

ORDINANCE NO.
**AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION),
CHAPTER 18.28 (EXISTING BUILDING CODE), ADOPTING THE 2021
INTERNATIONAL EXISTING BUILDING CODE, AND ADOPTING APPROPRIATE
LOCAL AMENDMENTS, THE PENALTY BEING AS PROVIDED IN 18.02.111 OF THE
EL PASO CITY CODE**

WHEREAS, the 2021 Edition of the International Building Codes has been published and adoption of the 2021 International Building Codes are now proposed; and

WHEREAS, the Building Official for the City of El Paso has reviewed and favorably recommends the adoption of the 2021 International Building Codes; together with the local amendments appropriate for the City of El Paso; and

WHEREAS, the City Council has deemed the proposed local amendments appropriate for the City of El Paso;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 18 (Building and Construction), Chapter 18.28 (Existing Building Code) [is hereby amended as follows:](#)

Chapter 18.28 – EXISTING BUILDING CODE

18.28.010 Short title.

This chapter may be cited as the "Existing Building Code."

18.20.020 Adoption.

The book entitled "International Existing Building Code" 2021 Edition, a copy of which authenticated by the city clerk is on file in the city clerk's office, is adopted as the Existing Building Code of the city, as fully as if copied at length in this chapter, but with the changes set forth in this chapter and Chapter 18.02, the Building and Administrative Code of the City of El Paso.

18.28.030 Reserved ~~Section 104.2.2 Preliminary meeting, amended.~~

18.28.040 Reserved ~~Section 105.3 Application for permit, amended.~~

18.28.050 Reserved ~~Section 202 General definitions, added.~~

18.28.060 Reserved ~~Section 402.1.1 Additions in existing portions of a building or structure of a Group R or I-1 occupancy, added.~~

18.28.070 ~~Reserved Section 603.2 International Fire Code requirements for existing buildings, added.~~

18.28.080 ~~Reserved Section 603.3 Smoke and carbon monoxide alarms, added.~~

18.28.090 ~~Reserved Section 603.4 Smoke alarms in existing portions of a building, added.~~

18.28.100 ~~Reserved Section 603.5 Carbon monoxide alarms, added.~~

18.28.110 Reserved

18.28.120 ~~Section 610 Conformance, amended.~~ Reserved

18.28.130 Section ~~611~~1012 Energy, added.

International Existing Building Code, 2021 Edition, Section ~~611~~1012 Energy, is hereby amended to add an exception to read as follows:

611-1012 Energy. Buildings forty years or older undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy do not need to comply with the International Energy Conservation Code.

18.28.140 Section 612 Compliance with the Vacant Premises/Building Code, added.

International Existing Building Code, 2021 Edition, Section 902.3 612 Compliance with the Vacant Premises/Building Code, is hereby added to read as follows:

902.3.612 Compliance with the Vacant Premises/Building Code. Where the character or use of an existing building or part of an existing building is identified as a vacant building/area in accordance with 18.40 of the El Paso City Code, commonly referred to as the Vacant Premises/Building Code, the building shall then comply with all of the applicable requirements of the Vacant Building Code.

18.28.150 Section 701.1 Scope, ~~added~~amended.

International Existing Building Code, 2021 Edition, Section 701 Scope, is hereby amended to add the following:

701.1 Scope. Level 1 alterations as described in Section 602, shall comply and include, the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose, as well as alterations described in Level 2 where change of use does not affect occupant load. Level I alterations shall comply with the requirements of Chapter 7. Level 1 alterations to historic buildings shall comply with this chapter, except as modified in Chapter 12.

18.28.160 ~~Section 803.2.7 Fire sprinkler system, added.~~ Reserved

~~International Existing Building Code, 2021 Edition, Section 803.2.7 Fire sprinkler system, is hereby added to include:~~

~~**803.2.7 Fire sprinkler system.** Where a change in occupancy classification occurs that requires an automatic fire sprinkler system to be provided based on the new occupancy in accordance with Chapter 9 of the International Building Code, such system shall be provided throughout the work area where the change of occupancy occurs, and in accordance with the International Fire Code and the International Existing Building Code.~~

18.28.170 Section ~~8043.24.84~~803.4.3 Fire sprinkler system supplemental installation requirements, added.

International Existing Building Code, 2021 Edition, Section ~~8034.24.84~~803.4.3 Fire sprinkler system supplemental installation requirements, is hereby added to read as follows:

~~**8034.42.84**~~**803.4.3 Fire sprinkler system supplemental installation requirements.** Where the work area in a building is required to be provided with automatic sprinkler protection in accordance with the International Building Code, an approved water supply riser pipe and stub out shall be installed as a component of the automatic sprinkler system to allow for future distribution and interconnection of an automatic sprinkler system to other work areas above and below the present work area.

Exception: If the Fire Code official determines that it is technically infeasible to design and install an automatic sprinkler system, work areas shall be protected throughout all occupiable spaces by an automatic fire detection system that activates the occupant notification system in accordance with the International Building Code.

18.28.180 Section 804.2.6 Fire wall alternative, added.

International Existing Building Code, 2021 Edition, Section 804.2.6 Fire wall alternative, is hereby added to read as follows:

804.2.6 Fire wall alternative. In other than Groups H, F-1 and S-1, fire barriers and horizontal assemblies constructed in accordance with the International Building Code shall be permitted to be used in lieu of fire walls to subdivide the building into separate buildings for the purpose of complying with the area limitations required for the new occupancy where all of the following conditions are met:

1. The buildings are protected throughout with an automatic sprinkler system in accordance with the International Fire Code.
2. The maximum allowable area between fire barriers, horizontal assemblies, or any combination thereof shall not exceed the maximum allowable area determined in accordance with Chapter 5 of the International Building Code without an increase allowed for an automatic sprinkler system in accordance with Section 506 of the International Building Code.
3. The fire-resistance rating of the fire barriers and horizontal assemblies shall not be less than that specified for fire walls in Table 706.4 of the International Building Code.

Exception: Where horizontal assemblies are used to limit the maximum allowable area, the required fire resistance rating of the horizontal assemblies shall be permitted to be reduced by 1 hour provided the height and number of stories increases allowed for an automatic sprinkler system by Section 504.2 of the International Building Code are not used for the buildings.

18.28.190 Section ~~8068.43.2~~806.4.2 Kitchens, amended.

International Existing Building Code, 2021 Edition, Section ~~8068.43.2~~806.4.2 Kitchens, is hereby amended to read as follows:

~~8068.43.2~~ **806.4.2 Kitchens.** Kitchens shall have a minimum of three separate and remote duplex receptacle outlets.

18.28.200 Section ~~1001.4 Incidental accessory occupancy, added.~~

~~International Existing Building Code, 2021 Edition, Section 1001.4 Incidental accessory occupancy, is hereby added to read as follows:~~

~~**1001.4 Incidental accessory occupancy. Evaluate the protection of incidental accessory occupancies in accordance with Section 508.2.5 of the International Building Code. Do not include those where this code requires automatic sprinkler systems throughout the building including covered mall buildings, high-rise buildings, public garages and unlimited area buildings. Incidental Accessory Occupancy, for fire safety, means of egress and general safety use table 509 Reserved.**~~

18.28.220 Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings, adopted.

International Existing Building Code, 2021 Edition, Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings, is hereby adopted in its entirety.

18.28.230 Appendix B Supplementary Accessibility Requirements for Existing Buildings and Facilities, adopted.

International Existing Building Code, 2021 Edition, Appendix B Supplementary Accessibility Requirements for Existing Buildings and Facilities, is hereby adopted in its entirety.

18.28.240 Appendix C ~~Gable End Retrofit for High Wind Areas~~Guidelines for the Wind Retrofit of Existing Buildings is hereby adopted.

International Existing Building Code, 2021 Edition, Appendix C ~~Guidelines for the Wind Retrofit of Existing Buildings~~Gable End Retrofit for High Wind Areas is hereby adopted in its entirety.

18.28.250 Conflicting ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this chapter are hereby repealed.