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20121113 9-2-1 2009 ICC Building and Existing Building Codes

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RETURN TO:
City Of Bixby
P.O. Box 70
Bixby, Ok 74008

ORDINANCE NO. 2096

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF BIXBY, OKLAHOMA, TITLE 9, TITLED "BUILDING AND CONSTRUCTION REGULATIONS"; AMENDING CHAPTER 2, TITLED "BUILDING AND RELATED CODES"; REPEALING SECTION 9-2-1, TITLED "ADOPTION OF CODES BY REFERENCE", SECTION 9-2-2, TITLED "WOOD SHINGLES, WOOD SHAKES, OTHER NONCLASSIFIED ROOF COVERING", SECTION 9-2-3, TITLED "MINIMUM FOOTING AND SLAB REQUIREMENTS", AND SECTION 9-2-4, TITLED "ADDENDUMS TO BUILDING CODE"; ENACTING A NEW SECTION 9-2-1, TITLED MEANS OF APPEAL; PROVIDING PROCEDURES FOR PERSONS TO APPEAL A DECISION MADE BY A CODE OFFICIAL OR ELECTRICAL INSPECTOR TO THE CITY COUNCIL; ENACTING A NEW SECTION 9-2-2, TITLED "ADOPTION OF THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION"; ADOPTING THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION; ENACTING A NEW SECTION 9-2-3, TITLED "AMENDMENTS TO THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION"; PROVIDING FOR THE REGULATION OF CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES, BY PROVIDING STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; ADOPTING THE FOLLOWING APPENDICES TO THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION: APPENDIX (A) GROUP U-AGRICULTURAL BUILDINGS, APPENDIX E-SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS, APPENDIX H-SIGNS, APPENDIX I-PATIO COVERS, APPENDIX J-GRADING, AND APPENDIX K-ADMINISTRATIVE PROVISIONS; RENUMBERING SECTIONS 9-2-5 AND 9-2-6 AS SECTIONS 9-2-4 AND 9-2-5, RESPECTIVELY; ENACTING A NEW SECTION 9-2-6, TITLED "ADOPTION OF THE ICC INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION"; ADOPTING THE ICC INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION, EXCLUDING ANY APPENDICES; ENACTING A NEW SECTION 9-2-7, TITLED "AMENDMENTS TO THE ICC INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION"; PROVIDING REGULATIONS FOR THE REPAIR, ALTERATION, CHANGE

OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS AND STRUCTURES, INCLUDING HISTORIC BUILDINGS; PROVIDING FOR THE PROTECTION OF EXISTING RIGHTS AND REMEDIES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING THAT THE OPERATIVE DATE OF THIS ORDINANCE SHALL BE NOVEMBER 1, 2012; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BIXBY, OKLAHOMA:

Section 1. That Title 9, Bixby City Code, Chapter 2, Sections 9-2-1, 9-2-2, 9-2-3 and 9-2-4 be and the same are now specially repealed.

Section 2. That a new Title 9, Bixby City Code, Chapter 2, Section 9-2-1 be and the same is now enacted to read as follows:

"9-2-1: MEANS OF APPEAL:

- A. In order to hear and decide appeals of orders, decisions, or determinations made by a code official relative to the application and interpretation of any code contained within Title 9 Bixby City Code, 'Building and Construction Regulations', the City Council shall act as a board of appeals. The Council shall hear all appeals from decisions of the code official and shall interpret provisions whenever a dispute arises as to the meaning or intent of any provision.
- B. Any person(s) aggrieved by a decision of the code official may perfect an appeal to the City Council by filing a written notice of appeal with the City Clerk and the code official within ten (10) calendar days from the date of the action by the code official. Such notice shall specify the grounds for the appeal. A hearing on the appeal shall be commenced by the Council no later than thirty (30) calendar days from the date the notice of appeal was filed with the City Clerk and the appellant shall be provided with reasonable advance notice of the date, time and place of the hearing. Once a written notice of appeal has been filed with the Council, any person acting contrary to the interpretation or order of the code official may proceed with the disputed work at their own risk, pending a final determination by the Council.
- C. A notice of appeal shall:
 - 1. Set forth in detail the precise decision or requirement being appealed;
 - 2. State precisely why the decision or requirement is in error;

3. Designate the section(s) of the code, other ordinances or statute(s) which support the appellant's position; and
 4. Be accompanied by an appeal fee of one hundred dollars (\$100.00).
- D. The City Council shall have authority to affirm, modify, reverse, or remand the action of the code official. Where practical difficulties or an unnecessary hardship will result from the strict application of a code, the Council shall have the power, in a specific case, to grant a variance from any provision, in accordance with general purpose and intent of the code, so that the public health, safety, convenience, prosperity, and general welfare may be secured and substantial justice done. Any such variance shall not be construed as an amendment or a general waiver of any provision of a code.
- E. The nature of the hearing before the City Council shall be informal and strict adherence to rules of evidence governing the courts shall not be required. At the conclusion of a hearing on an appeal, the City Council shall affirm, modify, reverse or remand the decision of the code official by a concurring vote of at least three (3) members. Within five (5) days of its decision, the City Clerk shall prepare and sign a written order memorializing the Council's decision and mail it to the appellant's last known address, as shown by the certificate of mailing attached to the order.
- F. A decision of the Council on a technical dispute shall be *res judicata* and the City Council may, in its discretion, may refuse to hear appeals involving interpretation of codes, statutes or ordinance provisions upon which a decision by the Council has been previously made.
- G. Any rulings, requirements, decisions or interpretations of the City Council shall be final and binding upon all parties, provided that any right of appeal to the courts shall not be abrogated.
- H. In computing any period of time prescribed or allowed by this section, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period computed shall be included, unless it is a legal holiday as recognized by the City of Bixby, or any other day when the office of the City Clerk does not remain open for public business until its regularly scheduled closing time, in which event the period shall run until the end of the next day which is not a legal holiday or a day when the office of the City Clerk does not remain open for public business until its regularly scheduled closing time. Unless the context of a period of time clearly indicates otherwise, a period of time prescribed in days shall be calendar days, including holidays and any other day when the office of the City Clerk is not open for public business until its regularly scheduled closing time."

Section 2. That a new Title 9, Bixby City Code, Chapter 2, Section 9-2-2 and Section 9-2-3 be and the same are now enacted to read as follows:

"9-2-2: ADOPTION OF THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION: A certain document, one (1) copy of which is on file in the Office of the City Clerk, being marked and designated as the *International Building Code*, 2009 Edition (IBC), as published by the International Code Council (ICC), as amended and revised by the Oklahoma Uniform Building Code Commission, including Appendices A, B, D, F, and G, is hereby adopted by the City of Bixby, Oklahoma, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms in the City of Bixby. Each and all of the terms, conditions, regulations, and provisions of the *International Building Code*, 2009 Edition, published by the ICC, as amended, on file in the Office of the City Clerk of the City of Bixby are hereby referred to, adopted and made a part of the Bixby City Code, as if fully set out in this Chapter, with its amendments, as prescribed in Section 9-2-3 of this Chapter and, as used in this Chapter 2, Sections 9-2-2 and 9-2-3, may be referred to as the 'code.'

9-2-3: AMENDMENTS TO THE ICC INTERNATIONAL BUILDING CODE, 2009 EDITION: The following provisions of the *International Building Code*, 2009 Edition (IBC), as amended and revised by the Oklahoma Uniform Building Code Commission, are hereby added, deleted or amended to read as follows:

IBC CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title-Amendatory. These provisions shall be known and may be cited as the 'Building Code of the City of Bixby' or as the 'Bixby Building Code.'

109 through 109.7 Means of Appeal-Deleted. Sections 109 through 109.7 of this code are intentionally deleted from the *International Building Code*, 2009 Edition. Appeals from a decision of the code official shall be governed by Section 9-2-1 of the Bixby City Code.

IBC CHAPTER 2 DEFINITIONS

Repair-Amendatory. The definition of the word 'Repair' has been modified to further define a repair to include repair to any building or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: 'The reconstruction or renewal (restoration to good or sound condition) of any part of any building for the purpose of its maintenance.'

IBC CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

310.1 Residential Group R—Amendatory. Section 310.1 Residential Group R has been modified to provide clarification between the IBC 2009 and the *International Residential Code* 2009 when R-1 and R-2 classifications are constructed as an R-3 classification. This section has been modified to read:

'R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature including: Boarding houses (transient), Hotels (transient), Motels (transient), Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.'

R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature including: Apartment houses, Boarding houses (non-transient), Convents, Dormitories, Fraternities and sororities, Hotels (non-transient), Live/work units, Monasteries, Motels (non-transient), Vacation time share properties and Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as provided for in this code, or shall comply with the International Residential Code, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.'

IBC CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

423.1 General—Amendatory. Section 423.1 General has been revised to provide for alternative design and engineered methods without relying on jurisdictional interpretation. The section has been modified to read: 'In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with ICC-500, FEMA 320, FEMA 361 or other equivalent approved engineered system.'

423.2 Definitions—Amendatory. Section 423.2 Definitions has been revised to modify the definition of a Storm Shelter to remove the specific reference to ICC-500 and to allow for alternative design and engineered methods listed in Section 423.1. This section has been modified to read: 'STORM SHELTER. A building, structure, or portion(s) thereof, constructed in accordance with the standards listed in Section 423.1 and designated for use during a severe wind storm event, such as a hurricane or tornado.'

IBC CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

711.1.1 Smoke Rated Partitions in Structures with Multiple Occupancies—Bixby Added. This provision has been added by the City of Bixby to provide higher standards and requirements than

established by the Oklahoma Uniform Building Code Commission and reduce risks caused by the spread of fire and the unmitigated movement of smoke. This section has been added to read: 'All buildings and structures with multiple occupancies shall include a minimum one-hour rated partition separating each occupancy.'

Exceptions:

1. Residential Group R occupancies.
2. Fully sprinklered structures.
3. Buildings and structures dedicated to Business Group B office type uses.'

IBC CHAPTER 8 INTERIOR FINISHES

803.1.4 Acceptance Criteria for Textile and Expanded Vinyl Wall or Ceiling Coverings Tested to ASTM E 84 or UL 723—Amendatory. Section 803.1.4. Acceptance criteria for textile and expanded vinyl wall or ceiling coverings tested to ASTM E 84 or UL 723 has been modified to include the word 'either' before the two types of standards to provide clarification and prevent a different interpretation other than the intent of the code. This section has been modified to read: 'Textile wall and ceiling covering and expanded vinyl wall and ceiling covering shall have a Class A flame spread index in accordance with either ASTM E 84 or UL 723 and be protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 3.3.1.2. Test specimen preparation and mounting shall be in accordance with ASTM E 2404.'

IBC CHAPTER 9 FIRE PROTECTION SYSTEMS

903.2.7 Group M—Amendatory. Section 903.2.7 Group M has been modified to reword subsection 4 of this text to provide a reasonable limit for these occupancies and adequate protection without excessive burden on Group M occupancies with small areas of upholstered furniture and mattresses. This section has been modified to read: 'An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 square meters).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 square meters).
4. A Group M occupancy where the cumulative area used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 square meters).'

903.6 Pump and Riser Room Size—Added. Section 903.6 Pump and riser room size has been added to the code to provide the designer clarification for maintenance clearances needed for these rooms. This section has been added to read: 'Fire pump and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer with sufficient working room around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances shall be sufficient to allow inspection, service, repair, or replacement without removing such elements of permanent construction or disabling the function of a required fire resistance-rated assembly. Fire Pump and automatic sprinkler riser room shall be provided with a door(s) and unobstructed passageway large enough to allow removal of the largest piece of equipment.'

911.1.3 Size—Amendatory. Section 911.1.3 Size was modified to include an exception to make the fire command center smaller when approved by the fire code official. This section was modified to read: 'The room shall be a minimum of 200 square feet (19 square meters) with a minimum dimension of 10 feet (3048 mm).'

Exception: When approved by the fire code official the fire command center can be reduced in size to not less than a minimum of 96 square feet (9 square meters) with a minimum dimension of 8 feet (2438 mm).'

IBC CHAPTER 10 MEANS OF EGRESS

1005.1 Minimum Required Egress Width—Amendatory. Section 1005.1 Minimum required egress width has been modified to include two more exceptions to modify egress width for all occupancies other than H and I-2 occupancies with sprinklers and a voice evacuation system. This section has been modified to read: 'The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inch (7.62 mm) per occupant for stairways and by 0.2 inch (5.08 mm) per occupant for other egress components. The width shall not be less than specified elsewhere in this code. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress.'

Exceptions:

1. Means of egress complying with Section 1028;
2. For other than H and I-2 occupancies, the capacity, in inches, of means of egress stairways shall be calculated multiplying the occupant load served by such stairway by a means of egress capacity factor of 0.2 inches (5.1 mm) per occupant in buildings

equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

3. For other than H and I-2 occupancies, the capacity, in inches, of means of egress components other than stairways shall be calculated multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inches (3.8 mm) per occupant in building equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.'

1022.1 Enclosures-Amendatory. Section 1022.1 Enclosures required has been modified to add an eighth exception to the code that will direct users to the correct reference for exemptions to allowances for open stairs. This section has been modified to read: 'Interior exit stairways and interior exit ramps shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. Exit enclosures shall have a fire-resistance rating of not less than 2 hours where connecting four stories or more and not less than 1 hour when connecting less than four stories. The number of stories connected by the exit enclosure shall include any basements but not any mezzanines. Exit enclosures shall have a fire-resistance rating not less than the floor assembly penetrated, but need not exceed 2 hours. Exit enclosures shall lead directly to the exterior of the building or shall be extended to the exterior of the building with an exit passageway conforming to the requirements of Section 1023, except as permitted in Section 1027.1. An exit enclosure shall not be used for any purpose other than means of egress.'

Exceptions:

1. In all occupancies, other than Group H and I occupancies, a stairway is not required to be enclosed when the stairway serves an occupant load of less than 10 and the stairway complies with either Item 1.1 or 1.2. In all cases, the maximum number of connecting opening stories shall not exceed two.
 - 1.1. The stairway is open to not more than one story above its level of exit discharge; or
 - 1.2. The stairway is open to not more than one story below its level of exit discharge.
2. Exits in buildings of Group A-5 where all portions of the means of egress are essentially open to the outside need not be enclosed.
3. Stairways serving and contained within a single residential dwelling unit or sleeping unit in Group R-1, R-2 or R-3 occupancies are not required to be enclosed.

4. Stairways in open parking structures that serve only the parking structure are not required to be enclosed.
5. Stairways in Group I-3 occupancies, as provided for in Section 408.3.8, are not required to be enclosed.
6. Means of egress stairways as required by Sections 410.5.3 and 1015.6.1 are not required to be enclosed.
7. Means of egress stairways from balconies, galleries or press boxes as provided for in Section 1028.5.1 are not required to be enclosed.
8. Stairways complying with exception 3 or 4 of Section 1016.1 are not required to be enclosed.'

IBC CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

1505.5.1 Nonclassified Roofing Permitted, Certain Buildings-Bixby Added. This section has been added by the City of Bixby to provide higher standards and requirements than established by the Oklahoma Uniform Building Code Commission by specifying those buildings and structures on which nonclassified roofing should be permitted. This section has been added to read: 'Nonclassified roofing materials shall be permitted on the following buildings and structures:

1. Buildings and structures with unprotected frames, including those using a Type IV-B construction classification, when the distance from any other building or structure is no less than twelve feet (12'). (See Sections 601, 602.5 and Table 601.)
2. Private garages, aircraft hangars and similar accessory structures, not exceeding one story or twenty feet (20') in height and two thousand five hundred (2,500) square feet in area, when outside the fire limits, located in the same lot with a dwelling and with a fire separation of not less than twelve feet (12').
3. Use Group S-1 (moderate hazard) and Use Group S-2 (low hazard) storage buildings not exceeding one story or twenty feet (20') in height and six thousand (6,000) square feet in area with a fire separation of not less than twelve feet (12'). Firewalls may be used to obtain the required fire separation.

1505.6.1 Wood Shingles and Wood Shakes, Commercial Buildings Prohibited-Bixby Added. This section has been added by the City of Bixby to provide higher standards and requirements than established by the Oklahoma Uniform Building Code Commission and provide greater protections against fires in commercial buildings used for residential purposes. This section has

been added to read: 'Wood shingles and wood shakes are prohibited on all roof coverings on commercial buildings used primarily for residential purposes.'

Exception: This section shall not apply to one- and two-family dwellings and accessory buildings to such dwellings.'

IBC CHAPTER 16 STRUCTURAL DESIGN

1611.1 Design Rain Loads—Amendatory. This section has been modified to increase secondary drain size for short duration intensities. This section has been modified to read: 'Each portion of a roof shall be designed to sustain the load of rainwater that will accumulate on it if the primary drainage system for that portion is blocked plus the uniform load caused by water that rises above the inlet of the secondary drainage system at its design flow. The design rainfall shall be based on two conditions: (1) the 100-year hourly rainfall rate indicated in Figure 1611.1; and (2) the 100-year, 5-minute duration rainfall rate of 10.2 inches per hour. Alternately, the 100-year, one-hour and 100-year, 5-minute duration rainfall rates may be determined from approved local weather data.'

1612.2 Definitions—Amendatory. This section has been modified to change the definition of an Existing Structure to correlate with the changed definition in the IEBC 2009. This section has been modified to read: 'EXISTING BUILDING OR EXISTING STRUCTURE see 'Existing construction' for reference connotation and requirements related to a jurisdiction's flood plain management code, ordinance, or standard. Refer to 3402.1 for reference connotation related to the application of existing building code provisions as provided in Chapter 34, notwithstanding other flood plain management requirements within this code, such as but not limited to 'substantial improvement.' '

IBC CHAPTER 18 SOILS AND FOUNDATIONS

1808.1.1 Footings for Structures with Slabs on Earth—Bixby Added. This provision has been added by the City of Bixby to provide higher standards and requirements than established by the Oklahoma Uniform Building Code Commission to account for local soil conditions. This section has been added to read: "Footings for structures with slabs on earth shall have a minimum width of sixteen inches (16") and a minimum depth of eighteen inches (18"). Footings shall penetrate a minimum of twelve inches (12") into undisturbed soil and below frost level. When the building official determines it is not practical to place the entire footing on undisturbed earth, piers may be placed at every change of direction and every ten (10) linear feet of footing. These piers shall penetrate at least twelve inches (12") into undisturbed earth with a minimum base measurement of sixteen inches by thirty-six inches (16" x 36"). The footings shall have not less than four (4) bars of No. 4 steel reinforcement rod for one-story structures and four (4) bars of No. 5 steel for structures having two (2) or more stories. These footings shall have No. 4 steel bars placed vertically every two feet (2') extending out of the footing whatever length necessary to later be

bent horizontally at least one foot (1') into the slab. Slabs shall be reinforced by creating a grid of No. 4 or larger steel on a two foot (2') or smaller grid extending throughout the entire structure.

Exceptions:

1. Foundations and engineered soil systems designed by a registered engineer. Design documents, including the soil analysis, testing locations and soil compaction tests, shall be submitted for review and approval. Additional analysis and/or testing may be requested by the building official.
2. Accessory structures constructed on property zoned agriculture and intended solely for agricultural use.
3. Accessory structures smaller than four hundred (400) square feet.
4. Foundation systems for which the building official determines that none of the designs prescribed in this section are necessary due to structure size, use or nonconventional construction methods, the building official may waive these requirements, but in no instance shall the foundation system be less stringent than that required in the *International Building Code*, 2009 Edition.'

1808.1.2 Post-Tension Footings and Slabs-Bixby Added. This provision has been added by the City of Bixby to provide higher standards and requirements than established by the Oklahoma Uniform Building Code Commission to account for local soil conditions. This section has been added to read: 'Footings for post-tension type reinforcement systems and slabs shall be constructed as designed specifically for each structure by a registered engineer.

Exceptions:

1. Foundations and engineered soil systems designed by a registered engineer. Design documents, including the soil analysis, testing locations and soil compaction tests, shall be submitted for review and approval. Additional analysis and/or testing may be requested by the building official.
2. Accessory structures constructed on property zoned agriculture and intended solely for agricultural use.
3. Accessory structures smaller than four hundred (400) square feet.
4. Foundation systems for which the building official determines that none of the designs prescribed in this section are necessary due to structure size, use or nonconventional construction methods, the building official may waive these requirements; but in no

instance shall the foundation system be less stringent than that required in the *International Building Code*, 2009 Edition.'

1809.4 Depth and Width of Footings—Bixby Amendatory. Section 1809.4 Depth and width of footings has been modified by the Oklahoma Uniform Building Code Commission to provide an exception to the code for minor buildings such as small storage buildings to be constructed without expensive foundations and be mounted on skids and would apply to light gage metal or similar carports provided they are adequately anchored. This provision has been further modified by the City of Bixby to provide higher standards and requirements than established by the Oklahoma Uniform Building Code Commission to account for local soil conditions. This section has been modified to read: 'Subject to exceptions provided, the minimum depth of footings below the undisturbed ground surface for structures with wood floors shall be a minimum width of sixteen inches (16"), a minimum depth of twenty-four inches (24") and penetrate a minimum of twelve inches (12") into undisturbed soil, below the frost level. For all other buildings and structures the minimum depth of footings below the undisturbed ground surface shall be twelve inches (12") (305 mm). Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be twelve inches (12") (305 mm).

Exceptions:

1. Single story free-standing buildings meeting all of the following conditions shall be permitted without footings:
 - 1.1 Assigned to Occupancy Category 1, in accordance with Section 1604.5;
 - 1.2 Light-frame wood or metal construction;
 - 1.3 Area of 400 square feet (37 square meters) or less;
 - 1.4 Eave height of 10 feet (3048 mm) or less; and
 - 1.5 Building height of 15 feet (4575 mm) or less.

Such buildings shall have an approved wooden floor, or shall be placed on a concrete slab having a minimum thickness of 3 1/2 inches (89 mm). Buildings shall be anchored to resist uplift as required by Section 1609.

2. Structures with wood floors not subject to the requirement in this section that footings have a minimum width of sixteen inches (16") and a minimum depth of twenty-four inches (24") shall include:
 - 2.1 Foundations and engineered soil systems designed by a registered engineer. Design documents, including the soil analysis, testing locations and soil

compaction tests, shall be submitted for review and approval. Additional analysis and/or testing may be requested by the building official.

- 2.2 Accessory structures constructed on property zoned agriculture and intended solely for agricultural use.
- 2.3 Accessory structures smaller than four hundred (400) square feet.
- 2.4 Foundation systems for which the building official determines that none of the designs prescribed in this section are necessary due to structure size, use or nonconventional construction methods, the building official may waive these requirements; but in no instance shall the foundation system be less stringent than that required in the *International Building Code*, 2009 Edition.'

IBC CHAPTER 29 PLUMBING SYSTEMS

Table [P] 2902.1 Minimum Number of Required Plumbing Fixtures—Amendatory. Table [P] 2902.1 Minimum number of required plumbing fixtures has been modified. It has been modified to add footnote 'g' to number 2 (classification of business) and number 6 (classification of mercantile). The footnote will be added to the Other column of the table at the end of the service sink requirement. Footnote 'g' of this section has been modified to read: 'For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.'

[P]2902.2 Separate Facilities—Amendatory. This section has been modified to change the occupant load in the third exception from 50 to 100 occupants. This section has been modified to read: 'Where plumbing fixtures are required, separate facilities shall be provided for each sex.'

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.'

IBC CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

3201.3 Other Laws—Amendatory. Section 3201.3 Other Laws has been modified to allow the authority having jurisdiction the ability in unusual circumstances to evaluate the risk of making an exception to a requirement in this chapter. This section has been modified to read: 'The provisions of this chapter shall not be construed to permit the violation of other laws or

ordinances regulating the use and occupancy of public property or to prevent the holders of public right-of-way to grant special permission for encroachments in their rights-of-way greater than those permitted in Section 3202.'

IBC CHAPTER 34 EXISTING BUILDINGS AND STRUCTURES

3402.1 Definitions—Amendatory. Section 3402.1 Definitions has been modified to change the definition for an Existing Structure to correlate the language between the IBC 2009 and the IEBC 2009. This section has been modified to read: 'EXISTING BUILDING OR EXISTING STRUCTURE: A building or structure on which construction was begun prior to November 1, 2012'.

3412.2 Applicability—Amendatory. Section 3412.2 Applicability has been modified to correlate the language between the IBC 2009 and the IEBC 2009. This section has been modified to read: 'Existing buildings or existing structures on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma, November 1, 2012, in which there is work involving additions, alterations or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Section 3401.5 or Sections 3404 through 3409. The provisions in Section 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.'

IBC CHAPTER 35 REFERENCED STANDARDS—Amendatory

Chapter 35 Reference Standards of the IBC 2009 is adopted with the following modifications:

1. The reference to the *International Existing Building Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IEBC-09 *International Existing Building Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
2. The reference to the *International Energy Conservation Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma by the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission'. This section has been modified to read: 'IECC-06 *International Energy Conservation Code* as adopted and modified by the State of Oklahoma through the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission.'
3. The reference to the *International Fire Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IFC-09

International Fire Code as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'

4. The reference to the *International Fuel Gas Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IFGC-09 *International Fuel Gas Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
5. The reference to the *International Mechanical Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IMC-09 *International Mechanical Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
6. The reference to the *International Plumbing Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IPC-09 *International Plumbing Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
7. The reference to the *International Residential Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IRC-09 *International Residential Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
8. The reference standard to NFPA 70 *National Electrical Code* has been modified to change the edition year from 2008 to 2011 and add after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section now reads: '70-11 *National Electrical Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'

Appendices A, B, D, F, G-Bixby Deleted. The following appendices of the ICC *International Building Code*, 2009 Edition, are intentionally deleted from this code:

IBC APPENDICES

APPENDIX A	EMPLOYEE QUALIFICATIONS
APPENDIX B	BOARD OF APPEALS
APPENDIX D	FIRE DISTRICTS
APPENDIX F	RODENT PROOFING
APPENDIX G	FLOOD-RESISTANT CONSTRUCTION

Appendices C, E, H, I, J, and K- Bixby Added. The following appendices of the ICC *International Building Code*, 2009 Edition are specifically referred to, adopted and made a part of this code, as if fully set out in this chapter:

APPENDIX C	GROUP U-AGRICULTURAL BUILDINGS
APPENDIX E	SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS
APPENDIX H	SIGNS
APPENDIX I	PATIO COVERS
APPENDIX J	GRADING
APPENDIX K	ADMINISTRATIVE PROVISIONS"

Section 3. That Title 9, Bixby City Code, Chapter 2, Section 9-2-5, titled Adoption of Residential Code" and 9-2-6, titled "Amendments to Residential Code", be and the same are now renumbered as Title 9, Bixby City Code, Chapter 2, Sections 9-2-4 and 9-2-5, respectively.

Section 4. That a new Title 9, Bixby City Code, Chapter 2, Section 9-2-6 and Section 9-2-7 be and the same are now enacted to read as follows:

"9-2-6: ADOPTION OF THE ICC INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION: A certain document, one (1) copy of which is on file in the Office of the City Clerk, being marked and designated as the *International Existing Building Code*, 2009 Edition (IEBC), as published by the International Code Council (ICC) and as amended and revised by the Oklahoma Uniform Building Code Commission, excluding Appendices A and B, is hereby adopted by the City of Bixby, Oklahoma, for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms in the City of Bixby. Each and all of the terms, conditions, regulations, and provisions of the *International Existing Building Code*, 2009 Edition, published by the ICC, as amended, on file in the Office of the City Clerk of the City of Bixby are hereby referred to, adopted and made a part of the Bixby City Code, as if fully set out in this Chapter, with its amendments, as prescribed in Section 9-2-7 of this Chapter and, as used in this Chapter 2, Sections 9-2-6 and 9-2-7, may be referred to as the 'code.'

9-2-7: AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION: The following provisions of the *International Existing Building Code*, 2009 Edition (IBC), as amended and revised by the Oklahoma Uniform Building Code Commission, are hereby added, deleted or amended to read as follows:

IEBC CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 Title-Amendatory. These provisions shall be known and may be cited as the 'Existing Building Code of the City of Bixby' or as the 'Bixby Existing Building Code.'

101.2.1 Optional Use of this Code-Bixby Added. Persons repairing, altering, causing a change of occupancy, constructing an addition or relocating an existing building or structure located within the corporate limits of the City of Bixby shall have the option of complying with this code or the Bixby Building Code, provided that the option of complying with the provisions of this code shall only apply to and govern buildings and structures for which the initial building permit was issued prior to November 1, 2002.

109 through 109.7 Means of Appeal-Deleted. Sections 109 through 109.7 of this code are intentionally deleted from the *International Existing Building Code*, 2009 Edition. Appeals from a decision of the code official shall be governed by Section 9-2-1 of the Bixby City Code.

IEBC CHAPTER 2 DEFINITIONS

202 General Definitions-Amendatory.

EXISTING BUILDING OR EXISTING STRUCTURE-Amendatory. The definition of an Existing Building has been modified to further define an existing building to include a default date of ten (10) years from the date of construction, but still allowing for a jurisdiction with the legal authority to select a different date and to remove the words 'appropriate' and 'legal building permit' from the definition. A reference to code applicability was added to the definition. The definition has been modified to read: 'EXISTING BUILDING OR EXISTING STRUCTURE. A building or structure on which construction was begun prior to November 1, 2002. For code applicability, refer to IEBC Section 101.4 and Section 1301.2, including associated subparagraphs with each.'

REPAIR-Amendatory. The definition of a Repair has been modified to further define a repair to include repair to any build or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: 'The restoration to good or sound condition of any part of any building for the purpose of its maintenance.'

CHAPTER 13 PERFORMANCE COMPLIANCE METHODS

[B] 1301.2 Applicability-Amendatory. This section has been modified to clarify the application of the definition of an existing building. This section has been modified to read: 'Existing buildings or existing structures on which construction was begun prior to November 1, 2002, 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.'

IEBC CHAPTER 15 REFERENCED STANDARDS

Chapter 15 Reference Standards of the IEBC 2009 is adopted with the following modifications:

1. The reference to the *International Building Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IBC-09 *International Building Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
2. The reference to the *International Energy Conservation Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma by the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission'. This section has been modified to read: 'IECC-06 *International Energy Conservation Code* as adopted and modified by the State of Oklahoma through the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission.'
3. The reference to the *International Fire Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IFC-09 *International Fire Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
4. The reference to the *International Fuel Gas Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IFGC-09 *International Fuel Gas Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
5. The reference to the *International Mechanical Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IMC-09 *International Mechanical Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
6. The reference to the *International Plumbing Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IPC-09

International Plumbing Code as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'

7. The reference to the *International Residential Code* has been modified to include after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section has been modified to read: 'IRC-09 *International Residential Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'
8. The referenced standard for NFPA 70 *National Electrical Code* has been modified to change the edition year from 2005 to 2011 and add after the title the words 'as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission'. This section shall now read: '70-11 *National Electrical Code* as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.'

IEBC APPENDICES

Appendices A and B-Bixby Deleted. The following appendices of the ICC *International Existing Building Code*, 2009 Edition, are intentionally deleted from this code:

- APPENDIX A GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS (GSREB)
 APPENDIX B SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES"

Section 5. PROTECTION OF EXISTING RIGHTS AND REMEDIES. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed; nor shall this ordinance require any changes in work which have been lawfully authorized prior to the adoption of this ordinance, so long as such work is actually commenced within sixty (60) days after the adoption of this ordinance.

Section 6. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 8. OPERATIVE CLAUSE. Following passage of this ordinance by the City Council, with separate approval of its Emergency Clause, this ordinance shall be operative on and after November 1, 2012.

Section 9. EMERGENCY CLAUSE. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety and, more particularly, to expedite the protection of citizens and the general public occupying and using buildings and structures within the corporate limits of the City of Bixby, by reason whereof this ordinance shall take effect immediately from and after its passage and approval.

ADOPTED by the Council: NOVEMBER 13, 2012.

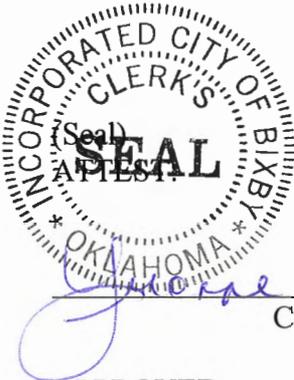
Ray Bower

Mayor

ADOPTED as an Emergency Measure ruled upon separately and approved by an affirmative vote of at least four-fifths (4/5) of the City Council: NOVEMBER 13, 2012.

Ray Bower

Mayor



Joseph Scott

City Clerk

APPROVED:

Patatt Bouddha

City Attorney