



Legislation Text

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Agenda Information Sheet

DEPARTMENT: Development Services

CM/ ACM: Jon Fortune

Date: August 2, 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 77th 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 to insure that they would not result in a code that was less stringent than that 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 Energy Systems Laboratory at Texas A&M 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 within the state 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 this notice in the January 1, 2016 edition of the Texas register. In light of this notice, the Energy Systems Laboratory again 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 2016, the City of Denton Building Inspections Division 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 June 23, 2016 the draft ordinance of the 2015 International Energy Conservation Code was presented to the Health and Building Standards Commission (HaBSCo) for a recommendation as to whether to continue with our current above code requirement or simply propose adoption of the code as written and amended by COG. Their recommendation was to proceed with the current 4% above code requirements.

On July 21, 2016 the final proposed ordinance adopting the 2015 International Energy Conservation Code will be presented to the Health and Building Standards Commission (HaBSCo) for a formal recommendation to Council along with the presentation given to the contractors.

FISCAL IMPACT

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

OPTIONS

1. Direct staff to proceed with formal adoption of the 2015 Energy Code
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.

EXHIBIT

1. Proposed 2015 Energy Code adoption ordinance
2. Council Power Point Presentation 2015 IECC

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