

areas so as to create a nuisance.

(11) Section 403.2.1; add an item 5 to read as follows:

5. Toilet rooms within private dwellings that contain only a water closet, lavatory, or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(12) Section 501.3; add an exception to read as follows:

501.3 Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(13) Section 607.5.1; change to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 706.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1 - 510.9 IMC.

Sections 5-138 Unchanged

Sections 5-139 thru 5-145 Reserved

DIVISION 2. ENERGY CODE

Sec 5-146. International Energy Conservation Code – Adopted. The International Energy Conservation Code, 2015 Edition as published by the International Code Council, Inc., a copy of which is on file in office of the City Secretary, as amended by Sec. 5-147, administered and enforced by the office of the Building Official is hereby adopted by reference and designated as the Energy Code of the City as though such code were copied at length in this article.

Sec 5-147. Same – Deletions and Amendments. The energy code adopted in this article is hereby amended and changed in the following respects:

(1) Section C101.1 and R101.1. Change to read as follows:

[the City of Hurst]

(2) Section C102/R102; add Section C102.1.2 and R102.1.2 to read as follows:

C102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.

R102.1.2 Alternative compliance. A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.4 and R403.3.3 respectively.

(3) Add sections C108.5, C108.6 and C108.7 and R108.5, R108.6 and R108.7 to read as follows:

C108.5. Notice of violation. The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of any work regulated by this code that is in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions

of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

C108.6 Prosecution of violation. The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.5 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

C108.7 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair any work regulated by this code in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

R108.5. Notice of violation. The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of any work regulated by this code that is in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

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(4) Section C109 and R109; Delete entire sections and insert the following:

**SECTION C109
MEANS OF APPEAL**

C109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

**SECTION R109
MEANS OF APPEAL**

R109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(5) Section C202 and R202; add the following definition:

PROJECTION FACTOR. The ratio of the horizontal depth of the overhang, eave or permanently attached shading device, divided by the distance measured vertically from the bottom of the fenestration glazing to the underside of the overhang, eave or permanently attached shading device.

Section R202; add the following definition:

DYNAMIC GLAZING. Any fenestration product that has the fully reversible ability to change its performance properties, including *U*-factor, solar heat gain coefficient (SHGC), or visible transmittance (VT).

(6) Section C202; add the following definitions:

RE-ROOFING. When a commercial flat roofed building, built prior to the adoption of the IECC, is re-roofed, roof deck insulation shall be installed with an R value of not less than R-19.

SHELL BUILDINGS. New buildings (shell buildings) designed to be heated or air conditioned in the future shall meet the code requirements for envelope design at the time of construction.

(7) Amend Table R402.1.2:

Table R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT; Amend by changing the WOOD FRAME WALL R-VALUE for

CLIMATE ZONE 3 to read as follows:

13

(8) Amend Table R402.1.4

Table R402.1.4 EQUIVALENT U-FACTORS; Amend by changing the FRAME WALL U-FACTOR for CLIMATE ZONE 3 to read as follows:

0.082

(9) C402.2.2 Roof assembly. Add paragraph at end of subsection to read as follows:

Suspended or drop in ceilings shall not be considered as part of the building envelope. Insulation installed on top of the ceiling grid shall not be considered to meet envelope requirements. Pre-existing buildings may retain the insulation installed in this manner. Pre-existing buildings where 50% or more of the insulation is removed for remodeling, or any other reason, shall then meet the current code requirements.

(10) Section R402.3.2 Glazed fenestration SHGC; amend by adding a paragraph and table following the exception to read as follows:

Where vertical fenestration is shaded by an overhang, eave, or permanently attached shading device, the SHGC required in Table R402.1.2 shall be reduced by using the multipliers in Table R402.3.2 SHGC Multipliers for Permanent Projections.

Table R402.3.2 SHGC Multipliers for Permanent Projections^a

<i>Projection Factor</i>	<i>SHGC Multiplier (all Other Orientation)</i>	<i>SHGC Multiplier (North Oriented)</i>
<i>0 - 0.10</i>	<i>1.00</i>	<i>1.00</i>
<i>>0.10 – 0.20</i>	<i>0.91</i>	<i>0.95</i>
<i>>0.20 – 0.30</i>	<i>0.82</i>	<i>0.91</i>
<i>>0.30 – 0.40</i>	<i>0.74</i>	<i>0.87</i>
<i>>0.40 – 0.50</i>	<i>0.67</i>	<i>0.84</i>
<i>>0.50 – 0.60</i>	<i>0.61</i>	<i>0.81</i>
<i>>0.60 – 0.70</i>	<i>0.56</i>	<i>0.78</i>
<i>>0.70 – 0.80</i>	<i>0.51</i>	<i>0.76</i>
<i>>0.80 – 0.90</i>	<i>0.47</i>	<i>0.75</i>
<i>>0.90 – 1.00</i>	<i>0.44</i>	<i>0.73</i>

^a North oriented means within 45 degrees of true north.

(11) Section R402.4.1.2 Testing; modify the first paragraph to read as follows:

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour in Climate Zone 3. *{Remainder of text unchanged}*

(12) R402.4.1.2 Testing; Add a last paragraph to read as follows:

Mandatory testing shall only be performed by individuals that are certified to perform air infiltration testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(13) R403.3.3 Duct Testing (Mandatory) Add a last paragraph to read as follows:

Mandatory testing shall only be performed by individuals that are certified to perform duct testing leakage testing certified by national or state organizations as approved by the building official. The certified individuals must be an independent third-party entity, and may not be employed; or have any financial interest in the company that constructs the structure.

(14) Section C402.2.7/R402.2; Add Section C402.2.7 and R402.2.14 to read as follows:

Section C402.2.7/R402.2.14 Insulation installed in walls. To insure that insulation remains in place, insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

(15) Section R405.6.2; add the following sentence to the end of paragraph:

Acceptable performance software simulation tools may include, but are not limited to, REM RateTM, Energy Gauge and IC3. Other performance software programs accredited by RESNET BESTEST and having the ability to provide a report as outlined in R405.4.2 may also be deemed acceptable performance simulation programs and may be considered by the building official.

(16) TABLE R406.4 MAXIMUM ENERGY RATING INDEX; amend to read as follows:

TABLE R406.4¹
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	65

¹ **This table is effective until August 31, 2019.**

TABLE R406.4²
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	63

² **The table is effective from September 1, 2019 to August 31, 2022.**

TABLE R406.4³
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
3	59

³ **This table is effective on or after September 1, 2022.**

Sections 5-148 thru 5-155 Reserved

SECTION 6: That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article V “Electrical Code” by deleting said section where shown below for Chapter 5, Article V “Electrical Code” and replacing said deleted sections and retaining sections as shown below for Chapter 5, Article V “Electrical Code” to read as follows:

ARTICLE V. ELECTRICAL CODE

DIVISION 1. GENERAL

Sec 5-156 Unchanged.

(1) Section 5-157 Definitions; add a definition to read as follows:

CODE OFFICIAL. The officer or other designated authority, charged with the administration and enforcement of this code, or a duly appointed authorized representative.

Section 5-158 thru Sec 5-160 Unchanged.