

CITY OF THE COLONY, TEXAS  
ORDINANCE NO. 2021 - 2422

2018 INTERNATIONAL ENERGY CONSERVATION CODE  
WITH LOCAL AMENDMENTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING CHAPTER 6, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, BY RENUMBERING SECTION 6-6, ENTITLED "APPEALS, VARIANCES" AS SECTION 6-15, ENTITLED "APPEALS, VARIANCES"; REPEALING IN ITS ENTIRETY SECTION 6-5.1, ENTITLED "SAME-WATER CONSERVATION"; REPEALING IN ITS ENTIRETY SECTION 6-5.2, ENTITLED "INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED" AND REPLACING IT WITH A NEW SECTION 6-6, ENTITLED "INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED" BY ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL ENERGY CONSERVATION CODE*, AND LOCAL AMENDMENTS TO *THE INTERNATIONAL ENERGY CONSERVATION CODE*; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of The Colony, Texas, is of the opinion that the 2018 Edition of the *International Energy Conservation Code*, along with local amendments hereto, should be adopted as the Energy Conservation Code for the City of The Colony.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Chapter 6, Article I, by renumbering current Section 6-6, entitled "Appeals, variances" as Section 6-15, entitled "Appeals, variances."

**SECTION 3.** That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Chapter 6, Article I, by repealing in its entirety Section 6-5.1, entitled "Same—Water conservation."

**SECTION 4.** That the Code of Ordinances of the City of The Colony, Texas, be, and the same is, hereby amended by amending Chapter 6, Article I, by repealing in its entirety Section 6-5.2, entitled "International Energy Conservation Code Adopted" and replacing it with a new Section 6-6, entitled "International Energy Conservation Code Adopted" which shall read as follows:

**“Sec. 6-6. International Energy Conservation Code Adopted.**

- (a) *Adoption.* The *International Energy Conservation Code*, 2018 edition, is hereby adopted and designated as the Energy Conservation Code for the City of The Colony, Texas. A copy of the 2018 Edition of the *International Energy Conservation Code* is on file in the office of the City Secretary.
- (b) *Local Amendments.* The following provisions are local amendments to the 2018 Edition of the *International Energy Conservation Code*. Each provision is a substitute for the identically numbered provision contained in the 2018 Edition of the *International Energy Conservation Code* or is a provision added to the 2018 Edition of the *International Energy Conservation Code*.

**Section C101.1 Title; change to read as follows:**

These regulations shall be known as the *Energy Conservation Code* of the city of The Colony, herein referred to as “this code.”

**Section C102/R102 General; add Section C102.1.2 and R102.1.2 (N1101.4.1) 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.

**Section C402.2/R402.2 (N1102.2) Specific insulation requirements (Prescriptive); add Section C402.2.8 and R402.2.14 (N1102.2.14) to read as follows:**

**Section C402.2.8/R402.2.14 (N1102.2.14) Insulation installed in walls.** Insulation installed in walls shall be totally enclosed on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing or other equivalent material approved by the building official.

**Section C403.7.4 Energy recovery ventilation systems (Mandatory); add exception #12 to read as follows:**

- 12. Individual ventilation systems that serve an individual dwelling unit or sleeping unit.

**Section C403.11.1 Duct and Plenum Insulation and Sealing (Mandatory); is amended by adding a second paragraph to read as follows:**

Environmental ducts and plenums installed in vertical chases, both supply and exhaust, where the ducts or plenums will not be accessible after construction completion, shall be leak tested in accordance with the SMACNA HVAC Air Leakage Test Manual to the installed ductwork class and pressure requirements.

Documentation shall be furnished demonstrating that representative sections totaling not less than 25 percent of the duct area have been tested and that all tested sections comply with the requirements of this section.

**Section C405.9. Voltage drop in feeders; deleted in its entirety.**

**Section C408.3.1 Functional Testing; amend to read as follows:**

**C408.3.1 Functional Testing.** Prior to passing final inspection, the *registered design professional* or *approved agency* shall provide evidence that the lighting control systems have been tested to ensure that control hardware and software are calibrated, adjusted, programmed, and in proper working condition in accordance with the *construction documents* and manufacturer's instructions. Functional testing shall be in accordance with Sections C408.3.1.1 through C408.3.1.3 for the applicable control type.

**Section R101.1 Title; change to read as follows:**

These regulations shall be known as the *Energy Conservation Code* of the city of The Colony, herein referred to as "this code."

**R102.1.2 (N1101.4.1) 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 R402.4.1.2 (N1102.4.1.2) and R403.3.3 (N1103.3.3) respectively.

**Section R202 (N1101.6) Definitions; 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 (N1101.6) Definitions; 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).

**R402.4.1.2 (N1102.4.1.2) 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.

**R403.3.3 (N1103.3.3) 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.

**Section R405.6.2 (N1105.6.2); add the following sentence to the end of paragraph:**

Acceptable performance software simulation tools may include, but are not limited to, REM Rate™; Energy Gauge®; ICF International Beacon Residential; Ekotrope, HERS Module; Right-Energy HERS and IC3. Other performance software programs as listed by RESNET® 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.

**TABLE R406.4 (N1106.4) MAXIMUM ENERGY RATING INDEX; amend to read as follows:**

**TABLE R406.4 (N1106.4) <sup>1</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
3	65

<sup>1</sup> This table is effective until August 31, 2019.

**TABLE R406.4 (N1106.4) <sup>2</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
3	63

<sup>2</sup> The table is effective from September 1, 2019 to August 31, 2022.

**TABLE R406.4 (N1106.4) <sup>3</sup>  
MAXIMUM ENERGY RATING INDEX**

CLIMATE ZONE	ENERGY RATING INDEX
3	59

<sup>3</sup> This table is effective on September 1, 2022.”


**SECTION 5.** If any section, article paragraph, sentence, clause, phrase or word in this Ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 6.** That all provisions of the Ordinances of the City of The Colony, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 7.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

**SECTION 8.** This Ordinance shall become effective from and after its date of passage in accordance with law.

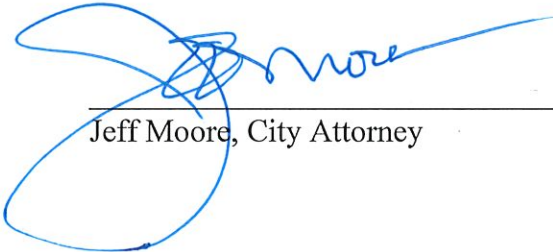
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS 5<sup>TH</sup> day of JANUARY 2021.**

  
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Joe McCourry, Mayor

**ATTEST:**

  
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Tina Stewart, TRMC, CMC City Secretary

**APPROVED AS TO FORM:**

  
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Jeff Moore, City Attorney

