

CITY OF FORNEY, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FORNEY, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORNEY, TEXAS, BY AMENDING ARTICLE 3.02, DIVISION 4, “PLUMBING CODE,” ADOPTING THE 2021 EDITION OF THE *INTERNATIONAL PLUMBING CODE* BY THE AMENDMENT OF SECTION 3.02.151, “ADOPTION,” AND ESTABLISHING AMENDMENTS TO THE 2021 EDITION OF THE *INTERNATIONAL PLUMBING CODE* IN ACCORDANCE WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS’ RECOMMENDED AMENDMENTS, LOCAL AMENDMENTS AND INDUSTRY STANDARDS THROUGH THE AMENDMENT OF SECTION 3.02.152, “AMENDMENTS”; PROVIDING A PENALTY; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the International Code Council (“ICC”) has developed a set of comprehensive and coordinated national model construction codes (known as the “International Codes”), and the City of Forney, Texas (“City”) has been involved throughout the development process of the International Codes, through the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (“NCTCOG”); and

WHEREAS, the *International Plumbing Code* has been prepared by the ICC and in addition to review by the NCTCOG, has been reviewed by City staff; and

WHEREAS, the City’s plumbing code is intended to be updated periodically, and the 2021 edition of the *International Plumbing Code* is the most current, published plumbing code at this time; and

WHEREAS, the 2021 edition of the *International Plumbing Code* addresses the general design and construction aspects of all plumbing in the City, except for one- and two-family dwellings and townhouses (which are covered by the International Residential Code); and

WHEREAS, the current plumbing code in the City is the 2018 edition of the *International Plumbing Code*, and the City’s plumbing code should be updated to the most current, published plumbing codes available; and

WHEREAS, the City Council of the City of Forney, Texas (“City Council”) has determined that it is in the best interest of the citizens of the City of Forney to update and adopt the 2021 edition of the *International Plumbing Code* as the minimum standard for the construction, use, occupancy, and maintenance of plumbing in buildings and structures within City limits, as set forth herein and as that code is specifically modified by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, THAT:

Section 1. FINDINGS INCORPORATED

All of the above premises are found to be true and correct factual and legislative determinations of the City of Forney and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. AMENDMENT OF ORDINANCE

From and after the effective date of this Ordinance, Chapter 3, Article 3.02, Division 4, of the Code of Ordinances of the City of Forney, Texas, entitled “Plumbing Code,” is hereby amended by amending Sections 3.02.151, entitled “Adoption,” and 3.02.152, entitled “Amendments,” in their entirety and replacing said provisions with new Sections 3.02.151, entitled “Adoption of *International Plumbing Code*,” and 3.02.152, entitled “*International Plumbing Code* Amendments,” to read as follows:

“Sec. 3.02.151 Adoption of *International Plumbing Code*.

The *International Plumbing Code*, 2021 edition, a copy of which is on file in the offices of the City of Forney, is hereby adopted and designated as the Plumbing Code of the City, the same as though the provisions of the *International Plumbing Code*, 2021 edition, were copied at length in this section, subject to the deletions, amendments, and additions provided in section 3.02.152.

Sec. 3.02.152 *International Plumbing Code* Amendments.

The following amendments repeal and reenact or add sections to the *International Plumbing Code*, 2021 edition, adopted by Section 3.02.151 of this Code for the purpose of consistency with specific past practices and the recommendations of the North Central Texas Council of Governments, and all sections not expressly amended remain in full force and effect as adopted.

- (1) The Table of Contents, Chapter 7, Section 713 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

713 Engineered Drainage Design 7-12

- (2) Section 101.1 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the Plumbing Code for the City of Forney and shall be cited as such. It is referred to herein as the “this code.”

- (3) Section 102.8 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the 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 adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

- (4) Section 305 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

305.1 Protection against contact. Metallic piping, except for cast iron, ductile iron and galvanized steel, shall not be placed in direct contact with steel framing members, concrete or cinder walls and floors or other masonry. Metallic piping shall not be placed in direct contact with corrosive soil. Where sheathing is used to prevent direct contact, the sheathing shall have a thickness of not less than 0.008 inch (8 mil) (0.203 mm) and the sheathing shall be made of approved material. Where sheathing protects piping that penetrates concrete or masonry walls or floors, the sheathing shall be installed in a manner that allows the movement of the piping within the sheathing.

- (5) Section 305.4.1 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

305.4.1 Sewer depth. Building sewers shall be a minimum of 12 inches (304 mm) below grade.

- (6) Section 306 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

306.2.4 Plastic sewer and DWV piping installation. Plastic sewer and DWV piping installed underground shall be installed in accordance with the manufacturer's installation instructions. Trench width shall be controlled to not exceed the outside the pipe diameter plus 16 inches or in a trench which has a controlled width equal to the nominal diameter of the diameter of the piping multiplied by 1.25 plus 12 inches. The piping shall be bedded in 4 inches of granular fill and then backfilled compacting the side fill in 6-inch layers on each side of the piping. The compaction shall be to minimum of 85 percent standard proctor density and extend to a minimum of 6 inches above the top of the pipe.

- (7) Section 413.4 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

413.4 Required location for floor drains. Floor drains shall be installed in the following areas.

1. In public laundries and in the central washing facilities of multiple family dwellings, the rooms containing automatic clothes washers shall be provided with floor drains located to readily drain the entire floor area. Such drains shall have a minimum outlet of not less than 3 inches (76 mm) in diameter.
2. Commercial kitchens. In lieu of floor drains in commercial kitchens, the code official may accept floor sinks.

3. Public restrooms.

- (8) Section 608.17.5 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

608.17.5 Connections to lawn irrigation systems.

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check assembly or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

- (9) Section 703.6 of the *International Plumbing Code*, 2021 edition, is hereby deleted.

- (10) Section 704.5 of the *International Plumbing Code*, 2021 edition, is hereby added to read as follows:

704.5 Single stack fittings. Single stack fittings with internal baffle, PVC schedule 40 or cast-iron single stack shall be designed by a registered engineer and comply to a national recognized standard.

- (11) Section 712.4.3 of the *International Plumbing Code*, 2021 edition, is hereby added to read as follows:

712.4.3 Dual Pump System. All sumps shall be automatically discharged and, when in any “public use” occupancy where the sump serves more than 10 fixture units, shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. For storm drainage sumps and pumping systems, see Section 1113.

- (12) Sections 713 and 713.1 of the *International Plumbing Code*, 2021 edition, are hereby amended to read as follows:

**SECTION 713
ENGINEERED DRAINAGE DESIGN**

713.1 Design of drainage system. The sizing, design and layout of the drainage system shall be designed by a registered engineer using *approved* design methods.

- (13) Section 903.1.1 of the *International Plumbing Code*, 2021 edition, is hereby amended to read as follows:

903.1.1 Roof extension unprotected. Open vent pipes that extend through a roof shall terminate not less than six (6) inches (152 mm) above the roof. ~~Where a roof is to be used for assembly or as a promenade, observation deck,~~

~~sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.~~

- (14) Section 1109 of the *International Plumbing Code*, 2021 edition, is hereby deleted.
- (15) Section 1202.1 of the *International Plumbing Code*, 2021 edition, is hereby amended to delete Exception 2.

Section 3. PENALTY CLAUSE

Any person, firm or corporation violating any of the provisions or terms of this Ordinance or the Code of Ordinances as amended hereby shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

Section 4. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncodified, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncodified, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6. EFFECTIVE DATE

Upon its passage and publication as required by law, this Ordinance shall become effective on January 1, 2023.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Forney, Texas, on this the _____ day of _____, 2022.

Amanda Lewis, Mayor

ATTEST:

Laura Calcote, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:

Jennifer Barnes Smith, City Attorney