

COURT ORDER

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ORDER NO: 2010 0911

DATE: May 25, 2010

STATE OF TEXAS §

COUNTY OF DALLAS §

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 25th day of May, 2010, on motion made by Mike Cantrell, Commissioner of District No. 2, and seconded by Maurine Dickey, Commissioner of District No. 1, the following Order was adopted:

WHEREAS, on May 18, 2010, the Dallas County Commissioners Court was briefed on a proposal to adopt a residential building code for portions of the County's unincorporated area; and

WHEREAS, this proposed code, by helping ensure that residential structures built within the County's unincorporated area are appropriately constructed, will help protect the public's health, safety, and welfare; and

WHEREAS, the adoption of such a code is consistent with the County's strategic plan which specifically recommends that the County take actions designed to protect the public's health and safety and to have the County become the destination of choice for businesses and residents.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Dallas County adopts the attached residential building code which shall apply to residential construction conducted within that portion of the County's unincorporated area that is not located within a city's extra-territorial jurisdiction and that is not otherwise subject to that city's building code.

DONE IN OPEN COURT this the 25th day of May, 2010.

Jim Foster
County Judge

Maurine Dickey
Commissioner District #1

Mike Cantrell
Commissioner District #2

John Wiley Price
Commissioner District #3

ABSENT
Kenneth A. Mayfield
Commissioner District #4

Recommended by: Therese Rosenberg

RESIDENTIAL BUILDING CODE

SECTION 1. PURPOSE.

- 1.1 It is the purpose of this building code to protect the public's health, safety, and welfare by ensuring that residential structures in Dallas County's unincorporated area are appropriately constructed.

SECTION 2. AUTHORITY AND APPLICABILITY.

- 2.1 This building code is authorized under Chapter 233, Subchapter F, of the Texas Local Government Code, as amended, and applies only to new residential construction conducted within Dallas County's unincorporated area that is not located within a city's extraterritorial jurisdiction and not subject to that city's building code.

SECTION 3. DEFINITIONS.

- 3.1 ***New residential construction:*** Either the construction of a single-family house or duplex on a vacant lot or the construction of an addition to an existing single-family house or duplex if the addition will increase the square footage or value of the existing residential building by more than 50 percent. This term does not include those structures more commonly known as "mobile homes," "manufactured homes," or "modular homes" that are constructed in accordance with Chapters 1201 and 1202 of the Texas Occupations Code.
- 3.2 ***Director of Planning & Development:*** Dallas County's Director of Planning & Development or his designee.

SECTION 4. BUILDING CODE STANDARDS.

- 4.1 All new residential construction subject to and begun after the adoption of this code shall be constructed in accordance with the May 1, 2009 version of the International Residential Code.

SECTION 5. INSPECTION REQUIREMENTS.

- 5.1 It is the responsibility of the builder to contract for the inspections required by this code.

- 5.2** For new residential construction on a vacant lot, a minimum of three inspections must be performed during construction at the following stages:
- A. The foundation stage before the placement of concrete.
 - B. The framing and mechanical systems stage before covering with drywall or other interior wall covering.
 - C. On completion of construction of the residence.
- 5.3** For new residential construction of an addition to an existing structure, the inspections must be performed as necessary based on the scope of the work.
- 5.4** Required inspections must be conducted by either a licensed engineer, a registered architect, a professional inspector licensed by the Texas Real Estate Commission, a plumbing inspector employed by a political subdivision, or an individual certified as a residential combination inspector by the International Code Council. A builder may use the same inspector for all of the required inspections or may use a different inspector for each inspection.

SECTION 6. NOTIFICATION REQUIREMENTS.

- 6.1** A builder constructing a residence subject to this code must, prior to the start of construction, inform the Director of Planning & Development (411 Elm Street, 3rd Floor, Dallas, TX 75202) in writing of the location of the structure, the approximate date that the construction will begin, and the version of the International Residential Code that will be used to build the structure. The builder shall also provide contact information for the structure's owner and for himself.
- 6.2** No later than the tenth day after the date of the final inspection, the builder must submit notice of the inspection stating whether or not the structure was constructed in compliance with the May 1, 2009 version of the International Residential Code to both the Director of Planning & Development and if different from the builder, to the person for whom the structure is being built.

SECTION 7. VIOLATIONS, PENALTIES, AND EXCEPTIONS.

- 7.1** An individual commits a Class C misdemeanor offense if he fails to provide the proper notice as required in SECTION 6. If such an offense occurs, the County may refer the inspector to the appropriate regulatory

authority for discipline, seek injunctive relief in district court, and/or refer the builder for prosecution.

- 7.2** An individual who fails to provide proper notice as required in SECTION 6 is not subject to a penalty if the new residential construction is built by the individual or the individual acts as his own contractor and the individual intends to use the structure as his primary residence.