



## Legislation Details (With Text)

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**Type:** Ordinance

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**On agenda:** 9/20/2016    **Final action:**

**Title:** Consider adoption of an ordinance of the City of Denton, Texas amending section 28-253 of the Code of Ordinances to provide for the adoption of the 2015 International Energy Conservation Code (IECC) as published by the International Code Council; providing for amendments thereto; providing a penalty for violation of a fine not to exceed \$2,000.00; providing for severability; repealing all ordinances in conflict therewith; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed 2015 Energy Code Adoption Ordinance

Date	Ver.	Action By	Action	Result
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## Agenda Information Sheet

**DEPARTMENT:** Development Services, Building Inspection Division

**CM/ ACM:** Jon Fortune

**Date:** September 20, 2016

### SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas amending section 28-253 of the Code of Ordinances to provide for the adoption of the 2015 International Energy Conservation Code (IECC) as published by the International Code Council; providing for amendments thereto; providing a penalty for violation of a fine not to exceed \$2,000.00; providing for severability; repealing all ordinances in conflict therewith; and providing an effective date.

### BACKGROUND

With the adoption of SB5 by the 77<sup>th</sup> legislature in May of 2001, the State of Texas adopted the first statewide energy code in Texas. The 2000 version of the International Energy Conservation Code (IECC) went into effect on September 1, 2001. As a part of this legislation, the legislature mandated that all counties in Texas which were designated as non-attainment areas by the EPA, as well as several counties surrounding these areas which they designated as “affected counties”, must adopt an energy code which is at least as stringent as that adopted by the state. In order to insure compliance, the legislation required that any proposed amendments to the code in these areas be submitted for review to the Energy Systems Laboratory (ESL) at Texas A&M University for review and approval so that they would not result in a code that was less stringent than what is adopted by the state.

In June of 2010 the State of Texas updated the statewide code to the 2009 version of the IECC which went into effect on April 1, 2011.

## **CITY OF DENTON CODE HISTORY**

The following is a brief chronology of the code adoption history in the City of Denton.

November 27, 2001	Adopted the 2000 IECC with no above code requirement.
February 7, 2006	Adopted the 2003 IECC with 10% above code requirement.
February 3, 2009	Adopted the 2006 IECC with 10% above code requirement.
September 11, 2012	Adopted the 2009 IECC with 10% above code requirement.
April 1, 2014	Adopted the 2012 IECC with 4% above code requirement.

## **CURRENT ADOPTION**

The 2015 International Energy Conservation Code (IECC) was published by the International Code Council (ICC) in the first quarter of 2015. Upon publication, the Energy Code board of the North Central Texas Council of Governments (COG) reviewed the Code and recommended several significant amendments. The COG amendments were then reviewed by the ESL and deemed to be equivalent to the 2009 IECC which is the version of the IECC that is currently enforced in the State of Texas.

In May of 2015, the Texas Legislature passed House Bill 1736 establishing Chapter 11 of the 2015 International Residential Code as the energy code for residential construction with an effective date of September 1, 2016. It also gave the State Energy Conservation Office (SECO) the authority to adopt the latest edition of the IECC for all other construction. SECO used this authority and adopted the 2015 IECC as the energy code for the State of Texas for commercial structures with an effective date of November 1, 2016. SECO published notice of this code adoption in the January 1, 2016 edition of the Texas register. In light of this notice, the ESL revisited and reviewed the proposed COG amendments and found that 3 sections of the amendments dealing with the air leakage allowances and insulation values in exterior walls were not equivalent to the 2015 IECC and IRC and advised all COG members of this determination. The amendments were then published to the municipalities within this 16-county North Central Texas region for consideration of adoption with notations that these 3 sections would no longer be valid once the 2015 Code became effective.

The City of Denton Building Inspections staff began reviewing the COG amendments in the first quarter of 2016 anticipating adopting the code by September 1, 2016. The 3 sections noted by ESL as non-compliant were removed from the amendments at that time. On June 29, 2016, the amended 2015 International Energy Conservation Code was presented to area professionals including builders, contractors, plumbers, mechanical contractors, architects, and engineers. The presentation highlighted the most significant changes from the 2012 code to the 2015 version of the code which were received well by the attendants. At that time, those present recommended the adoption of the 2015 IECC as written with no minimum above code requirements.

In April and June of this year, the City of Denton Building Inspections staff hosted 8 half day 2015 Energy Code workshops sponsored by the State Energy Conservation Office (SECO) and presented by Apple Energy. These workshops were designed to provide information to contractors, builders, architects, engineers and code officials to help them prepare for the upcoming changes to the code. More than 200 people attended these training classes.

On July 21, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the Health and Building Standards Commission (HaBSCo). The Commission, with a 7-0 vote,

recommended adoption of the code as amended with no above code requirement to the City Council

On July 25, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the Council Committee on the Environment (COE) for a formal recommendation to council. The Committee, with a 3-0 vote, recommended adoption of the code as amended with no above code requirement to the City Council.

On July 26, 2016 the proposed ordinance adopting the 2015 International Energy Conservation Code was presented to the City Council for a recommendation and council voted 6-0 to recommend adoption of the code as amended with no above code requirement.

On August 16, 2016 Council held a public hearing to listen to input from citizens concerning the proposed adoption of the 2015 International Energy Conservation Code. After receiving input, Council recommended that we bring forward the latest version of the COG amendments for a presentation and consideration.

On September 13, 2016 staff presented the latest update to the COG amendments to Council for consideration. Council advised staff to move forward with the adoption of the code as well as the staff proposed amendments.

#### **FISCAL IMPACT**

Staff does not anticipate any fiscal impact as a result of adopting this code

#### **OPTIONS**

1. Approve the proposed ordinance adopting the 2015 International Energy Conservation Code as amended.
2. Request more information about the 2015 Energy Code.
3. Postpone consideration.
4. Table item for future consideration.

#### **RECOMMENDATION**

Staff recommends that the City Council adopt the 2015 International Energy Conservation Code along with staff recommended amendments.

#### **EXHIBITS**

1. The Proposed 2015 Energy Code adoption ordinance

Respectfully submitted:  
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