shall be moved in, through, or upon the streets, alleys, avenues, or public grounds, unless said person shall first secure a permit to do so from the building official. Violation of this section is deemed a misdemeanor punishable by fine in accordance with Section 1.01.004 of the Code of Ordinances of the city.

Building/Structure movement permits shall not be required for the following:

1. Portable building units, as the same are defined by Section 623.121 of the Texas Transportation Code, that are moved solely upon State highways within the corporate limits.
2. The movement of portable buildings not exceeding 14 feet in loaded width or height, or 40' in loaded length, as the case may be.
3. The movement and installation of Housing and Urban Development (HUD)-Code manufactured homes by persons licensed by the state to do so, and otherwise in conformance with the procedures, rules, and requirements set forth in the administrative rules of the Texas Department of Housing and Community Affairs at 10 TAC Chapter 80.
4. The movement and installation of industrialized housing and buildings and their component parts by persons licensed by the state to do so, and otherwise in conformance with the procedures, rules, and requirements set forth in the administrative rules of the Texas Department of Licensing and Regulation at 16 TAC Chapter 70.
5. The movement of industrialized buildings or buildings that are otherwise pre-built or manufactured within the city limits and intended solely for export and installation outside the city limits.

1403.2 Moving contractors to be registered, bonded, and insured. Persons engaged in moving buildings and structures pursuant to this chapter (hereafter referred to as "moving contractors") shall be registered with the city in accordance with Section 28.04.001 of the Code of Ordinances. Notwithstanding any provision to the contrary, such contractors shall give bond to the city pursuant to Section 28.04.003, in addition to being insured pursuant to Section 28.04.004. In lieu of the respective coverage amounts specified therein, the minimum coverage amounts for purposes of this section shall be as follows:

1. Compliance bond: \$25,000.00.
2. Commercial general liability insurance: \$300,000.00.
3. Commercial automobile insurance: \$500,000.00 per vehicle.

Any bond or insurance provided pursuant to this section shall be effective and fully paid and maintained in compliance with the certificates provided the city through the date that the bonded or insured activity is finally completed.

1403.3 Conformance; minimum standards. All buildings or structures moved into or within the city shall conform to the applicable standards as set forth in 1403.3.1 through 1403.3.4 below.

1403.3.1 Current building standards applicable. Buildings and structures moved into or within the city shall comply, or be altered to comply with the applicable provisions of the Code of Ordinances and Unified Development Code for new buildings and structures, including, without limitation, all building, structural, plumbing, fuel gas, mechanical, and electrical systems.

1403.3.2 Certain manufactured homes ("mobile homes") prohibited.

Manufactured homes that were manufactured prior to June 15, 1976, and therefore not in accordance with HUD standards (defined as "mobile homes" by the Texas Manufactured Housing Standards Act) shall not be installed or relocated within the city limits. Violation of this section is deemed a misdemeanor punishable by fine in accordance with Section 1.01.004 of the Code of Ordinances.

Exception: Owner-occupied mobile homes, as defined herein, lawfully in place within the corporate limits on the effective date of this section, that are subsequently determined by inspection to be in conformance with the minimum housing standards contained within the property maintenance code as referenced in Chapter 34 of the Code of Ordinances.

1403.3.3 Mobile home replacement authorized. A mobile home, as defined in Section 1403.3.2 above, previously lawfully placed and installed on a lot or parcel within the city limits, may be replaced by a HUD-code manufactured home (manufactured on or after June 15, 1976 in accordance with HUD standards) in accordance with applicable requirements of the Unified Development Code in order to facilitate upgraded, safer housing.

Manufactured homes not of new manufacture are subject to inspection by the building official to determine compliance with minimum acceptable standards for safety as outlined in this chapter, and by the structural standards administrator to determine compliance with minimum housing standards contained within the property maintenance code.

1403.3.4 Minimum housing standards. Moved buildings that will serve as dwelling units shall comply with the residential provisions of the International Residential Code or the International Building Code, as applicable. Where it is technically infeasible to comply with a provision of said code(s), the building official may apply the provisions of the International Existing Buildings Code and/or the minimum housing standards contained within the property maintenance code contained in Chapter 34 of the Code of Ordinances.

1403.4 Procedures. The procedures set forth within 1403.4.1 through 1403.4.5 shall be followed with regard to the movement of all buildings and structures pursuant to this chapter.

1403.4.1 Permit application and review. The moving contractor shall apply for a moving permit on forms provided by the building official.

1403.4.2 Investigative inspection and report. Prior to issuance of the moving permit the building official shall inspect, or cause to be inspected, the building or structure proposed to be moved, provided that the building owner or mover shall first pay an investigative inspection fee of an established amount approved by the city council. Buildings or structures more than ten (10) years old are exempt from investigative inspections, in lieu they require a structural report performed by a State of Texas licensed engineer certifying the structural integrity for the transportation.

1403.4.3 Conditional approval. The building official may issue the permit subject to any and all requirements or conditions placed by other requirements of this chapter. All such requirements and conditions shall be incorporated into the permit, and are considered legal requirements for the purposes of compliance with this chapter.

1403.4.4 Building to be moved beyond the city limits. The building official may issue a permit to move a building or structure at least five thousand (5,000) feet outside of the city limits.

1403.4.5 Denial of permit. The building official shall deny a moving permit under any of the following circumstances:

1. Where the city or any public utility companies owning overhead infrastructure, including but not limited to wires and cables, have not first examined the proposed movement route to determine that: (a) it owns no lines along the route; and/or (b) that the proposed movement of the building or structure will not require the removal or cutting of any overhead infrastructure. All routes approved by the city or a public utility company must be evidenced by attested, authorized signature.
2. Where the department of traffic engineering has not first examined the proposed movement route to determine that no traffic signal mast arm will require removal or adjustment in order to accommodate the building or structure. Approval of the proposed route must be evidenced by attested, authorized signature.
3. Where the department of traffic engineering, fire department or police department have not first approved the proposed movement route for the dates and times specified in the application, as attested by the signatures of the authorities having jurisdiction;
4. Where the parties are not otherwise in full compliance with the provisions of the Code of Ordinances, as determined solely by the city, including the specific responsibilities of the parties outlined in Section 1403.5.

1403.5 Responsibilities of the parties. The specific responsibilities of the parties involved in the movement of buildings or structures shall be as stipulated in Sections 1403.5.1 through 1403.5.3 below. Where the destination lot is outside the corporate limits of the city, Sections 1403.5.1(4)(a) and 1403.5.3 shall not apply.

1403.5.1 Moving contractor. The moving contractor shall perform the following:

1. Obtain and maintain all required insurance policies, bonds, permits, and approvals as necessary to initiate and complete the project in a lawful manner.
2. Obtain necessary permit applications from the building official, identify the route, date(s), and time(s) of the proposed move, including the locations and durations of any temporary storage ("stack lot") locations, and secure the approval of all city and franchise utility companies, the City of Lubbock Traffic Engineering Department, the Texas Department of Transportation, as applicable, and emergency service providers, including, but not limited to, the Lubbock Police Department, Lubbock Fire Department, and Lubbock emergency medical services providers, as specified in Section 1403.4.5.
3. Lots where the final destination is located within the corporate limits of the city:
 - a. Confirm that the destination lot/building owner has obtained necessary building permits for construction of a permanent foundation system, has completed said construction and received final inspection approval for same pursuant to Section 1403.5.3 item #2;
 - b. Arrange and pay for a police department escort along the moving route in accordance with applicable police department policy; and

- c. Obtain necessary moving permits from the building official.
4. Coordinate with the appropriate utility companies to disconnect and make safe all sources of electricity, water, fuel gas, and sanitary sewer. Sanitary sewer outlets shall be capped or otherwise secured from rainwater infiltration. Electricity shall be disconnected at the transformer or through removal of the meter and sealing of the meter socket against unauthorized entry. Fuel gas shall be shut off at the meter.
5. Provide proper and adequate safeguards for the public, employees, and adjoining property during demolition and lot clearing activities, including compliance with Section 3303 of the International Building Code and obtaining street barricade permits where necessary for protection of/from vehicular traffic.
6. In coordination with the appropriate department, agency, or franchise utility company, repair all damage to public improvements incurred during demolition and building movement activities, including, but not limited to, street surfaces, curb and gutter, sidewalks, driveway approaches, utility lines, sign posts, traffic signals, and drainage structures along the moving route.

Failure to comply with item (4), (5) or (6) of this section is deemed a misdemeanor punishable by fine in accordance with Section 1.01.004 of the Code of Ordinances.

1403.5.2 Origin lot owner. The owner of the lot from which the building is moved shall perform the following immediately after the building is removed from the lot:

1. Fill all open excavations with clean fill dirt (no rubble or trash to be used).
2. Re-establish lot grades to convey storm water runoff to the street, alley, or other approved conveyance without ponding and without directing storm water runoff onto other private property.
3. Clear the lot of all trash, rubbish, building debris, dead shrubbery, tree limbs, etc.
4. Cap all sanitary sewer outlets or otherwise secure them from rainwater infiltration.
5. In coordination with the appropriate department or franchise utility, repair all damage to public improvements incurred during the demolition and building movement activities, including, but not limited to, street surfaces, curb and gutter, sidewalks, driveway approaches, utility lines, sign posts, and drainage structures within the lot frontage.

Failure to comply with items (1)-(5) of this section is deemed a misdemeanor punishable by fine in accordance with Section 1.01.004 of the Code of Ordinances of the city.

1403.5.3 Destination lot/building owner. The owner of the lot to which the building is moved shall perform the following:

1. Prior to arranging for movement of the building, obtain an investigative inspection of the building to determine the degree of renovation necessary to bring the building's structural, plumbing, electrical, mechanical and fuel gas systems up to minimum standards for new construction, as determined by the applicable technical codes adopted under Chapter 28 of the Code of Ordinances. Where the lot of origin is not within the city limits, the building owner shall conform to building inspection department policy with regard to arrangement of inspections and payment therefor.
2. Construct and obtain inspection approval of required permanent foundation systems in preparation for final placement and attachment of the building. All necessary permits for the foundation system must be obtained prior to construction.
3. Upon placement and attachment of the building, complete all required renovations to bring the building up to current standards as required by Section 1403.3 within the time frames stipulated in Section 1403.6.
4. Complete all required work to comply with any conditions of approval established in the review for the foundation permit, within stipulated time frames.

1403.6 Violations; public nuisance. Except as provided herein, any of the conditions identified in Sections 1403.6.1 through 1403.6.3 are deemed unlawful hazards to public health and safety and therefore constitute misdemeanors punishable by fine in accordance with Section 1.01.004 of the Code of Ordinances. Said conditions are also declared public nuisances, and shall be referred by the building official to the structural standards administrator for disposition pursuant to Section 1102 of the property maintenance code as set forth in Chapter 34 of the Code of Ordinances.

1403.6.1. Building detached from foundation. Any building that has been detached for more than thirty (30) days from its foundations in preparation for a move, or that has been moved from its original location and has not been affixed to its permanent foundation in accordance with the building code within thirty (30) days of the issue date of the moving permit.

1403.6.2 Building not in conformance with Code of Ordinances. Any moved building not brought into compliance with all relevant sections of all city codes within 180 days from the date the foundation permit is first issued for the destination lot.

1403.6.3 Building not in conformance with stipulated conditions. A building that has been secured against entry and moved to an appropriately-zoned temporary location ("stack lot") that is fenced or otherwise secured from public access so as not to create an attractive nuisance or to present a hazard to the public from overturning pending eventual movement to the destination lot shall not be considered a violation under Section 1403.6.1, so long as the temporary location is identified at the time of moving permit application, and further is for a pre-determined, temporary duration not to exceed 180 days.

- (ii) When required. Section 1509.1 is hereby amended to read as follows:

1509.1 When required. An *approved* water supply for fire protection, either temporary or permanent, shall be made before combustible vertical construction begins. The water supply design and timing of the water supply installation relative to building construction shall comply with the adopted Fire Code.

- (jj) Water supply for fire protection. Sections 1509.2 through 1509.5 is hereby deleted

in their entirety.

SECTION 2. THAT violation of any provision of this Ordinance shall be deemed a misdemeanor punishable as provided by Section 1.01.004 of the Code of Ordinances of the City of Lubbock, Texas.

SECTION 3. THAT should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 4. THAT pursuant to Section 214.218 of the Texas Local Government Code, this Ordinance shall not be implemented or enforced until after the 30th day after the date of final adoption.

SECTION 5. THAT the City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading on March 5, 2024.

Passed by the City Council on second reading on March 26, 2024.

/s/ Tray Payne
TRAY PAYNE, MAYOR

ATTEST:

/s/ Courtney Paz
Courtney Paz, City Secretary

APPROVED AS TO CONTENT:

/s/ Robert Wallace
Robert Wallace, Director of Development Services

APPROVED AS TO FORM:

/s/ Amy Sims
Amy Sims, Deputy City Attorney