

SECTION 1 - BUILDING CODE

1.1.0 GENERAL

~~Section one describes local amendments to the Building Code. This section contains information related to building inspection procedures, building permits procedures, plan review for commercial structures, code compliances and other building construction related issues. For an overview of the City of Austin development process, related applications and additional information, refer to the Austin website at: <http://www.austintexas.gov/development/>~~

1.1.1 Building Code Administration Provisions

~~This rule is promulgated to administer and implement the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Solar Code, Energy Code, Housing Code and Dangerous Buildings Code. For information and resources related to residential construction, refer to Section 4.~~

1.1.2 Building Inspection Procedures

~~Building inspections and permits can be viewed on the City of Austin permit website at <https://www.ci.austin.tx.us/devreview/index.jsp>. Results are documented in the permitting and inspection software system and become a permanent City record.~~

1.1.3 ~~Third Party Residential Inspections~~

1) ~~Layout Survey~~

- ~~a) The Builder shall provide an As-Built Survey to the City prepared by a licensed surveyor which includes the verification of the following:
 - i) The building(s) have been constructed on the location and elevation identified on the approved plans.
 - ii) The building(s) meet the set back requirements on the approved plans.
 - iii) Building projects located in the area subjected to the Land Development Code, 25-2, Subchapter F, may be required to provide additional height surveys to determine compliance. The Building Official has the discretion of the requirement for additional surveys needed to ascertain compliance with the Code.~~

2) ~~Foundation Copper~~

- ~~a) Two sets of plans will be returned to the Builder who must ensure delivery of a set of plans to the construction site. The builder/permit holder is responsible for having the City approved plans on site available to the Inspector at the time of an inspection.~~
- ~~b) The Builder (permittee) may proceed with work up to the Plumbing Rough, at his own risk, while submitted plans are being reviewed for permit issuance.~~
- ~~c) Permittee shall be responsible for providing weather protected container on site and shall maintain a set of approved construction plans and the survey report form in this container.~~
- ~~d) The approved plans and a copy of the survey report must be on site prior to requesting the copper (prepour) inspection.~~
- ~~e) Prior to requesting subsequent inspections, the permittee must have the plans in the container.~~

f) Failure to have the approved plans and survey on site will result in a failed copper inspection and the assessment of a re-inspection fee.

3) Foundation.

a) City Inspectors will not perform foundation inspections for new single family dwellings, duplexes or attached or detached accessory buildings. The Builder shall provide a report to the City prepared by a licensed architect or licensed engineer verifying that the foundation has been constructed in accordance with the adopted One and Two Family Dwelling Code. If the site is located within the 100 year flood plain, an elevation certification verifying compliance with approved plans and code is required.

4) Framing (Grouped Inspection).

a) The Third Party Inspector will perform a Framing Pre-inspection using the City of Austin framing checklist and the permittee will correct code violations identified by this inspection prior to requesting a Mechanical Rough, Plumbing Top Out or Framing Inspection.

b) A third party Framing Pre-inspection must be conducted and reports prepared by a Registered Architect, Registered Professional Engineer, Licensed Real Estate Inspector, Certified One and Two Family Dwelling Code Inspector, or an Inspector certified by the City to perform Framing Pre-inspection.

c) City Inspectors will inspect the Plumbing Top Out, Mechanical Rough, and Frame for compliance. At this inspection, the City Inspector will conduct a full inspection and provide a complete list of all violations provided the inspection is ready. If the Plumbing Top Out, Mechanical Rough or Frame does not pass inspection on the second inspection a re-inspection fee will be assessed.

i) The Builder shall provide the approved plans, the survey report, the foundation report, and the pre-frame report in the weather-tight container at the time the combination Plumbing Top Out, Mechanical Rough, and Framing Inspection is requested.

ii) Failure to provide all required documents on site prior to the request of the Framing Grouped Inspection will result in the assessment of a re-inspection fee. No Framing, Plumbing Top Out, or Mechanical Rough Inspection will be performed unless the survey report, foundation report, and framing pre-inspection report are available on site. A re-inspection fee shall be charged if any of these inspections are requested and the foundation report, survey report or framing pre-inspection report are not available on site.

iii) At this inspection, the City Inspector will document the review of all documents and upon approval of the Survey, Foundation, and Framing Pre-inspection Third Party Reports; the City Inspector will sign the green inspection tag for the Layout and Foundation Inspection. The City Inspector will report that the Third Party Inspector conducted the survey and passed the Layout and Foundation Inspections and the approval date will be placed in the City's computer records.

iv) The City Inspector will perform all framing re-inspections. A re-inspection fee will be charged if there are more than four framing violations. If all framing corrections are visible at the insulation inspection, the Inspector may authorize insulation of the exterior walls and may perform the framing re-inspection and the insulation inspection at the same time.

v) No insulation may be placed prior to the approval of the Mechanical Rough, Plumbing Top out, and Electrical Rough Inspection by the City Inspector.

5) Insulation Inspection

a) City Inspectors will perform all insulation inspections on buildings that require building permits. City Inspectors will inspect buildings located within the City limits (full and limited purpose) or within Municipal Utility Districts that require City building inspection. The City Inspector or the Third Party Inspector must verify that the Insulation Contractor has placed the insulation in compliance with the adopted International Energy Conservation Code. Third party testing requirements are from the adopted International Energy Conservation Code "Testing of the Building Thermal Envelope for Infiltration." Leakage of the building thermal envelope shall not exceed .50 Air Changes per Hour (ACH) as measured by the blower door test. The testing procedure shall be based on ASTM E779 (Standard Test Method for Determining Air Leakage Rate by Fan Pressurization) or ANSI/ASHRAE 136 (A Method of Determining Air Change Rates in Detached Dwellings).

b) Testing shall be performed by an independent third party technician approved by the Building Official. Batch testing shall be allowed in accordance with the adopted International Energy Conservation Code Section "Batch Testing Procedures". The standards for approval of third party technicians shall be established by administrative rule.

e) Documentation verifying that thermal envelope air leakage is equal to or less than .50 ACH shall be submitted with the final Mechanical Code compliance package on the jobsite and include the following information:

i) Address of residence

ii) Name and company of technician performing testing

iii) Date of final test

iv) Test results as a percentage Air Changes per Hour (ACH).

v) Exceptions:

(a) Existing construction where the volume of the conditioned space is unchanged.

(b) An addition of 200 square feet or less of conditioned space to existing construction.

6) Wallboard Inspection

a) For all new One and Two Family Dwellings the Third Party Inspector must verify that wallboard fastened to walls and ceilings complies with the adopted One and Two Family Dwelling Code Standards for thickness, fire resistance and fastening.

b) A City Inspector performs wallboard inspections for remodel projects.

7) Final Third Party Submittals

The Permit Holder shall provide a complete packet to the Watershed Protection and Development Review of all Third Party Reports with corresponding Correction Notices on site at the time of the final building inspection. Where the release from a Utility District is required, a copy of this report should be included in the Third Party packet submitted by the Permit Holder.

8) Penalties.

a) A copy of the third party report form is attached (see attachment). No final inspections will be passed until all required reports are received by the Building Official. Failure to provide the required documents prior to requesting Final Inspections will result in the assessment of a reinspection fee by the City Inspector.

b) The City shall suspend a licensed or certified person from program participation if any of the following occur:

- ~~i) Inspections are approved when violations are evident.~~
- ~~ii) Re-inspections are approved when listed violations have not been corrected.~~
- ~~iii) An inspection is approved in the absence of a site visit by the Third Party Inspector.~~
- ~~iv) An inspection is approved by the third Party Inspector when the construction to be inspected has been covered prior to inspections.~~

~~v) A Third Party Inspector may appeal this Notice to Suspend to the Building and Fire Code Board within 20 days of receipt of the Notice of Intent to Suspend. The Third Party Inspector may continue to perform third party inspections when an appeal is pending, provided that the Inspector has provided a copy of the notice of Intent to Suspend and the completed appeal to the Permittee who employs this Inspector.~~

~~vi) Suspension of Third Party Inspectors shall be based upon the severity and frequency of the incidents and, in no case, shall be for a period neither less than 30 days nor more than 180 days.~~

~~NEW RESIDENTIAL USE STRUCTURES ONLY
CITY MUST PERFORM~~

- ~~• Layout survey • Driveway/Sidewalk Prepour~~
- ~~• Plumbing Rough • Electrical Final~~
- ~~• Sewer • Mechanical Final~~
- ~~• Electrical Slab • Plumbing Final~~
- ~~• Copper • Energy Final~~
- ~~• Electrical Rough • Driveway/Sidewalk Final~~
- ~~• Frame Group (FR, MR, PT) • Building Final~~

~~MANDATORY THIRD PARTY~~

- ~~• Layout (Survey) Form Check Survey must be in the weather tight container prior to requesting copper inspection~~
- ~~• Foundation~~
- ~~• Pre framing Leave Mandatory Third Party Reports with the builder as each stage of inspection is approved. A full list of corrections must be identified by using the City of Austin "Residential framing correction notice".~~
- ~~• Wallboard~~

~~Optional Third Party Inspections for Existing Structures~~

- ~~• Window replacements~~
- ~~• Siding Replacements~~

~~MANDATORY THIRD PARTY REPORT~~

~~On _____, 20_____, I conducted a(n) _____ at _____~~

~~(Type of Inspection)~~

~~_____, Building Permit Number _____~~

~~I found that the work was complete at this stage, that all corrections identified by the City Inspector have been completed and that no violation of the following was found:~~

~~CHECK WHICHEVER APPLIES~~

- ~~The One and Two Family Dwelling Code~~
- ~~The Energy Star Program~~
- ~~The Approved Plot Plan~~

~~CHECK ACTIONS TAKEN~~

- ~~I left a signed report on site (WITH CORRECTION NOTICES)~~
- ~~I left a signed report with the Construction Superintendent (WITH CORRECTION NOTICES)~~
- ~~I authorized the contractor to proceed to the next stage of construction~~
- ~~I initialed the Blue Tag (only surveyor exempt from initially form)~~

~~—(SIGNATURE)—(DATE)~~

~~—(TYPE OR PRINT NAME)—(MAILING ADDRESS)~~

~~—(TYPE OF STATE LICENSE)—(MAILING ADDRESS)~~

~~—(LICENSE NUMBER)—STATE SEAL (IF APPLICABLE)~~

~~FAILURE TO ATTACH CITY INSPECTOR CORRECTION NOTICES IS A VIOLATION OF THE THIRD PARTY INSPECTION PROGRAM AND WILL RESULT IN CITY OF AUSTIN DENIAL OF THIS REPORT~~

~~1.1.4— Completions in a Timely Manner~~

~~Inspectors shall contact their supervisor or lead Inspector daily to offer or request assistance in completing all requested inspections in a timely manner. Overtime shall be scheduled with the approval of the division manager or supervisor only.~~

~~1.2.11— Special Inspection Program for the Replacement of Hot Water Heaters and HVAC Systems.~~

~~A. General~~

~~1. This section implements Section R109.11 (Special Inspections Program) of the Residential Code, Section 80.19(C)(3) (Special Inspections Program) of the Electrical Code, and Section 103.1.5 (Special Inspections Program) of the Plumbing Code.~~

~~2. This section applies only to occupied one and two family dwellings for the replacement of heating, ventilation and air conditioning (HVAC) systems and hot water systems.~~

~~3. This section does not apply to the replacement and installation of backflow prevention devices for irrigation systems.~~

~~4. The City will inspect one out of every five permits secured under this program. A Replacement Completeness Form must be submitted for work completed under this program for~~

which an inspection is not performed. The completed form will allow the City to complete the permit process and final the permit.

~~5. Work performed under this section may only involve work that requires a permit for electrical, plumbing or mechanical work that relates to equipment replacement.~~

~~6. Under this section the "responsible contractor":~~

~~a. For a HVAC replacement, is the licensed mechanical contractor; and~~

~~b. For a hot water heater replacement, is the licensed plumbing contractor.~~

~~7. No work is allowed that involves circuits larger than 50 amps.~~

~~8. The City will only final a permit under this program if an operable smoke alarm is installed or exists at the dwelling where the hot water heater or HVAC equipment is installed.~~

~~9. Fees owed to the City of Austin must be paid at the time they are due and not allowed to accrue.~~

~~B. Application for Permit~~

~~1. The responsible contractor must apply for a permit using the "Replacement Application Form."~~

~~2. Except as provided in Subsection 4 of this section, an application must be submitted and approved before work is performed.~~

~~3. The responsible contractor must complete all questions on the application. Incomplete applications will not be processed.~~

~~4. If the responsible contractor performs work under this program after regular City work hours (between 5 p.m. and 8 a.m.) the responsible contractor must submit an application for the permit not later than three business days after the work is performed.~~

~~5. A permit fee established under separate ordinance will be charged.~~

~~6. Permits issued under this program will expire 180 days after issuance.~~

~~7. No refunds will be issued under this program.~~

~~C. Scheduling Inspections~~

~~1. One out of every five permits secured under this program will receive a City inspection.~~

~~2. All replacements involving a gas system under this program will be inspected.~~

~~3. City Building Inspection Staff will contact the responsible contractor and advise the contractor which permit has been selected for an inspection and the time for the inspection.~~

~~4. A minimum 24-hour lead time will be provided by the City to the responsible contractor when scheduling the inspections.~~

~~D. Routing of Inspections~~

~~1. The responsible contractor will coordinate with the homeowner for inspection access.~~

~~2. The Inspector will leave the inspection site 15 minutes after arrival if the responsible contractor is unable to provide access for the inspection.~~

~~E. Contractor Responsibility~~

~~1. The responsible contractor must ensure access to the inspection site. The responsible contractor, other contractor performing work under the permit, or a representative of the homeowner who is 18 years old or older must be present for the inspection. An inspection will not be performed if the only person available to provide access is less than 18 years old.~~

~~2. The responsible contractor shall submit a "Replacement Completeness Form" to the City within five days of equipment installation for work completed under this section for which no inspections are performed by a City Inspector attesting that the work performed meets all Code requirements. The responsible contractor shall submit the form to the address shown in Subsection 7 of this section.~~

~~3. The responsible contractor is responsible for ensuring that all associated permits are secured and pass appropriate inspections and that all reinspection fees are paid timely.~~

~~4. The responsible contractor shall resubmit any forms that are lost in the mail.~~

~~5. The Replacement Completeness Form shall be mailed to:~~

~~City of Austin~~

~~Watershed Protection & Development Review Department~~

~~Building Inspections~~

~~P.O. Box 1088 Austin, Texas 78767-1088~~

~~The City of Austin will accept the forms by electronic mail; however the signature must be legible. The e-mail address for this purpose is Building.Inspections@ci.austin.tx.us.~~

~~F. Violations Under this Program~~

~~1. The following actions are violations of the special inspections program:~~

~~a. failing to pay required fees;~~

~~b. submitting the Replacement Completeness Form with incomplete information;~~

~~c. falsely securing a permit under this program;~~

~~d. failing to submit the Replacement Completeness Form, allowing the permit to expire;~~

~~and~~

~~e. failing to submit an application for a permit within three business days after 9 for work performed after regular City work hours.~~

~~2. Each occurrence of an activity identified in Subsection 1 of this section is a violation under this section.~~

~~3. A contractor cited for three violations of the special inspections program within a 12-month period may not participate in the program for one year. The yearly cycle will be determined by the date of the first permit secured under this section.~~

~~4. A contractor will not be granted a new permit if the contractor has unpaid fees.~~

~~5. If a contractor commits a violation identified in Subsection F(1)(b) through (3) of this section, the contractor will be required to follow the standard permitting and inspection process for the work.~~

~~1.12.0 SINGLE FAMILY ATTACHED RESIDENTIAL PROCEDURES~~

~~1.12.1 Single Family Attached Residential Existing Duplex Verification~~

~~1) Any of the following options may be pursued by an applicant or owner who chooses to convert an existing duplex to two (2) single family attached residential units:~~

~~—a. Proof that a certificate of occupancy was issued prior to March 1, 1987 or~~

~~—b. Proof that all final inspections on a duplex permit were approved prior to March 1, 1987 or~~

~~—c. Proof that all of the following have occurred:~~

~~i. A permit to repair existing duplex and convert to single family attached residential units is secured when the electrical permit for conversion to single family attached residence is secured.~~

~~ii. Electrical rough and electrical final has passed.~~

~~iii. The building final has passed and the units have complied with the Housing Code.~~

~~2) Proof that the property was taxed by the County Tax Assessor Collector as a duplex prior to March 1, 1987.~~

~~3) Proof that the property received electrical, water, wastewater, septic, or natural gas service as a duplex prior to March 1, 1987.~~

1.12.2 ~~Single Family Attached Residential Submittal Check List~~

- 1) ~~Are there deed restrictions which affect this application?~~
- 2) ~~Are there subdivision restrictions which affect this application?~~
- 3) ~~Documents involving code compliance, easements and maintenance have been prepared by an attorney and are attached.~~
- 4) ~~The total width of both lots is _____ feet.
Lot #1 _____ square feet — Lot #2 _____ square feet.~~
- 5) ~~The total area of both lots is _____ square feet.
Lot #1 _____ square feet — Lot #2 _____ square feet.~~
- 6) ~~Is the density of the subdivision affected by this application?~~
- 7) ~~The building setback from the front property line is _____ feet.~~
- 8) ~~The side yard setbacks from the side property lines are _____ feet and _____ square feet.~~
- 9) ~~The building covers _____ percent of the lot.
Lot #1 _____ percent — Lot #2 _____ percent of the lot.~~
- 10) ~~The building setback from the rear property line is _____ feet.
Lot #1 _____ percent — Lot #2 _____ percent.~~
- 11) ~~The impervious coverage on the subject lot is _____ percent.
Lot #1 _____ percent — Lot #2 _____ percent.~~
- 12) ~~A diagram depicting location of the buildings and parking spaces is attached.~~
- 13) ~~The structure is _____ feet high, which complies with height limitations on the site.~~
- 14) ~~There are _____ bedrooms in the building.
Unit #1 _____ bedrooms — Unit #2 _____ bedrooms.~~
- 15) ~~A diagram showing existing fence locations is attached.~~

1.12.3 ~~Volume Home Builder Program~~1) ~~Program Description~~

~~a) The Volume Home Builder Program is an optional, expedited residential review process that enables volume builders to receive a faster turn around on residential permit applications for new construction. Builders wishing to participate must submit the required documentation, and then staff will review the submission for acceptance into the program. If accepted, the builder will be eligible to submit for residential building permits through the Volume Home Builder Program.~~

2) ~~Applicability~~

- ~~a) The builder must be constructing on 20% or more of the lots within the same subdivision.~~
- ~~b) The subdivision must have a minimum of 10 lots, with the exception of amended plats from an approved volume builder subdivision plat. Administrative waivers to these requirements will be considered on a case-by-case basis at the discretion of the Volume Builder Coordinator.~~

3) ~~Submittal Requirements:~~

- ~~a) Must sign the Home Builder Certification Affidavit for each subdivision the builder wishes to include in the program. This form must be notarized.~~
- ~~b) Must submit a full copy of the final approved subdivision plat, including plat notes, along with all applicable floor plans, exterior options, and elevations on approved electronic format. Submissions in other formats will require individual approval.~~
- ~~c) A sealed, hard copy set of all floor plans and elevations of homes expected to be constructed by the builder in the subdivision.~~

- ~~—d) A scaled, copy of the recorded subdivision plat and all plat notes.~~
- ~~—e) Builder must schedule a meeting with the Volume Builder Coordinator to discuss the proposed development and applicable impacts from zoning requirements.~~
- ~~—f) Additional information as requested by the Volume Builder Coordinator. This could include copies of relevant ordinances, deed restrictions, and other materials as applicable.~~
- ~~4) Subdivision Requirements:~~
 - ~~—a) Must not be subject to Subchapter F~~
 - ~~—b) Proposed uses must be single family residential use~~
 - ~~—c) Lots must not require a variance or waiver to any zoning or criteria manual requirement~~
 - ~~—d) All developable lots must front a paved street~~
 - ~~—e) Must have access to water/wastewater service and may not have a septic connection~~
 - ~~—f) Lots must not require a land status determination~~
- ~~5) Lot(s) will be reviewed for any other potential conflicts that may, at the discretion of staff, disqualify it from inclusion in the volume home builder program. Potential conflicts could include, though not limited to:~~
- ~~6) Flag lots, corner lots, through lots, or other unusual lot configurations~~
 - ~~—a) Specialized Zoning Designations (LA, DR, RR, PUD, MU, etc.)~~
 - ~~—b) Airport or other conditional overlays~~
 - ~~—c) Proximity to a floodplain, pipeline, or curb inlet~~
 - ~~—d) Neighborhood Plan (NP) or Neighborhood Conservation Combining District (NCCD)~~
 - ~~—e) National Registered Historic District (NRHD)~~
- ~~7) Preliminary Review~~
 - ~~—a) Upon receiving the final subdivision plat, floor plans, elevations, and exterior options, the builder will meet with the Volume Builder Coordinator to identify any lots that, because of their complexity, do not qualify for the Volume Builder review process. Lots found to not be suitable for inclusion in the volume builder program should be submitted through the standard residential permitting process.~~
 - ~~—b) For the remaining lots, the builder will submit for permit through the Volume Home Builder Program the required documentation. Building plans will not be required for each permit submittal.~~
- ~~8) Residential Review Permit Application Requirements~~
 - ~~—a) Once reviewed, the builder will be notified of both accepted and excluded lots. The Volume Builder Coordinator will supply a subdivision zoning review sheet to the builder. The builder is to review and sign this review sheet prior to the submission of any residential permit applications for the applicable subdivision. The builder must submit all residential permit application requirements to receive approval for a building permit.~~
- ~~9) On-Line Submittal Process:~~
- ~~10) Builder will log into the City database and create a Plan Review on-line. Builder will enter all applicable building data and other applicable information. Once entered, the builder will attach the following to the Plan Review folder:~~
 - ~~—a) Completed Volume Builder Residential Permit Application~~
 - ~~—b) Scaled plot plan on letter or legal size paper~~
 - ~~—c) Approved Tree Ordinance Review Application (if applicable)~~
 - ~~—d) SMART HOUSING certification letter (if applicable)~~
 - ~~—e) Approved Electric Service Plan Application form~~
- ~~11) The plot plan shall include the following information:~~

- ~~a) legal description of lot and assigned address~~
- ~~b) stamp indicating plot plan is determining factor in COA review process~~
- ~~c) plan number or identifying code for the proposed structure~~
- ~~d) all property lines, setbacks, easements, and adjoining rights of way~~
- ~~e) trees greater than 19" in diameter, 4' from the base~~
- ~~f) proposed structures with roof overhangs shown (dashed)~~
- ~~g) driveways, A/C pads, and other improvements~~
- ~~h) city sidewalks (if applicable)~~
- ~~i) curb inlets and manholes (if located on or within 10' of the property frontage)~~
- ~~12) Should the on-line submittal system not be available, 2 hard copies of the preceding items should be sent in to Residential Review for processing.~~
- ~~13) Participation in this program does not change the inspection process. Inspections should still be scheduled by calling the IVR system at (512) 480-0623. If you do not have an IVR PIN, please call 974-2027 or 974-2352~~
- ~~14) Payment of building fees is required prior to issuance of a building permit.~~
- ~~15) Once the permit is received, the permit and a stamped plot plan should be kept on the job site.~~
- ~~16) Inspectors will not accept flipped or mirrored construction plans in the field.~~
- ~~17) Should a previously permitted plan need a revision, the builder must sign in to see a residential reviewer and update the application as necessary, including updated plot plans, coverage information, or other applicable changes.~~
- ~~18) Model homes, construction trailers, and other non-residential uses should be submitted through the standard residential permitting process.~~

1.22.0 WORKING CONDITIONS AT CONSTRUCTION SITES

- 1) A sign shall be posted describing the requirements of Section 4-5-2 (*Rest Break Required*) by the employer in each establishment subject to Section 4-5-2 in a conspicuous place or places where notices to employees are customarily placed.
- 2) The sign shall be a minimum of 8 ½" by 11" in English and Spanish, and, if the sign is posted outdoors, weatherproofed. See Appendix I, Figure 1-16, example below, Working Conditions at Construction Sites, for content requirements.

Figure 1-16