

**CITY OF KERRVILLE, TEXAS  
BUILDING BOARD OF ADJUSTMENT & APPEALS**

**April 18, 2019**

**MEMBERS PRESENT:**

Bruce Motheral, Chair  
Benjamin Holloway, Vice-Chair  
Art Lenard, Board Member, *arrived late*  
Michael Walker, Board Member  
Armando De la Mora, Alternate

**MEMBERS ABSENT:**

Christina Holcomb, Board Member  
Jorge Garcia, Board Member  
Dallas Coon, Alternate

**STAFF PRESENT:**

Drew Paxton, Executive Director of Development Services  
Brian Hunt, Chief Building Official  
Jason Lackey, Fire Marshal  
W. Joel Bryant, Deputy Fire Marshal  
Donna Bowyer, Recording Secretary

**1. CALL TO ORDER:**

On April 18, 2019, the Kerrville Building Board of Adjustment and Appeals regular meeting was called to order at 4:00 p.m. in the City Hall council chambers, 701 Main Street.

**2. APPROVAL OF MINUTES**

**2A.** Approval of the minutes from the March 27, 2019 meeting.

Mr. De la Mora moved to approve the minutes as presented; motion was seconded by Mr. Holloway and passed 4-0.

**3. DISCUSSION**

**3A.** Discussion regarding adoption of 2018 ICC Codes

Mr. Hunt discussed the revised recommendations for amendments and deletions to the 2018 International Building Code (IBC) and International Residential Code (IRC). Mr. Hunt stated the only changes he is proposing in the electrical, mechanical, plumbing fuel gas, existing building, and energy trades, just in the administrative section typically in section 105, which addresses our contractor licensing and the says this board of appeals will be the only board of appeals for all the adopted codes. That is the only changes that Mr. Hunt is proposing for those other codes. Mr. Hunt went over deletions/modifications previously discussed. They include:

- Section 101.4 – amending section 2 update to the 2017 addition of the National Electrical Code (NEC)
- Section 102.6 of the building code – deleting reference to the property maintenance code

- Section 105.11 – city’s language for contractor licensing
- Section 105.2 – amended by deleting exemption number six, sidewalks, driveways, and flatwork. The city does require permit for this type of work which also requires a contractor’s license. Sheet rock will be added as a permit is not required. For clarification, if a homeowner is doing 100% of their own work to their homestead, they are not required to apply for a general contractor’s license. However, if the homeowner has someone else do the work or someone helps them do the work or, the home is not their homestead as described by Texas state law, then they are required to apply for a contractor’s license. This can be a one-time license which differs from a regular contractor’s license. Board members agreed that the language needs to better clarify the requirements.
- Section 109.4 – section regarding assessing additional fees for starting work without a permit.
- Section 115 – section regarding Stop Work Order. Striking the previous proposed deletion and keeping this section.
- Section 101.1 – provision stating city has the authority to inspect the facility for accessibility; TCEQ took that responsibility from the city so amending to read the state has this responsibility, not the city’s.
- 105.78, 105.782 – 105.78, amendments to the wood shingles, which the city does not allow and 105.782 which defines what a repair is; as long as it is not over 25%, but you cannot do 25% at a time and replace the entire roof. However, roof repairs do not require a permit. A question was posed regarding historical buildings to which Mr. Hunt replied he would research to see if the code allows roof replacement using wood shingles for historical purposes.

#### 2000 IRC

- Section 105.1.1 – will read the same as 105.1.1 in the IBC, which addresses the city’s contractor language
- Section 105.2 – section 5 in this code, deleting the exemption from permitting for flatwork, sidewalks, and driveways as the city requires permits for this type of work and adding sheet rock which the city does not require a permit.
- Section 202 – added definition for occupancy, using same language that is in the building and fire codes.
- Section 313.2 – section that requires fire sprinklers in one and two family dwellings. This will be deleted.

- Section 323 – section requiring storm shelters to be built in all single and two family dwellings. This will be deleted.
- Section 905.7 – section regarding wood shingles. Language will match what is in the IBC.
- Section 905.8 – section regarding wood shake. This will be deleted.
- PT501 – regarding plumbing, amended to add section 1.1
- Section 2601 – basically says city is regulated by the Texas public water system; cleaning up grammatical errors

Jason Lackey, City of Kerrville Fire Marshal, discussed proposed amendments to the fire code as follows:

- Section 105.6.32 – Open burning. Amended in its entirety and discusses the following:
  - Adding section 105.6.33, Open Burning; adoption of Texas Administrative Code Regarding Outdoor Burning
  - Outdoor burning prohibited
  - Outdoor disposal or deposits of ignitable material prohibited
  - Exceptions to outdoor burning
  - Fire training
  - Outdoor fires for non-commercial food preparation
  - Fires used for recreation and ceremony
  - Disposal fires
  - Prescribed burn
  - Hydrocarbon burning
  - Other necessary burning
  - Revocation of permit or authority to burn
  - Requirements and procedures for obtaining outdoor burning permit
  - Fee for permit

- General requirements for burning
- Responsibility for consequences of outdoor burning
- Section 109.1, Appeals – Amended in its entirety. Allows appeals to go before Building Board of Adjustments and Appeals for the City, with an appeal from this Board to City Council.
- Section 308.1.1.2 – added, Commercial barbecues must be permitted.
- Section 503.3 – Marking. Amended in its entirety. Discusses signage and/or notices, fire lanes, and curb painting.
- Section 506 – amended in its entirety and discusses key boxes for the following:
  - 506.2 - New construction
  - 506.3 – Type of key lock box required
  - 506.4 – Access to buildings
  - 506.5 – Exceptions
- Section 906.1 – amended by deleting the exceptions.
- Section 3201 – amended to add the following new section:
  - 2301.7- Responsibility for cleanup
- Section 2304 – amended to add the following new section:
  - 2304.3.8 – Additional fire protection devices
- Section 5607 – amended to add the following new section:
  - 5607.16 – Blasting permits
- Section 5608 – amended to add the following new section:
  - 5608.1.1 – Prohibition of sale or shotting of fireworks inside city limits; exception.
- Section 5704.2.9.6.1 – amended in its entirety to provide as follows:
  - 5704.2.9.6.1 - Location where above-ground tanks are prohibited
- Section 6101.2 – amended in its entirety to provide as follows:

- Permits
- Section 6101 – amended to add the following new section:
  - Propane
- Section 6102.1 – amended to add the following terms and definitions:
  - Liquefied Petroleum Gas Products
  - Storage Tanks
  - NFPA – National Fire Protection Association
  - ASME – American Society of Mechanical Engineers
- Section 6103 – amended to add the following new sections:
  - Section 6103.1.1 – Signage
- Section 6103.4 – General Design and Construction Guidelines amended to add the following:
  - Information regarding LP Gas systems and underground LP Gas storage tanks
- Section 6103.5 – Existing and Replacement Regulations amended to add the following:
  - Information regarding above ground LP Gas storage tanks in Residentially Zoned Districts and underground LP Gas storage tanks in Commercial Zoned Districts
- Appendix D – amended to add the following:
  - Dead-End Fire Apparatus Access Road Turnaround

Mr. Hunt encouraged board members to review the proposed changes and contact him or Mr. Lackey if they have any questions.

#### **4. STAFF REPORTS**

Mr. Hunt stated he would like to have two open houses in late May in the evening for the stakeholders group, contractors, developers, and other interested parties. It will be put on the city's website that we are reviewing adoption of these codes and have two open houses, The Board is welcome to attend as well if they so choose. The Board will meet early to mid-June to review the final changes and by mid-June develop a final draft to take before City Council for a

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first reading June 25, a second reading and adoption July 29, and would go into affect October 1 when the new fiscal year begins.

The Board agreed to meet again to address questions posed today. The meeting was set for May 21, 2019 at 4:00 p.m.

Mr. Hunt reported Development Services will begin online permitting on April 22, 20p19. There will be a kiosk in the office to assist customers to get acquainted with the new system.

**5. Adjourn**

The meeting was adjourned at 5:04 p.m.

ATTEST:

  
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Bruce Motheral, Chair

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Brian Hunt, Chief Building Official