



TEXAS DEPARTMENT OF LICENSING AND REGULATION

COMPLIANCE DIVISION – INDUSTRIALIZED HOUSING AND BUILDINGS

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INDUSTRIALIZED HOUSING AND BUILDINGS

Code Amendments to the 2009 International Codes and 2011 NEC

Reference Administrative Rules §70.101

Effective Date: July 1, 2012

Bold underlined text is new language, [~~Strike through text~~] is deleted language

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2011 National Electrical Code Amendments – §70.101(c)

110.14 Electrical Connections

Reference rule §70.101(e)(1)

Because of different characteristics of dissimilar metals, devices such as pressure terminal or pressure splicing connectors and soldering lugs shall be identified for the material of the conductor and shall be properly installed and used. Conductors of dissimilar metals shall not be intermixed in a terminal or splicing connector where physical contact occurs between dissimilar conductors (such as copper and aluminum, copper and copper-clad aluminum, or aluminum and copper-clad aluminum), unless the device is identified for the purpose and conditions of use. Materials such as solder, fluxes, inhibitors, and compounds, where employed, shall be suitable for the use and shall be of a type that will not adversely affect the conductors, installation, or equipment. **Aluminum and copper-clad aluminum conductors shall be terminated using approved compression-type crimp lugs with approved inhibitors.**

310.1 Scope.

Reference rule §70.101(e)(1)

This article covers general requirements for conductors and their type designations, insulations, markings, mechanical strengths, ampacity ratings, and uses. These requirements do not apply to conductors that form an integral part of equipment, such as motors, motor controllers, and similar equipment. **Aluminum and copper-clad aluminum shall not be used for branch circuits in buildings classified as a residential occupancy; aluminum and copper-clad aluminum conductors, of size number 4 AWG or larger, may be used in branch circuits in buildings classified as occupancies other than residential.**

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2009 International Building Code Amendments – §70.101(d)

101.1 Title.

Reference rule §70.101(d)(1)

These regulations shall be known as the Building Code of the Texas Industrialized Housing and Buildings Program, hereinafter referred to as "this code."

101.3 Intent.

Reference rule §70.101(d)(2)

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations. Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.

101.4 Referenced codes.

Reference rule §70.101(d)(3)

The other codes listed in Sections 101.4.1 through 101.4.9 [~~101.4.6~~] and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendment as well. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted.

101.4.7 Electrical.

Reference rule §70.101(d)(4)

101.4.7 Electrical.

The provisions of Appendix K shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

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101.4.8 Alterations.

Reference rule §70.101(d)(5)

101.4.8 Alterations.

The provisions of the *International Existing Building Code* shall apply to all matters governing the repair, alterations or additions, and changes of occupancy of existing previously occupied industrialized buildings that are designed to be transported from one commercial site to another commercial site.

101.4.9 Accessibility

Reference rule §70.101(d)(6)

101.4.9 Accessibility.

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and the Texas Accessibility Standards (TAS). Wherever reference elsewhere in this code is made to ICC A117.1, ICC/ANSI A117.1, or ANSI A117.1, the TAS of Texas Government Code, Chapter 469, Elimination of Architectural Barriers shall be substituted. Buildings subject to the requirements of the Texas Accessibility Standards are described in Administrative Rules of the Texas Department of Licensing and Regulation, 16 Texas Administrative Code, Chapter 68.

102.6 Existing structures.

Reference rule §70.101(d)(7)

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. **Existing industrialized buildings that bear approved certification decals, insignia, or that bear an alteration decal, in accordance with the requirements of Chapter 1202 of the Occupations Code and 16 Texas Administrative Code, Chapter 70, and that have not been altered or modified since the decal, insignia, or alteration decal was attached, shall be considered to be in compliance with the current mandatory building code adopted by the Texas Industrialized Building Code Council.**

104.1 General.

Reference rule §70.101(d)(8)

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The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. **The term building official as used in this code, or as used in the codes and standards referenced in this code, shall mean the Texas Commission of Licensing and Regulations, the executive director of the Texas Department of Licensing and Regulation, the Texas Industrialized Building Code Council, or the local building official in accordance with the powers and duties assigned to each in Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings.**

107.1 General.

Reference rule §70.101(d)(9)

Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. **Construction documents depicting the structural design of buildings to be located in hurricane prone regions shall be prepared and sealed by a Texas licensed professional engineer.**

(Reason: Added to clarify that buildings designed for high wind areas in hurricane prone regions must be designed by a Texas licensed engineer as these designs fall outside the prescriptive requirements of the code and are required to be designed in accordance with accepted engineering practice.)

111.1 Use and occupancy.

Reference rule §70.101(d)(10)

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the **local** building official has issued a certificate of occupancy **in accordance with the locally adopted rules and regulations.** ~~[therefor as provided herein.~~ Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

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Exception: Certificates of occupancy are not required for work exempt from permits under Section 105.2.

111.2 Certificate issued.

Reference rule §70.101(d)(11)

The local building official shall issue a certificate of occupancy in accordance with the locally adopted rules and regulations. [After the building official inspects the building or structure and finds no

violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
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 building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

111.3 Temporary occupancy.

Reference rule §70.101(d)(12)

The local building official shall issue a temporary certificate of occupancy in accordance with locally adopted rules and regulations. [The building official is authorized to issue a temporary certificate of

occupancy before the completion of the entire work covered by the permit, provided that such portion

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~~or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.]~~

111.4 Revocation.

Reference rule §70.101(d)(13)

The local building official may suspend or revoke a certificate of occupancy or completion issued under the provisions of this code in accordance with locally adopted rules and regulations.

~~[The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.]~~

311.3 Low-hazard storage, Group S-2.

Reference rule §70.101(d)(14)

Includes, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions; or in paper wrappings. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles or film wrapping. Group S-2 storage uses shall include, but not be limited to, storage of the following:

Asbestos

Beverages up to and including 16-percent alcohol in metal, glass or ceramic containers

Cement in bags

Chalk and crayons

Dairy products in nonwaxed coated paper containers

Dry cell batteries

Electrical coils

Electrical motors

Empty cans

Equipment shelters

Food products

Foods in noncombustible containers

Fresh fruits and vegetables in nonplastic trays or containers

Frozen foods

Glass

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Glass bottles, empty or filled with noncombustible liquids

Gypsum board

Inert pigments

Ivory

Meats

Metal cabinets

Metal desks with plastic tops and trim

Metal parts

Metals

Mirrors

Oil-filled and other types of distribution transformers

Parking garages, open or enclosed

Porcelain and pottery

Stoves

Talc and soapstones

Washers and dryers

508.2.5 Separation of incidental accessory occupancies.

Reference rule §70.101(d)(15)

The incidental accessory occupancies listed in Table 508.2.5 shall be separated from the remainder of the building or equipped with an automatic fire-extinguishing system, or both, in accordance with Table 508.2.5. **An incidental accessory occupancy shall be classified in accordance with the occupancy of that portion of the building in which it is located.**

1101.2 Design.

Reference rule §70.101(d)(16)

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and **the Texas Accessibility Standards (TAS).** [ICC A117.1.] **The edition of TAS that is in effect at the start of construction at the installation site shall govern for site specific details. The edition of TAS that is in effect at the start of construction in the manufacturing facility shall govern for the industrialized building.**

Delete Sections 1101 through 1102

Reference rule §70.101(d)(17)

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3401.1 Scope.

Reference rule §70.101(d)(18)

The provisions of the International Existing Building Code [this chapter] shall control the alteration , repair, addition and change of occupancy of industrialized buildings designed to be moved [existing structures].

Chapter 35 – Revise referenced standards as shown in tables below.

Reference rule §70.101(d)(19)(A) through (C)

ICC		International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001
Standard reference number	Title	Referenced in code section number
[ICC/ANSI A117.1-03]	[Accessible and Usable Buildings and Facilities]	[406.2.2, 907.5.2.3.4, 1007.9, 1010.1, 1010.6.5, 1010.9, 1011.3, 1022.8, 1101.2, 1102.1, 1104.4, 1106.7, 1107.2, 1108.2.2, 1108.2.3, 1108.4.1.1, 1108.4.1.2, 1108.4.1.4, 1108.4.1.5, 1109.1, 1109.2, 1109.2.1.1, 1109.2.2, 1109.2.3, 1109.3, 1109.4, 1109.8, 1109.13, 2902.4, 3001.3, 3008.13.1, 3008.13.2, 3411.6, 3411.8.2, 3411.8.3, E101.2, E104.2, E104.2.1, E104.3, E104.3.4, E105.1, E105.2.1, E105.2.2, E105.3, E105.4, E105.6, E106.2, E106.3, E106.4, E106.4.9, E106.5, E107.2, E107.3, E108.3, E108.4, E109.2.1, E109.2.2.1, E109.2.2.2, E109.2.2.3, E109.2.3, E109.2.5, E109.2.6, E109.2.8, E110.2, E110.4]
IEBC-09	International Existing Building Code®	3401.1 , 3401.5

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TDLR		<u>Texas Department of Licensing and Regulation</u> <u>PO Box 12157</u> <u>Austin, TX 78711</u>
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>TAS 2012 – effective March 2012</u>	<u>Texas Accessibility Standards as adopted under 16 Administrative Code, Chapter 68</u>	<u>101.4.9, 406.2.2, 907.5.2.3.4, 1007.9, 1010.1, 1010.6.5, 1010.9, 1011.3, 1022.8, 1101.2, 1102.1, 1104.4, 1106.7, 1107.2, 1108.2.2, 1108.2.3, 1108.4.1.1, 1108.4.1.2, 1108.4.1.4, 1108.4.1.5, 1109.1, 1109.2, 1109.2.1.1, 1109.2.2, 1109.2.3, 1109.3, 1109.4, 1109.8, 1109.13, 2902.4, 3001.3, 3008.13.1, 3008.13.2, 3411.6, 3411.8.2, 3411.8.3, E101.2, E104.2, E104.2.1, E104.3, E104.3.4, E105.1, E105.2.1, E105.2.2, E105.3, E105.4, E105.6, E106.2, E106.3, E106.4, E106.4.9, E106.5, E107.2, E107.3, E108.3, E108.4, E109.2.1, E109.2.2.1, E109.2.2.2, E109.2.2.3, E109.2.3, E109.2.5, E109.2.6, E109.2.8, E110.2, E110.4</u>

NFPA		National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
70— <u>11</u> [08]	National Electrical Code	108.3, 415.8.2.8.2, 904.3.1, 907.6.1, 909.12.1, 909.16.3, 1205.4.1, 2701.1, 3401.3[, H106.1, H106.2, K101, K111.1]

2009 International Fuel Gas Code Amendments – §70.101(e)

101.1 Title.

Reference §70.101(e)(1)

These regulations shall be known as the Fuel Gas Code of [the Texas Industrialized Housing and Buildings Program], hereinafter referred to as "this code."

101.4 Intent.

Reference §70.101(e)(2)

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems. Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.

102.4 Additions, alterations or repairs.

Reference §70.101(e)(3)

The provisions of the *International Existing Building Code* shall apply to all matters governing the repair, alterations or additions, and changes of existing previously occupied industrialized buildings that are designed to be transported from one commercial site to another commercial site. [~~Additions, alterations, renovations or repairs to installations shall conform to that required for new installations without requiring the existing installation to comply with all of the requirements of this code.~~]
Additions, alterations or repairs shall not cause an existing installation to become unsafe, hazardous or overloaded.

102.7 Moved buildings.

Reference §70.101(e)(4)

Existing industrialized buildings that bear approved certification decals, insignia, or that bear an alteration decal, in accordance with the requirements of Chapter 1202 of the Occupations Code and 16 Texas Administrative Code, Chapter 70, and that have not been altered or modified since the decal, insignia, or alteration decal was attached, shall be considered to be in compliance with the current mandatory building code adopted by the Texas Industrialized Building Code Council. [~~Except as~~

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determined by Section 102.2, installations that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.]

102.8 Referenced codes and standards.

Reference §70.101(e)(5)

The codes and standards referenced herein shall be those that are listed in Chapter 8 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. **Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.**

Chapter 8 – Revise referenced standards as shown in tables below.

Reference §70.101(e)(6)(A) and (B)

ICC		International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001
Standard reference number	Title	Referenced in code section number
<u>IEBC-09</u>	<u>International Existing Building Code®</u>	<u>102.4</u>

NFPA		National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471
Standard reference number	Title	Referenced in code section number
70- <u>11</u> [08]	National Electrical Code	<u>102.8</u> , 306.3.1, 306.4.1, 306.5.2, 309.2, 413.9.2.4, 703.6

2009 International Plumbing Code Amendments – §70.101(f)

101.1 Title.

Reference §70.101(f)(1)

These regulations shall be known as the International Plumbing Code of the Texas Industrialized Housing and Buildings Program hereinafter referred to as "this code."

101.3 Intent.

Reference §70.101(f)(2)

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems. Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.

102.4 Additions, alterations or repairs.

Reference §70.101(f)(3)

The provisions of the *International Existing Building Code* shall apply to all matters governing the repair, alterations or additions, and changes of existing previously occupied industrialized buildings that are designed to be transported from one commercial site to another commercial site. [~~Additions, alterations, renovations or repairs to any plumbing system shall conform to that required for a new plumbing system without requiring the existing plumbing system to comply with all the requirements of this code.~~] Additions, alterations or repairs shall not cause an existing system to become unsafe, insanitary or overloaded.

102.7 Moved buildings.

Reference §70.101(f)(4)

Existing industrialized buildings that bear approved certification decals, insignia, or that bear an alteration decal, in accordance with the requirements of Chapter 1202 of the Occupations Code and 16 Texas Administrative Code, Chapter 70, and that have not been altered or modified since the decal, insignia, or alteration decal was attached, shall be considered to be in compliance with the current mandatory building code adopted by the Texas Industrialized Building Code Council. [Except as

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determined by Section 102.2, plumbing systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.]

102.8 Referenced codes and standards.

Reference §70.101(f)(5)

The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. **Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the *Electrical Code* as adopted.**

403 MINIMUM PLUMBING FACILITIES

Reference §70.101(f)(6)(A) through (C)

403.1.3 Industrialized housing and buildings exemptions.

403.1.3.1 Unoccupied buildings.

Unoccupied buildings, such as equipment or communication shelters, that are not normally occupied or that are only occupied to service equipment, shall not be required to provide plumbing facilities.

EXCEPTION: Unoccupied buildings that are also classified as a Group H occupancy must be provided with plumbing facilities required for this type of occupancy such as requirements for emergency shelters and eyewash stations.

403.1.3.2 Other buildings.

All other industrialized housing and buildings shall contain the minimum plumbing fixtures required in accordance with Table 401.4 unless the building is a non-site specific building and the plans and the data plate contain a special condition/limitation note that the minimum number of required fixtures shall be provided in another building located on the installation site with a path of travel that does not exceed a distance of 500 feet. The plumbing facilities must be accessible to the occupants of the industrialized building. Non-site specific buildings and special condition limitation notes shall be as defined in the 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program.

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403.1.3.3 Requirements for service sinks.

Commercial industrialized buildings with areas of less than or equal to 1,800 square feet shall not be required to contain a service sink provided that the building contains a lavatory and water closet that can be substituted for the service sink.

Exception: A building of less than 1,800 square feet in area without any plumbing facilities shall comply with section 403.1.3.2.

Chapter 13 – Revise referenced standards as shown in tables below.

Reference §70.101(f)(7)(A) and (B)

ICC		International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001
Standard reference number	Title	Referenced in code section number
IEBC-09	International Existing Building Code®	101.2, <u>102.4</u>

NFPA		National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471
Standard reference number	Title	Referenced in code section number
70- <u>11</u> [08]	National Electrical Code	<u>102.8</u> , 502.1, 504.3, 1113.1.3

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2009 International Mechanical Code Amendments – §70.101(g)

101.1 Title.

Reference §70.101(g)(1)

These regulations shall be known as the Mechanical Code of the Texas Industrialized Housing and Buildings Program, hereinafter referred to as "this code."

101.3 Intent.

Reference §70.101(g)(2)

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems. Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.

102.4 Additions, alterations or repairs.

Reference §70.101(g)(3)

The provisions of the *International Existing Building Code* shall apply to all matters governing the repair, alterations or additions, and changes of existing previously occupied industrialized buildings that are designed to be transported from one commercial site to another commercial site. [~~Additions, alterations, renovations or repairs to a mechanical system shall conform to that required for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this code.~~] Additions, alterations or repairs shall not cause an existing mechanical system to become unsafe, hazardous or overloaded.

102.7 Moved buildings.

Reference §70.101(g)(4)

Existing industrialized buildings that bear approved certification decals, insignia, or that bear an alteration decal, in accordance with the requirements of Chapter 1202 of the Occupations Code and 16 Texas Administrative Code, Chapter 70, and that have not been altered or modified since the decal, insignia, or alteration decal was attached, shall be considered to be in compliance with the current mandatory building code adopted by the Texas Industrialized Building Code Council. [~~Except as~~

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determined by Section 102.2, mechanical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.]

102.8 Referenced codes and standards.

Reference §70.101(g)(5)

The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. **Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.**

Chapter 15 – Revise referenced standards as shown in tables below.

Reference §70.101(g)(6)(A) and (B)

ICC		International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001
Standard reference number	Title	Referenced in code section number
IEBC-09	International Existing Building Code®	101.2, 102.4

NFPA		National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471
Standard reference number	Title	Referenced in code section number
70- 11 [08]	National Electrical Code	102.8 , 301.7, 306.3.1, 306.4.1, 511.1.1, 513.11, 513.12.1, 602.2.1.1, 1106.3, 1106.4

2009 International Residential Code Amendments – §70.101(h)

101.1 Title.

Reference §70.101(h)(1)

These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the Texas Industrialized Housing and Buildings Program, and shall be cited as such and will be referred to herein as "this code."

101.3 Intent.

Reference §70.101(h)(2)

The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations. **Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.**

R102.4 Referenced codes and standards.

Reference §70.101(h)(3)

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. **The provisions of the National Electrical Code, NFPA 70, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted. Any reference to chapters 34 through 43 of this code shall mean the Electrical Code as adopted. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendment as well.**

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

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R102.4.1 Buildings designed for the 14 first tier counties along the Texas Gulf Coast and for designated catastrophe areas in Texas as defined by the Texas Department of Insurance.

Reference §70.101(h)(4)

102.4.1 Buildings designed for the 14 first tier counties along the Texas Gulf Coast and for designated catastrophe areas [hurricane prone regions] in Texas as defined by the Texas Department of Insurance.

Buildings designed to be placed in the first tier counties along the Texas coast and designated catastrophe areas as defined by the Texas Department of Insurance (TDI) shall also comply with the current effective code and amendments adopted by the TDI, hereafter referred to as the TDI Code. Where conflicts occur between the provisions of this code and the TDI Code as they relate to the requirements for hurricane prone regions, the more stringent requirements shall apply. Where conflicts occur between the provisions of this code and the TDI code as they relate to other code aspects, this code shall apply.

(Reason: Ensure that houses built for high winds can qualify for wind insurance in accordance with the TDI requirements.)

(Reason: Hurricane prone regions in the code are defined differently from the what TDI considers hurricane prone regions, therefore should use same language as TDI)

104.1 General.

Reference §70.101(h)(5)

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. **The term building official as used in this code, or as used in the codes and standards referenced in this code, shall mean the Texas Commission of Licensing and Regulations, the executive director of the Texas Department of Licensing and Regulation, the Texas Industrialized Building Code Council, or the local building official in accordance with the powers and duties assigned to each in Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings.**

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R110.1 Use and occupancy.

Reference §70.101(h)(6)

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the **local** building official has issued a certificate of occupancy **in accordance with locally adopted rules and regulations.** [~~therefor as provided herein.~~] Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

R110.3 Certificate issued.

Reference §70.101(h)(7)

The local building official shall issue a certificate of occupancy in accordance with the locally adopted rules and regulations. [~~After the building official inspects the building or structure and finds no~~

~~violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy which shall contain the following:~~

- ~~1. The building permit number.~~
- ~~2. The address of the structure.~~
- ~~3. The name and address of the owner.~~
- ~~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.~~
- ~~6. The name of the building official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. If an automatic sprinkler system is provided and whether the sprinkler system is required.~~
- ~~9. Any special stipulations and conditions of the building permit .]~~

R110.4 Temporary occupancy.

Reference §70.101(h)(8)

The local building official may issue a temporary certificate of occupancy in accordance with locally adopted rules and regulations. [~~The building official is authorized to issue a temporary certificate of~~

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~~occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.]~~

R110.5 Revocation.

Reference §70.101(h)(9)

The local building official shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

R301.1.3 Engineered design.

Reference §70.101(h)(10)

When a building of otherwise conventional construction contains structural elements exceeding the limits of Section R301 or otherwise not conforming to this code, these elements shall be designed in accordance with accepted engineering practice. The extent of such design need only demonstrate compliance of nonconventional elements with other applicable provisions and shall be compatible with the performance of the conventional framed system. **Construction documents depicting the structural design of industrialized housing to be located in regions where the basic wind speeds equal or exceed 100 mph in hurricane prone regions, or 110 mph elsewhere shall be prepared and sealed by a Texas licensed professional engineer.** Engineered design in accordance with the International Building Code is permitted for all buildings and structures, and parts thereof, included in the scope of this code.

R301.2 Climatic and geographic design criteria.

Reference §70.101(h)(11)

Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2(1). **If no criteria has been established, or if there is no local jurisdiction to set the criteria, then the criteria shall be in accordance with the requirements in the footnotes of Table R301.2(1).**

R302.2 Townhouses.

Reference §70.101(h)(12)

Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.

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Exceptions:

1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
- 2. When structurally independent, and divided by two separate one-hour fire-resistance rated walls, then the individual townhouse units are considered single family dwellings and a sprinkler system is not required. The walls separating the dwellings shall comply with Section R302.2.1.**

R302.5.2 Duct penetration.

Reference §70.101(h)(13)

Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gage (0.48 mm) sheet steel or other approved material, **shall be protected as required by Section R302.11, Item 4,** and shall have no openings into the garage.

R303.8 Required heating.

Reference §70.101(h)(14)

Every ~~[When the winter design temperature in Table R301.2(1) is below 60°F (16°C), every]~~ dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

Delete Section R313.2 – One- and two family dwellings automatic fire sprinkler systems

Reference §70.101(h)(15)

(Reason: State law does not allow codes that require sprinkler systems in one- and two-family dwellings)

R902.1 Roofing covering materials.

Reference §70.101(h)(16)

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Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B or C roofing shall be installed [in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet (914 mm) from a property line]. Classes A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Delete Part VIII – Electrical, Chapters 34 through 43

Reference §70.101(h)(17)

Chapter 44 – Revise referenced standards as shown in tables below.

Reference §70.101(h)(18)

NFPA

National Fire Protection Association
 1 Batterymarch Park
 Quincy, MA 02169-7471

Standard reference number	Title	Referenced in code section number
70– 11 [08]	National Electrical Code	R102.4 [E3401.1, E3401.2, E4301.1, Table E4303.2, E4304.3, E4304.4.]

2009 International Existing Building Code Amendments – §70.101(i)

101.1 Title.

Reference §70.101(i)(1)

These regulations shall be known as the Existing Building Code of the Texas Industrialized Housing and Buildings Program, hereinafter referred to as "this code."

101.3 Intent.

Reference §70.101(i)(2)

The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition and relocation of existing buildings. Where conflicts occur between the provisions of this code and the provisions of Chapter 1202 of the Occupations Code, Industrialized Housing and Buildings, or the provisions of 16 Texas Administrative Code, Chapter 70, rules governing the Texas Industrialized Housing and Buildings program, the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 shall control.

101.4.1 Buildings not previously occupied.

Reference §70.101(i)(3)

A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the International Building Code or International Residential Code, as applicable, as required by the provisions of Chapter 1202 of the Occupations Code and 16 Administrative Code, Chapter 70 [~~for new construction or with any current permit for such occupancy~~].

102.4 Referenced codes and standards.

Reference §70.101(i)(4)

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall govern. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendment as well.

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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.

102.4.1 TAS.

Reference §70.101(i)(5)

102.4.1 TAS.

Wherever reference elsewhere in this code is made to ICC A117.1, ICC/ANSI A117.1, or ANSI A117.1, the TAS of Texas Government Code, Chapter 469, Elimination of Architectural Barriers shall be substituted.

1301.2 Applicability.

Reference §70.101(i)(6)

Structures existing prior to **July 1, 2012** [Note: it is recommended that this date coincide with the effective date of building codes within the jurisdiction], in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

Chapter 15 – Revise referenced standards as shown in tables below.

Reference §70.101(i)(7)(A) through (C)

ICC	International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001	
Standard reference number	Title	Referenced in code section number
ICC A117.1-03]	[Guidelines for Accessible and Usable Buildings and Facilities]	[310.6, 310.8.2, 605.1, 605.1.2, 605.1.3]

NFPA	National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471	
Standard reference number	Title	Referenced in code section number
70— 11 [08]	National Electrical Code	507.1.1, 507.1.2, 507.1.3, 507.1.4, 507.1.5

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<u>TDLR</u>		<u>Texas Department of Licensing and Regulation</u> <u>PO Box 12157</u> <u>Austin, TX 78711</u>
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>TAS – Effective April 1, 1994</u>	<u>Texas Accessibility Standards as adopted under 16 Administrative Code, Chapter 68</u>	<u>310.6, 310.8.2, 605.1, 605.1.2, 605.1.3</u>
<u>TAS 2012 – effective March 2012</u>	<u>Texas Accessibility Standards as adopted under 16 Administrative Code, Chapter 68</u>	<u>310.6, 310.8.2, 605.1, 605.1.2, 605.1.3</u>

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2009 International Energy Conservation Code Amendments – §70.101(j)

101.1 Title.

Reference §70.101(j)(1)

These regulations shall be known as the International Energy Conservation Code of [the Texas Industrialized Housing and Buildings Program], hereinafter referred to as "this code."

101.4.1 Existing buildings.

Reference §70.101(j)(2)

Except as specified in this chapter, this code shall not be used to require the removal, alteration or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code. **Existing industrialized buildings that bear approved certification decals, insignia, or that bear an alteration decal, in accordance with the requirements of Chapter 1202 of the Occupations Code and 16 Texas Administrative Code, Chapter 70, and that have not been altered or modified since the decal, insignia, or alteration decal was attached, shall be considered to be in compliance with the current mandatory building code adopted by the Texas Industrialized Building Code Council.**

101.4.3 Additions, alterations, renovations or repairs.

Reference §70.101(j)(3)

The provisions of the *International Existing Building Code* shall apply to all matters governing the repair, alterations or additions, and changes of existing previously occupied industrialized buildings that are designed to be transported from one commercial site to another commercial site.

Additions, alterations, renovations or repairs to an existing **previously occupied industrialized building that are designed to be moved from one commercial site to another commercial site** [~~building, building system or portion thereof~~] shall conform to the provisions of [~~this~~] **the International Existing Building Code** [~~code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code~~]. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.

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2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate conditioned space from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a conditioned space from the exterior shall not be removed,
7. Alterations that replace less than 50 percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the alteration does not increase the installed interior lighting power.

101.5.1 Compliance materials.

Reference §70.101(j)(4)(A) and (B)

The code official shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

101.5.1.1 Compliance software tools.

101.5.1.1.1 Residential buildings.

The PNNL/DOE software program REScheck and the International Code Compliance Calculator (ICCC) from the Texas Energy Systems Laboratory may be used to demonstrate energy code compliance for residential buildings. REScheck may be used only to demonstrate the energy compliance of the building envelope. The mandatory requirements of this code apply regardless of which software program is used to demonstrate compliance.

101.5.1.1.2 Commercial buildings.

The PLLN/DOE software programs COMcheck may be used to demonstrate energy code compliance for commercial buildings. The mandatory requirements of this code apply regardless of which software program is used to demonstrate compliance.

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501.2.1 Design standards for buildings for state agencies and institutions of higher education.

Reference §70.101(j)(5)

501.2.1 Design standards for buildings for state agencies and institutions of higher education.

Design standards for buildings for state agencies and institutions of higher education shall comply with the energy standard adopted pursuant to Texas Government Code, §447.004 by the State Energy Conservation Office (SECO), and implementation through 34 Texas Administrative Code, Chapter 19, Subchapter C, Energy Conservation Design Standards, effective September 1, 2011.

Chapter 6 – Revise referenced standards as shown in tables below.

Reference §70.101(j)(6)(A) through (C)

<h1>ICC</h1>		International Code Council, Inc. 500 New Jersey Ave, NW 6th Floor Washington, DC 20001
Standard reference number	Title	Referenced in code section number
<u>IEBC-09</u>	<u>International Existing Building Code®</u>	<u>101.4.3</u>

<h1><u>PNNL/DOE</u></h1>		<u>Pacific Northwest Laboratory/Department of Energy Conservation Code</u> http://222.energycodes.gov
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>REScheck Version 4.4.1 or later</u>	<u>Residential Energy Compliance Software</u>	<u>101.5.1.1.1</u>
<u>COMcheck Version 3.8.2 or later</u>	<u>Commercial Energy Conservation Software</u>	<u>101.5.1.1.2</u>

<h1><u>Texas Energy Systems Laboratory</u></h1>		<u>Texas Energy Systems Laboratory</u> <u>Energy Systems laboratory</u> <u>402 Harvey Mitchell Parkway South</u> <u>College Station, TX 77845-3581</u>
<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>ICCC, v 3.10 or later</u>	<u>International Code Compliance Calculator</u>	<u>101.5.1.1.1</u>