

Division 6. Building Codes
28 TAC §§5.4441 - 5.4480

Revised text

§5.4441. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made Prior to September 1, 1998.¹

(a) Areas seaward of the Intracoastal Canal.

(1) Applicability. This code contains requirements for the construction of buildings to minimize damage to those buildings by severe windstorms that occur along the Gulf Coast. Where specific requirements for particular devices or methods of construction are specified, alternate methods or practices that are considered equal may be used. The consideration must be based on sound engineering practice and experience. The degree of protection against damage from windstorms provided by these requirements cannot be assured for tornadoes, but compliance should be helpful in reducing tornado damage. These requirements apply only to properties located seaward of the Intracoastal Canal on the Texas coastline (or seaward of the boundary authorized to be established by the commissioner by Insurance Code Chapter 2210, concerning Texas Windstorm Insurance Association). These requirements apply to new construction, additions, or repairs begun on or after October 10, 1988, through August 31, 1998, located seaward of the Intracoastal Canal, including in areas protected by a seawall constructed by the U.S. Army Corps of Engineers.

(2) Building code standards.

(A) Wind pressure.

(i) When considered. All buildings and structures must be designed to resist a horizontal wind pressure on all surfaces exposed to the wind, allowing

¹ Current §5.4007.

for wind in any direction, in accordance with the table in Figure: 28 TAC §5.4441 (a)(2)(A)(i). No allowance will be made for the shielding effect of other buildings or structures. The height must be measured above the average level of the ground adjacent to the building or structure.

Attached Graphic

(ii) Exterior walls. Exterior walls must be designed to withstand the pressures specified in clause (i) of this subparagraph, acting either inward or outward.

(iii) Roofs.

(I) The roofs of buildings and structures must be designed and constructed to withstand pressures, acting outward normal to the roof surface, equal to 1-1/4 times the pressures specified in clause (i) of this subparagraph. The height must be taken as the vertical distance from the average elevation of the ground adjoining the building to the average elevation of the roof.

(II) Roofs or sections of roofs with slopes greater than 30 degrees must be designed and constructed to withstand pressures, acting inward normal to the surface, equal to those specified in clause (i) of this subparagraph and applied to the windward slope only.

(III) Overhanging eaves and cornices must be designed and constructed to withstand outward pressures equal to twice those specified in clause (i) of this subparagraph.

(iv) Chimneys, tanks, and towers. Chimneys, tanks, solid towers, and similar structures must be designed and constructed to withstand the pressures specified in clause (i) of this subparagraph multiplied by the factors in Figure: 28 TAC §5.4441 (a)(2)(A)(iv).

Attached Graphic

(v) Other structures. The design wind pressures for structures not covered in this paragraph must be in accordance with generally accepted engineering practice and are subject to the approval of the building official.

(vi) Stability. The overturning moment due to wind pressure must not exceed 50% of the moment of stability due to the dead load only unless the building or structure is securely anchored to the foundation to resist this force.

(vii) Roofing materials. Roofing materials must pass the UL 997 standard (the Standard for Wind Resistance of Prepared Roof Covering Materials) or a comparable test certified by the commissioner and be installed as required by TDI, to promote wind resistance of the materials.

(B) Anchorage.

(i) Heavy timber construction (as defined in the Texas Commercial Property Rating Manual in effect before September 1, 1994). Every roof girder and every roof beam must be anchored to an exterior or interior wall or to a properly designed interior column. Wall beams and plates must be anchored to the wall with approved type anchors not more than 4 feet apart. Roof planking where supported by a wall must be anchored to the wall at intervals not exceeding 4 feet. Roof trusses must be securely anchored to masonry walls at point of bearing. Monitor and saw tooth construction must be anchored to the main roof construction. Anchors must consist of steel or iron bolts or straps of sufficient strength and ample anchorage to resist vertical uplift of the roof as required in subparagraph (A)(iii) of this paragraph.

(ii) Ordinary construction (masonry).

(l) All trimmers and at least one beam or joist in every 4 feet resting on masonry walls must be secured to the walls by approved metal anchors attached at or near the bottom in a manner to be self-releasing. Each end of a trimmer, beam, or joist that is supported by a girder must be secured or tied in an approved manner to the girder or to a trimmer, beam, or joist correspondingly supported from the opposite

side of the girder. Anchors and ties must be arranged to form continuous ties between opposite masonry walls.

(II) Where floor or roof joists or beams run parallel to masonry walls, the walls must be secured to four or more joists of the floor or roof construction by approved metal anchors at maximum intervals of 8 feet for dwellings and 6 feet in other buildings.

(III) Wall plates and roof construction must be anchored to the walls at least every 6 feet, except that wall plates and roof construction must be anchored at intervals of 4 feet to hollow concrete masonry walls that do not have cast-in-place reinforced concrete tie beams.

(IV) Wooden girders must be anchored to the walls and fastened to each other with suitable steel straps placed near the bottom of the girder.

(V) At least every third rafter must be anchored to the ceiling joists or partitions directly beneath by not less than the equivalent of 1-by-6-inch boards securely nailed. The braces must be attached to the rafters at their midpoints or at the third points if two are used per rafter. In peaked roofs, opposite rafters must be laterally braced to each other at the ridge in a manner satisfactory to the building official.

(VI) Roof trusses must be securely anchored to masonry walls at points of bearing.

(VII) Anchors must consist of steel or iron bolts or straps of sufficient strength and ample anchorage to resist vertical uplift of the roof as required in subparagraph (A)(iii) of this paragraph.

(iii) Wood frame construction.

(I) Sills must be anchored to the foundation walls to develop a strength equivalent to 1/2-inch bolts with proper washers embedded 6 inches in concrete foundation walls and spaced 6 feet apart.

(II) Rafters must be anchored to the wall plate by approved metal anchors attached to at least every other rafter or must be otherwise anchored in an approved manner.

(III) In all buildings 20 feet or more in width where joists run at right angles to the rafters, the rafters must be tied to the ceiling joists with wood or metal ties nailed to the foot of alternate rafters and extending across four joists well nailed to each joist.

(IV) Girders resting on masonry foundation walls or piers must be anchored thereto with not less than 1/2-inch bolts embedded at least 6 inches in masonry.

(V) Wooden columns and posts must be securely anchored to their foundations and to the members that they support.

(VI) At least every third rafter must be anchored to the ceiling joists or partitions directly beneath by not less than the equivalent of 1-by-six-inch boards securely nailed. Such braces must be attached to the rafters at their midpoints or at the third points if two are used per rafter.

(VII) Each rafter must be laterally braced to the opposite rafter at a point underneath the ridge to form a brace known as the "A" type of "collar beam," except that roof construction of the "exposed cathedral type" or "exposed shed type" may have such bracing omitted when the rafters are securely anchored and braced in an approved manner. Roof framing and trussing of all other types of roof construction must be anchored by an approved method.

(C) Roof covering installation.

(i) General requirements for all roof coverings. Roof coverings must be securely attached to the roof in accordance with the manufacturer's installation instructions and specifications and with the methods approved by the building official.

Nails, clips, and similar attaching devices must be galvanized or otherwise suitably corrosion resistant.

(ii) Prepared shingle roof coverings.

(I) Wood roof decks to which prepared shingles are applied must be solidly sheathed. Sheathing must be well seasoned and dry. Sheathing boards must be at least 1-inch nominal dimension boards not over 6 inches wide. Plywood sheathing must be at least 5/8 of an inch thick.

(II) Attic spaces must be vented with vent openings placed to circulate air in all parts of the attic.

(III) Nails must be of sufficient length to extend through the roof deck (sheathing).

(IV) Thick-butt asphalt shingles must be nailed in the thick portion of the shingle.

(V) All butts or tabs of asphalt shingles must be securely spotted or tabbed with a plastic, fibrous, asphalt cement or anchored by clips or locks, and all edges at eaves and gable must be set in the cement 3 inches back from the edge.

(VI) Metal drip edges must be nailed to the roof deck with nails not less than 10 inches on centers.

(iii) Built-up roof coverings.

(I) For built-up roof coverings, cant strips must be provided at the angle of roof and vertical surfaces.

(II) Built-up roof coverings must be carried at least 6 inches above the cant strip to a reglet in the parapet and covered with metal flashing caulked into the reglet. Reglet may be omitted at parapet walls provided two layers of felt or the equivalent are carried across the top of the parapet under coping and down the parapet to the lower edge of the cant strip. The layers are to run vertically, properly lapped and cemented to the parapet.

(III) All resinous places in the wood roof deck must be covered with sheathing paper or unsaturated felt.

(IV) The first layer or anchor sheet:

(-a-) must be not less than 30-pound felt nailed 6 inches on center along with a 2-inch lap and nailed 12 inches on center both ways in the area between laps with tin caps and 1-inch nails;

(-b-) must be not less than two layers of 15-pound felt lapped 18 inches and nailed through both sheets on 6-inch centers along the lap and on 12-inch centers in the area between laps with tin caps and 1-inch nails; or

(-c-) where the underside of the roof sheathing will be exposed and its appearance considered, the first layer must be not less than a 30-pound felt or two layers of 15-pound felt nailed 6 inches on centers along the rafters with tin caps and 1-1/4-inch nails, and nailed 12 inches on centers both ways, between rafters, with tin caps and 3/4-inch nails.

(V) Each additional sheet above the anchor sheet must be thoroughly mopped between layers with a bituminous compound so that no layers touch an unmopped layer. Bituminous compound for mopping plies together must be air-refined asphalt or coal tar pitch but must not be any type of emulsion, cold or cutback liquid cement, oil, or grease.

(VI) Gravel stop and drip strips, and eave and gable drips must be not less than Number 26 gauge galvanized metal, 16-ounce copper or 0.024-inch aluminum, with not less than 3-inch flange on roof and nailed with not less than 3/4-inch nails spaced not more than 6 inches apart.

(iv) Roll roofing.

(I) Roll roofing must be applied only over a smooth surface. Roll roofing may not be applied over shingle roofs.

(II) Roll roofing applied in a shingle layer must be spot mopped and applied by concealed nail method with a minimum 3-inch head lap and a minimum 6-inch end lap properly cemented. Nail spacing must be not less than 4 inches on centers.

(III) Nails that secure roll roofing to the roof deck must be driven at least 3/4 of an inch from the edge of the sheet.

(v) Tile roofing.

(I) Tile roofing must be laid over not less than one layer of 30-pound asphalt felt securely fastened by nailing with tin caps.

(II) All tile must be thoroughly watered with a hose before application.

(III) Every tile must be laid full length in portland cement mortar and the first three horizontal courses must be nailed. Under certain conditions additional nailing may be required to prevent the tile from slipping. Mortar must be not less than one part cement and three parts sand and not more than 25% lime by volume.

(IV) All nails for flashing and tile must be copper.

(vi) Corrugated metal roofing, protected metal roofing, and corrugated and flat sheet asbestos cement roofing.

(I) When roofings of the previously mentioned types are applied to wood roof decks, they must be secured with drive screws of sufficient length to extend through the roof deck. When applied directly to purlins and other roof members they must be secured with bolted strap fasteners. Properly designed clip fasteners that are approved may be used in accordance with the conditions of this approval. Drive screws at least 4 inches in length may be used to secure these roofings directly to wood purlins.

(II) Aluminum roofing when fastened to steel roof structures must be insulated against electrogalvanic action.

(vii) Insulated steel deck roofing. Insulated steel deck must be secured by spot welding of clips or spot welding the sheets to the steel purlins, or by equivalent means.

(D) Construction walls. During erection, masonry walls must not be built higher than 10 times their thickness unless adequately braced or until provision is made for the prompt installation of permanent bracing at the floor or roof level immediately above the story under construction.

(b) Areas inland of the Intracoastal Canal. To be eligible for catastrophe insurance, properties located inland of the Intracoastal Canal on the Texas coastline (or inland of the boundary authorized to be established by the commissioner by Insurance Code Chapter 2210) are subject to the building specifications and standards in the Standard Building Code, as amended May 8, 1973, and the Windstorm Resistant Construction Guide. TDI adopts by reference the Windstorm Resistant Construction Guide, and any applicable amendments adopted by reference to be effective April 1, 2001, which has been developed by TDI to interpret and simplify the specifications and standards in the Standard Building Code, as amended May 8, 1973.

(c) Limitations on applicability of building codes. Notwithstanding any other provisions in this plan of operation, the Standard Building Code, 1973 Edition, and the Windstorm Resistant Construction Guide is applicable only in:

(1) the counties of Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Jefferson, Kenedy, Kleberg, Matagorda, Nueces, Refugio, San Patricio, and Willacy;

(2) the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) and the area located east of

the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County);

(3) the City of Morgan's Point (Harris County); and

(4) the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), and the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County).

(d) Insurable property for windstorm and hail insurance.

(1) For structures before January 1, 1988, in all designated catastrophe areas. A structure constructed, repaired, or to which additions were made before January 1, 1988, that is located in an area covered at the time by a building code recognized by TWIA is considered an insurable property for windstorm and hail insurance from TWIA without compliance with the inspection or approval requirements of Insurance Code §2210.251 or the plan of operation. A structure constructed, repaired, or to which additions were made before January 1, 1988, that is located in an area not covered by a building code recognized by TWIA is considered an insurable property for windstorm and hail insurance from TWIA without compliance with the inspection or approval requirements of Insurance Code §2210.251 or the plan of operation if that structure has been previously insured by a licensed insurance company authorized to do business in this state and the risk is in essentially the same condition as when previously insured, except for normal wear and tear, and without any structural change other than a change made according to code. Evidence of previous insurance includes a copy of a previous policy, copies of canceled checks or the agent's records that show payments for previous policies, and a copy of the title to the structure or mortgage company records that show previous policies.

(2) For structures in designated catastrophe areas of Seabrook and La Porte from January 1, 1988, to March 1, 1996. A structure constructed, repaired, or to which additions were made on or after January 1, 1988, and before March 1, 1996, that is located

in an area east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) or in an area east of the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County) is considered approved by the commissioner of insurance as being in compliance with TWIA's inland building code requirements in subsection (b) of this section and is considered an insurable property for windstorm and hail insurance from TWIA if the owner of the structure to be insured by TWIA presents to TWIA at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at {street address} in {name of city}, Texas, was constructed, repaired, or an addition was made on or after January 1, 1988, and before March 1, 1996, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of {name of city}, Texas has inspected the structure and enforced compliance to said code."

(3) For structures in the designated catastrophe areas of Seabrook and La Porte on and after March 1, 1996, to May 31, 1998. A structure constructed, repaired, or to which additions were made on or after March 1, 1996, to May 31, 1998, that is located in an area east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) or in an area east of the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County) is considered an insurable property for windstorm and hail insurance from TWIA only if the structure is inspected or approved by the commissioner of insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials as provided in Insurance Code §2210.251.

(4) For structures in the City of Morgan's Point from January 1, 1988, to June 1, 1996. A structure constructed, repaired, or to which additions were made on or after January 1, 1988, and before June 1, 1996, that is located in the City of Morgan's Point

(Harris County) is considered approved by the commissioner of insurance as being in compliance with TWIA's inland building code requirements in subsection (b) of this section and is considered an insurable property for windstorm and hail insurance from TWIA if the owner of the structure to be insured by TWIA presents to TWIA at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at {street address} in Morgan's Point, Texas, was constructed, repaired, or an addition was made on or after January 1, 1988, and before June 1, 1996, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of Morgan's Point, Texas, has inspected the structure and enforced compliance to said code."

(5) For structures in the City of Morgan's Point on or after June 1, 1996, to May 31, 1998. A structure constructed, repaired, or to which additions were made on or after June 1, 1996, to May 31, 1998, that is located in the City of Morgan's Point (Harris County); is considered an insurable property for windstorm and hail insurance from TWIA only if the structure is inspected or approved by the commissioner of insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials as provided in Insurance Code §2210.251.

(6) For structures located in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), and in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), from January 1, 1988, to March 1, 1997. A structure constructed, repaired, or to which additions were made on or after January 1, 1988, and before March 1, 1997, that is located in an area east of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), or in an area east of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), is considered approved by the commissioner of insurance as being in compliance with TWIA's inland building code

requirements in subsection (b) of this section, and is considered an insurable property for windstorm and hail insurance from TWIA, if the owner of the structure to be insured by TWIA presents to TWIA at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at {street address} in the City of {name of city}, Texas, was constructed, repaired, or an addition was made on or after January 1, 1988, and before March 1, 1997, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of {name of city}, Texas, has inspected the structure and enforced compliance to said code."

(7) For structures in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County) and in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County) on or after March 1, 1997, to May 31, 1998. A structure constructed, repaired, or to which additions were made on or after March 1, 1997, to May 31, 1998, that is located in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), or in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), is considered an insurable property for windstorm and hail insurance from TWIA only if the structure is inspected or approved by the commissioner of insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials, as provided in Insurance Code §2210.251, concerning Plan of Operation Compliance Requirements.

Source text

§5.4007.

(a) Areas Seaward of the Intracoastal Canal.

(1) Applicability. This code contains requirements for the construction of buildings to minimize damage to such buildings by severe windstorms which occur along the Gulf Coast. Where specific requirements for particular devices or methods of construction are specified, alternate methods or practices which are considered equal may be used. Such consideration is to be based on sound engineering practice and experience. The degree of protection against damage from windstorm provided by these requirements cannot be assured for tornadoes, but such compliance should be helpful to some degree in reducing tornado damage. The requirements herein are applicable only to properties located seaward of the Intracoastal Canal on the Texas coastline (or seaward of the boundary authorized to be established by the Commissioner by the Insurance Code, Article 21.49, as amended). The requirements herein shall apply, on or after October 10, 1988, to May 31, 1998, to new construction of, and additions or repairs to, structures located seaward of the Intracoastal Canal in areas previously exempt from the requirements of this subsection. The property previously exempt was that property protected by a sea wall constructed by the Corps of Engineers.

(2) Building code standards.

(A) Wind pressure.

(i) When considered. All buildings and structures shall be designed to resist a horizontal wind pressure on all surfaces exposed to the wind, allowing for wind in any direction, in accordance with the following table. No allowance shall be made for the shielding effect of other buildings or structures. The height is to be measured above the average level of the ground adjacent to the building or structure.

Attached Graphic

(ii) Exterior walls. Exterior walls shall be designed to withstand the pressures specified in clause (i) of this subparagraph, acting either inward or outward.

(iii) Roofs.

(I) The roofs of buildings and structures shall be designed and constructed to withstand pressures, acting outward normal to the roof surface, equal to 1 1/4 times the pressures specified in clause (i) of this subparagraph. The height is to be taken as the vertical distance from the average elevation of the ground adjoining the building to the average elevation of the roof.

(II) Roofs or sections of roofs with slopes greater than 30 degrees shall be designed and constructed to withstand pressures, acting inward normal to the surface, equal to those specified in clause (i) of this subparagraph and applied to the windward slope only.

(III) Overhanging eaves and cornices shall be designed and constructed to withstand outward pressures equal to twice those specified in clause (i) of this subparagraph.

(iv) Chimneys, tanks and towers. Chimneys, tanks, solid towers, and similar structures shall be designed and constructed to withstand the pressures specified in clause (i) of this subparagraph multiplied by the following factors:

Attached Graphic

(v) Other structures. The design wind pressures for structures not covered in this paragraph shall be in accordance with generally accepted engineering practice and shall be subject to the approval of the building official.

(vi) Stability. The overturning moment due to wind pressure shall not exceed 50% of the moment of stability due to the dead load only, unless the building or structure is securely anchored to the foundation to resist this force.

(vii) Roofing materials. Roofing materials must pass the U.L. Standard 997 or a comparable test certified by the Commissioner and be installed as required by the Department, to promote wind resistance of the materials.

(B) Anchorage.

(i) Heavy timber construction (as defined in the Texas Commercial Property Rating Manual in effect prior to September 1, 1994). Every roof girder and every roof beam shall be anchored to an exterior or interior wall or to a properly designed interior column. Wall beams and plates shall be anchored to the wall with approved type anchors not more than four feet apart. Roof planking where supported by a wall shall be anchored to such wall at intervals not exceeding four feet. Roof trusses shall be securely anchored to masonry walls at point of bearing. Monitor and saw tooth construction shall be anchored to the main roof construction. Anchors shall consist of steel or iron bolts or straps of sufficient strength and ample anchorage to resist vertical uplift of the roof as required in subparagraph (A)(iii) of this paragraph.

(ii) Ordinary construction (masonry).

(I) All trimmers and at least one beam or joist in every four feet resting on masonry walls shall be secured to such walls by approved metal anchors attached at or near the bottom in a manner to be self-releasing. Each end of a trimmer, beam, or joist that is supported by a girder shall be secured or tied in an approved manner to such girder or to a trimmer, beam, or joist

correspondingly supported from the opposite side of such girder. Anchors and ties shall be so arranged as to form continuous ties between opposite masonry walls.

(II) Where floor or roof joists or beams run parallel to masonry walls, such walls shall be secured to four or more joists of the floor or roof construction by approved metal anchors at maximum intervals of eight feet for dwellings, and six feet in other buildings.

(III) Wall plates and roof construction shall be anchored to the walls at least every six feet, except that wall plates and roof construction shall be anchored at intervals of four feet to hollow concrete masonry walls which do not have cast-in-place reinforced concrete tie beams.

(IV) Wooden girders shall be anchored to the walls and fastened to each other with suitable steel straps placed near the bottom of the girder.

(V) At least every third rafter shall be anchored to the ceiling joists or partitions directly beneath by not less than the equivalent of one-by-six-inch boards securely nailed. Such braces shall be attached to the rafters at their midpoints or at the third points if two are used per rafter. In peaked roofs opposite rafters shall be laterally braced to each other at the ridge in a manner satisfactory to the building official.

(VI) Roof trusses shall be securely anchored to masonry walls at points of bearing.

(VII) Anchors shall consist of steel or iron bolts or straps of sufficient strength and ample anchorage to resist vertical uplift of the roof as required in subparagraph (A)(iii) of this paragraph.

(iii) Wood frame construction.

(I) Sills shall be anchored to the foundation walls to develop a strength equivalent to 1/2-inch bolts with proper washers embedded six inches in concrete foundation walls and spaced six feet apart.

(II) Rafters shall be anchored to the wall plate by approved metal anchors attached to at least every other rafter or shall be otherwise anchored in an approved manner.

(III) In all buildings 20 feet or more in width where joists run at right angles to the rafters, the rafters shall be tied to the ceiling joists with wood or metal ties nailed to the foot of alternate rafters and extending across four joists well nailed to each joist.

(IV) Girders resting on masonry foundation walls or piers shall be anchored thereto with not less than 1/2-inch bolts embedded at least six inches in masonry.

(V) Wooden columns and posts shall be securely anchored to their foundations and to the members which they support.

(VI) At least every third rafter shall be anchored to the ceiling joists or partitions directly beneath by not less than the equivalent of one-by-six-inch board securely nailed. Such braces shall be attached to the rafters at their midpoints or at the third points if two are used per rafter.

(VII) Each rafter shall be laterally braced to the opposite rafter at a point underneath the ridge, in order to form a brace known as the "A" type of "collar beam," except that roof construction of the "exposed cathedral type" or "exposed shed type" may have such bracing omitted when the rafters are securely anchored and braced in an approved manner. Roof framing and trussing of all other types of roof construction shall be anchored by an approved method.

(C) Roof covering installation.

(i) General requirements for all roof coverings. Roof coverings shall be securely attached to the roof in accordance with the manufacturer's installation instructions and specifications and with the methods approved by the building official. Nails, clips, and similar attaching devices shall be galvanized or otherwise suitably corrosion resistant.

(ii) Prepared shingle roof coverings.

(I) Wood roof decks to which prepared shingles are applied shall be solidly sheathed. Sheathing shall be well seasoned and dry. Sheathing boards shall be at least one inch nominal dimension boards not over six inches wide. Plywood sheathing shall be at least 5/8 of an inch thick.

(II) Attic spaces shall be vented with vent openings so placed as to circulate air in all parts of the attic.

(III) Nails shall be of sufficient length to extend through the roof deck (sheathing).

(IV) Thick-butt asphalt shingles shall be nailed in the thick portion of the shingle.

(V) All butts or tabs of asphalt shingles shall be securely spotted or tabbed with a plastic, fibrous, asphalt cement or anchored by clips or locks, and all edges at eaves and gable shall be set in such cement three inches back from the edge.

(VI) Metal drip edges shall be nailed to the roof deck with nails not less than ten inches on centers.

(iii) Built-up roof coverings.

(I) For built-up roof coverings cant strips shall be provided at the angle of roof and vertical surfaces.

(II) Built-up roof coverings shall be carried at least six inches above the cant strip to a reglet in the parapet and covered with metal flashing caulked into the reglet. Reglet may be omitted at parapet walls provided

two layers of felt or the equivalent are carried across the top of the parapet under coping and down the parapet to the lower edge of the cant strip. The said layers are to run vertically, properly lapped and cemented to the parapet.

(III) All resinous places in the wood roof deck shall be covered with sheathing paper or unsaturated felt.

(IV) The first layer or anchor sheet shall be not less than 30-pound felt nailed six inches on center along with a two-inch lap and nailed 12 inches on center both ways in the area between laps with tin caps and one-inch nails; or shall be not less than two layers of 15-pound felt lapped 18 inches and nailed through both sheets on six-inch centers along the lap and on 12-inch centers in the area between laps with tin caps and one-inch nails; or where the underside of the roof sheathing is to be exposed and its appearance considered, the first layer shall be not less than a 30-pound felt or two layers of 15-pound felt nailed six inches on centers along the rafters with tin caps and 1-1/4 inch nails, and nailed 12 inches on centers both ways, between rafters, with tin caps and 3/4 inch nails.

(V) Each additional sheet above the anchor sheet shall be thoroughly mopped between layers with a bituminous compound so that no layers touch an unmopped layer. Bituminous compound for mopping plys together shall be air refined asphalt or coal tar pitch but shall not be any type of emulsion, cold or cut back liquid cement, oil, or grease.

(VI) Gravel stop and drip strips, and eave and gable drips shall be not less than Number 26 gauge galvanized metal, 16 ounce copper or 0.024 inch aluminum, with not less than three-inch flange on roof and nailed with not less than 3/4 inch nails spaced not more than six inches apart.

(iv) Roll roofing.

(I) Roll roofing shall be applied only over a smooth surface. Roll roofing shall not be applied over shingle roofs.

(II) Roll roofing applied in a shingle layer shall be spot mopped and applied by concealed nail method with a minimum three inch head lap and a minimum six inch end lap properly cemented. Nail spacing shall be not less than four inches on centers.

(III) Nails that secure roll roofing to the roof deck shall be driven at least 3/4 of an inch from the edge of the sheet.

(v) Tile roofing.

(I) Tile roofing shall be laid over not less than one layer of 30-pound asphalt felt securely fastened by nailing with tin caps.

(II) All tile shall be thoroughly watered with a hose before application.

(III) Every tile shall be laid full length in portland cement mortar and in addition the first three horizontal courses shall be nailed. Under certain conditions additional nailing may be required to prevent the tile from slipping. Mortar shall be not less than one part cement and three parts sand and not more than 25% lime by volume.

(IV) All nails for flashing and tiles shall be copper.

(vi) Corrugated metal roofing, protected metal roofing, corrugated and flat sheet asbestos cement roofing.

(l) When roofings of the previously mentioned types are applied to wood roof decks, they shall be secured with drive screws of sufficient length to extend through the roof deck. When applied directly to purlins and other roof members they shall be secured with bolted strap fasteners. Properly designed clip fasteners that are approved may be used in accordance with the conditions of such approval. Drive screws at least four inches in length may be used to secure these roofings directly to wood purlins.

(II) Aluminum roofing when fastened to steel roof structures shall be insulated against electrogalvanic action.

(vii) Insulated steel deck roofing. Insulated steel deck shall be secured by spot welding of clips or spot welding the sheets to the steel purlins, or by equivalent means.

(D) Construction walls. During erection masonry walls shall not be built higher than ten times their thickness unless adequately braced or until provision is made for the prompt installation of permanent bracing at the floor or roof level immediately above the story under construction.

(b) Areas Inland of the Intracoastal Canal. To be eligible for catastrophe insurance, properties located inland of the Intracoastal Canal on the Texas coastline (or inland of the boundary authorized to be established by the Commissioner by the Insurance Code, Article 21.49 as amended) shall be subject to the building specifications and standards in the Standard Building Code, as amended May 8, 1973, and the Windstorm Resistant Construction Guide. The Department adopts by reference the Windstorm Resistant Construction Guide, and any applicable amendments adopted by reference to be effective April 1, 2001, which has been developed by the Department to interpret and simplify the specifications and standards in the Standard Building Code, as amended May 8, 1973.

(c) Limitations on applicability of building codes. Notwithstanding any other provisions in this plan of operation, the building code set forth in this section shall be applicable only in:

(1) the counties of Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Jefferson, Kenedy, Kleberg, Matagorda, Nueces, Refugio, San Patricio, and Willacy;

(2) the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) and the area located east of the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County);

(3) the City of Morgan's Point (Harris County); and

(4) the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), and the area located east of the boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County).

(d) Insurable property for windstorm and hail insurance.

(1) For structures before January 1, 1988, in all designated catastrophe areas. A structure constructed, repaired, or to which additions were made before January 1, 1988, that is located in an area covered at the time by a building code recognized by the association shall be considered an insurable property for windstorm and hail insurance from the association without compliance with the inspection or approval requirements of Insurance Code, Article 21.49, §6A(a) or the plan of operation. A structure constructed, repaired, or to which additions were made before January 1, 1988, that is located in an area not covered by a building code recognized by the association shall be considered an insurable property for windstorm and hail insurance from the association without compliance with the inspection or approval requirements of Insurance Code, Article 21.49, §6A(a) or the plan of operation if that structure has been previously insured by a licensed insurance company authorized to do business in this state and the risk is in essentially the same condition as when previously insured, except for normal wear and tear, and without any structural change other than a change made according to code. Evidence of previous insurance includes a copy of a previous policy, copies of canceled checks or agent's records that show payments for previous policies, and a copy of the title to the structure or mortgage company records that show previous policies.

(2) For structures in designated catastrophe areas of Seabrook and La Porte from January 1, 1988, to March 1, 1996. A structure constructed, repaired, or to which additions were made on and after January 1, 1988, and before March 1, 1996, that is located in an area east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) or in an area east of the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County) shall be considered approved by the Commissioner of Insurance as being in compliance with the association's inland building code requirements contained in subsection (b) of this section and shall be considered an insurable property for windstorm and hail insurance from the association if the owner of the structure to be insured by the association presents to the association

at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at (street address) in (name of city), Texas, was constructed, repaired, or an addition was made on and after January 1, 1988, and before March 1, 1996, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of (name of city), Texas has inspected the structure and enforced compliance to said code."

(3) For structures in the designated catastrophe areas of Seabrook and La Porte on and after March 1, 1996, to May 31, 1998. A structure constructed, repaired, or to which additions were made on and after March 1, 1996, to May 31, 1998, that is located in an area east of the boundary line of State Highway 146 and inside the city limits of the City of Seabrook (Harris County) or in an area east of the boundary line of State Highway 146 and inside the city limits of the City of La Porte (Harris County) shall be considered an insurable property for windstorm and hail insurance from the association only if the structure is inspected or approved by the Commissioner of Insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials as provided in Article 21.49, §6A(a) of the Insurance Code.

(4) For structures in the City of Morgan's Point from January 1, 1988, to June 1, 1996. A structure constructed, repaired, or to which additions were made on and after January 1, 1988, and before June 1, 1996, that is located in the City of Morgan's Point (Harris County) shall be considered approved by the Commissioner of Insurance as being in compliance with the association's inland building code requirements contained in subsection (b) of this section and shall be considered an insurable property for windstorm and hail insurance from the association if the owner of the structure to be insured by the association presents to the association at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at (street address) in Morgan's Point, Texas, was constructed, repaired, or an addition was made on and after January 1, 1988, and before June 1, 1996, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of Morgan's Point, Texas, has inspected the structure and enforced compliance to said code."

(5) For structures in the City of Morgan's Point on and after June 1, 1996, to May 31, 1998. A structure constructed, repaired, or to which additions were made on and after June 1, 1996, to May 31, 1998, that is located in the City of Morgan's Point (Harris County); shall be considered an insurable property for windstorm and hail insurance from the association only if the structure is inspected

or approved by the Commissioner of Insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials as provided in Article 21.49, §6A(a) of the Insurance Code.

(6) For structures located in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), and in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), from January 1, 1988, to March 1, 1997. A structure constructed, repaired, or to which additions were made on and after January 1, 1988, and before March 1, 1997, that is located in an area east of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), or in an area east of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), shall be considered approved by the Commissioner of Insurance as being in compliance with the association's inland building code requirements contained in subsection (b) of this section, and shall be considered an insurable property for windstorm and hail insurance from the association, if the owner of the structure to be insured by the association presents to the association at the time of application for insurance the following statement signed by a city building official: "To the best belief and knowledge of the undersigned, the structure located at (street address) in the City of _____ (insert name of city), Texas, was constructed, repaired, or an addition was made on and after January 1, 1988, and before March 1, 1997, in accordance with the building specifications and standards which comply with the Standard Building Code (1973 Edition) or an equivalent recognized code; and the City of _____ (insert name of city), Texas, has inspected the structure and enforced compliance to said code."

(7) For structures in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County) and in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County) on and after March 1, 1997, to May 31, 1998. A structure constructed, repaired, or to which additions were made on and after March 1, 1997, to May 31, 1998, that is located in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Shoreacres (Harris County), or in an area east of a boundary line of State Highway 146 and inside the city limits of the City of Pasadena (Harris County), shall be considered an insurable property for windstorm and hail insurance from the association only if the structure is inspected or approved by the Commissioner of Insurance for compliance with building specifications in this plan of operation, including any specifications for roofing materials, as provided in Article 21.49, §6A(a) of the Insurance Code.

Notes on new §5.4441

We corrected inconsistencies between dates in the title and in the text in current §5.4007, Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made Prior to September 1, 1998. The text of §5.4007(a)(1) should refer not to May 31, 1998, but to August 31, 1998. New §5.4441(a)(1) corrects this.

Revised text

§5.4442. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After September 1, 1998, and Before February 1, 2003.²

(a) Areas seaward of the Intracoastal Canal. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas that are seaward of the Intracoastal Canal and constructed, repaired, or to which additions were made on or after September 1, 1998, and before February 1, 2003, must comply with the Building Code for Windstorm Resistant Construction. TDI adopts by reference the Building Code for Windstorm Resistant Construction, effective September 1, 1998. Amendments to the Building Code for Windstorm Resistant Construction are adopted by reference to be effective June 1, 2002.

(b) Areas inland of the Intracoastal Canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County.

(1) To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in paragraphs (2)(A) and (2)(B) of this subsection and constructed, repaired, or to which additions were made on or after September 1, 1998, and before February 1, 2003, must comply with the Building Code for Windstorm Resistant Construction adopted by reference in subsection (a) of this section and any applicable amendments adopted by reference to be effective June 1, 2002.

² Current §5.4008.

(2) Structures, as specified in paragraph (1) of this subsection, in the following areas are subject to the Building Code for Windstorm Resistant Construction.

(A) Areas located east of the following boundary line, except for areas inside the city limits of a city or town divided by the boundary line:

(i) Cameron, Willacy, Kenedy, and Kleberg Counties. Moving south to north in Cameron County beginning at the intersection of the international border of Mexico and the United States following the western city limits of the City of Brownsville, Texas, north to the intersection of the western city limits of the City of Brownsville, Texas, with U.S. Highway 77; continuing along U.S. Highway 77 through the counties of Cameron, Willacy, Kenedy, and Kleberg;

(ii) Nueces County. Beginning at the Kleberg/Nueces County line intersection with U.S. Highway 77 and continuing northeasterly along U.S. Highway 77 to the intersection of U.S. Highway 77 and the southwestern city limits of the City of Corpus Christi, Texas, following the western city limits of the City of Corpus Christi, Texas, north to the Nueces/San Patricio County line;

(iii) San Patricio and Refugio Counties. Beginning at the Nueces/San Patricio County line intersection with U.S. Highway 77 and continuing northeast along U.S. Highway 77 to the intersection of U.S. Highway 77 and U.S. Highway B77 north through Sinton, Texas, to the intersection of U.S. Highway B77 and U.S. Highway 77 north of Sinton, Texas, and continuing north along U.S. Highway 77 through the counties of San Patricio and Refugio;

(iv) Aransas County. (All of Aransas County is east of the boundary line);

(v) Calhoun County. Beginning at the Refugio/Victoria County line intersection with U.S. Highway 77 and continuing east along the Refugio County line to the intersection with the Calhoun County line and following north and east along the Calhoun County line to the intersection of the Calhoun/Matagorda County line;

(vi) Matagorda and Brazoria Counties. Beginning at the Jackson/Matagorda County line intersection with F.M. Road 616 and continuing northeasterly to the intersection of F.M. Road 616 with State Highway 35; continuing northeasterly along State Highway 35 through Matagorda and Brazoria County to the intersection of State Highway 35 with F.M. Road 521; continuing north along F.M. Road 521 to the intersection of F.M. Road 521 with F.M. Road 523; continuing northeasterly along F.M. Road 523 to the intersection with the northwest city limits of the City of Angleton, Texas, and following the western city limits of the City of Angleton to the intersection of the city limits of the City of Angleton with F.M. Road 523; continuing along F.M. 523 to the intersection of F.M. Road 523 with State Highway 35; continuing along State Highway 35 to the intersection of State Highway 35 with State Highway 6, continuing east on State Highway 6 to the Brazoria/Galveston County line;

(vii) Galveston County. Beginning at the Brazoria/Galveston County line intersection with State Highway 6 and continuing northward along the Galveston County line to the southern city limits of the City of Friendswood, Texas; continuing to follow the eastern city limits of the City of Friendswood, Texas, north to the Galveston/Harris County line; continuing to follow the Galveston County line east to the intersection of the Galveston/Chambers/Harris County lines;

(viii) Chambers County. Continuing from the intersection of the Galveston/Chambers/Harris County lines north along the Harris/Chambers County line to the intersection of the Harris/Chambers/Liberty County line; continuing east along the Chambers/Liberty County line to the intersection of the Jefferson County line and continuing east and south along the Chambers/Jefferson County line to the intersection of Interstate Highway 10;

(ix) Jefferson County. Beginning at the Chambers/Jefferson County line intersection with Interstate Highway 10 and continuing northeasterly along Interstate Highway 10 to the intersection of Interstate Highway 10 with F.M. Road 365;

continuing east along F.M. Road 365 to the intersection of F.M. Road 365 with Hillebrandt Road; continuing north along Hillebrandt Road to the intersection of Hillebrandt Road with West Port Arthur Road; continuing south along West Port Arthur Road to the city limits of the City of Beaumont, Texas; continuing to follow the southeastern city limits of the City of Beaumont, Texas, as it crosses through F.M. Road 3514, U.S. Highways 69, 96, and 287 and State Highway 347 and continuing to the intersection with the Jefferson/Orange County line. The areas located east of the specified boundary line include the areas inside the city limits of the cities of Brownsville, Corpus Christi, Portland, Rockport, Aransas Pass, Port Lavaca, Matagorda, Brazoria, Lake Jackson, Angleton, Galveston, Anahuac, Nederland, and Port Arthur.

(B) Areas located east of State Highway 146 and inside the city limits of the cities of Seabrook, La Porte, Shoreacres, Pasadena, and Morgan's Point (all in Harris County).

(c) Areas Inland and West of the Specified Boundary Line. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas that are west of the boundary line specified in subsection (b)(2)(A) of this section and constructed, repaired, or to which additions were made on or after September 1, 1998, and before February 1, 2003; and structures located inside the city limits of cities and towns divided by the boundary line specified in subsection (b)(2)(A) of this section, and constructed, repaired, or to which additions were made on or after September 1, 1998, and before February 1, 2003, must comply with the Standard Building Code, as amended May 8, 1973, and with the Windstorm Resistant Construction Guide, and any applicable amendments, which is adopted by reference in §5.4441(b) of this title (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to which Additions are Made Prior to September 1, 1998). These areas include the areas inside the city limits of the cities of Harlingen, Raymondville, Kingsville, Robstown, Sinton, Refugio, Bay City, Friendswood, Alvin, and Beaumont.

(d) Periodic Review of Building Code Standards. The Building Code Advisory Committee, in accordance with Chapter 2210 of the Insurance Code, must review periodically, and at least on a biannual basis, the building code standards specified in this plan of operation and must recommend to the commissioner any changes to these standards that the committee deems appropriate.

Source text

5.4008.

(a) Areas Seaward of the Intracoastal Canal. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas which are seaward of the Intracoastal Canal and constructed, repaired, or to which additions are made on and after September 1, 1998, and before February 1, 2003, shall comply with the Building Code for Windstorm Resistant Construction. The Texas Department of Insurance adopts by reference the Building Code for Windstorm Resistant Construction, effective September 1, 1998. Amendments to the Building Code for Windstorm Resistant Construction are adopted by reference to be effective June 1, 2002. Any Application for Windstorm Building Inspection, Form WPI-1, submitted pursuant to this subsection will be accepted through May 31, 2003.

(b) Areas Inland of the Intracoastal Canal and Within Approximately 25 Miles of the Texas Coastline and east of the Specified Boundary Line and Certain Areas in Harris County.

(1) To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in paragraphs (2)(A) and (2)(B) of this subsection and constructed, repaired, or to which additions are made on and after September 1, 1998, and before February 1, 2003, shall comply with the Building Code for Windstorm Resistant Construction which is adopted by reference in subsection (a) of this section and any applicable amendments adopted by reference to be effective June 1, 2002. Any Application for Windstorm Building Inspection, Form WPI-1, submitted pursuant to this subsection will be accepted through May 31, 2003.

(2) Structures, as specified in paragraph (1) of this subsection, in the following areas are subject to the Building Code for Windstorm Resistant Construction.

(A) Areas located east of the following boundary line, except for areas inside the city limits of a city or town divided by the boundary line:

(i) Cameron, Willacy, Kenedy, and Kleberg Counties. Moving south to north in Cameron County beginning at the intersection of the international border of Mexico and the United States following the western city limits of the City of Brownsville, Texas, north to the intersection of the western city limits of the City of Brownsville, Texas, with U.S. Highway 77; continuing along U.S. Highway 77 through the counties of Cameron, Willacy, Kenedy, and Kleberg;

(ii) Nueces County. Beginning at the Kleberg/Nueces County line intersection with U.S. Highway 77 and continuing northeasterly along U.S. Highway 77 to the intersection of U.S. Highway 77 and the southwestern city limits of the City of Corpus Christi, Texas, following the western city limits of the City of Corpus Christi, Texas, north to the Nueces/San Patricio County line;

(iii) San Patricio and Refugio Counties. Beginning at the Nueces/San Patricio County line intersection with U.S. Highway 77 and continuing northeast along U.S. Highway 77 to the intersection of U.S. Highway 77 and U.S. Highway B77 north through Sinton, Texas, to the intersection of U.S. Highway B77 and U.S. Highway 77 north of Sinton, Texas, and continuing north along U.S. Highway 77 through the counties of San Patricio and Refugio;

(iv) Aransas County. (All of Aransas County is east of the boundary line);

(v) Calhoun County. Beginning at the Refugio/Victoria County line intersection with U.S. Highway 77 and continuing east along the Refugio County line to the intersection with the Calhoun County line and following north and east along the Calhoun County line to the intersection of the Calhoun/Matagorda County line;

(vi) Matagorda and Brazoria Counties. Beginning at the Jackson/Matagorda County line intersection with F.M. Road 616 and continuing northeasterly to the intersection of F.M. Road 616 with State Highway 35; continuing northeasterly along State Highway 35 through Matagorda and Brazoria County to the intersection of State Highway 35 with F.M. Road 521; continuing north along F.M. Road 521 to the intersection of F.M. Road 521 with F.M. Road 523; continuing northeasterly along F.M. Road 523 to the intersection with the northwest city limits of the City of Angleton, Texas, and following the western city limits of the City of Angleton to the intersection of the city limits of the City of Angleton with F.M. Road 523; continuing along F.M. 523 to the intersection of F.M. Road 523 with State Highway 35; continuing along State Highway 35 to the intersection of State Highway 35 with State Highway 6, continuing east on State Highway 6 to the Brazoria/Galveston County line;

(vii) Galveston County. Beginning at the Brazoria/Galveston County line intersection with State Highway 6 and continuing northward along the Galveston County line to the southern city limits of the City

of Friendswood, Texas; continuing to follow the eastern city limits of the City of Friendswood, Texas, north to the Galveston/Harris County line; continuing to follow the Galveston County line east to the intersection of the Galveston/Chambers/Harris County lines;

(viii) Chambers County. Continuing from the intersection of the Galveston/Chambers/Harris County lines north along the Harris/Chambers County line to the intersection of the Harris/Chambers/Liberty County line; continuing east along the Chambers/Liberty County line to the intersection of the Jefferson County line and continuing east and south along the Chambers/Jefferson County line to the intersection of Interstate Highway 10;

(ix) Jefferson County. Beginning at the Chambers/Jefferson County line intersection with Interstate Highway 10 and continuing northeasterly along Interstate Highway 10 to the intersection of Interstate Highway 10 with F.M. Road 365; continuing east along F.M. Road 365 to the intersection of F.M. Road 365 with Hillebrandt Road; continuing north along Hillebrandt Road to the intersection of Hillebrandt Road with West Port Arthur Road; continuing south along West Port Arthur Road to the city limits of the City of Beaumont, Texas; continuing to follow the southeastern city limits of the City of Beaumont, Texas, as it crosses through F.M. Road 3514, U.S. Highways 69, 96, and 287 and State Highway 347 and continuing to the intersection with the Jefferson/Orange County line. The areas located east of the specified boundary line include, but are not limited to, the areas inside the city limits of the cities of Brownsville, Corpus Christi, Portland, Rockport, Aransas Pass, Port Lavaca, Matagorda, Brazoria, Lake Jackson, Angleton, Galveston, Anahuac, Nederland, and Port Arthur.

(B) Areas located east of State Highway 146 and inside the city limits of the cities of Seabrook, La Porte, Shoreacres, Pasadena, and Morgan's Point (all in Harris County).

(c) Areas Inland and West of the Specified Boundary Line. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas which are west of the boundary line specified in subsection (b)(2)(A) of this section and constructed, repaired, or to which additions are made on and after September 1, 1998, and before February 1, 2003; and structures located inside the city limits of cities and towns divided by the boundary line specified in subsection (b)(2)(A) of this section, and constructed, repaired, or to which additions are made on and after September 1, 1998, and before February 1, 2003, shall comply with the Standard Building Code, as amended May 8, 1973, and with the Windstorm Resistant Construction Guide, which is adopted by reference in §5.4007(b) of this title (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to which Additions are Made Prior

to September 1, 1998). These areas include, but are not limited to, the areas inside the city limits of the cities of Harlingen, Raymondville, Kingsville, Robstown, Sinton, Refugio, Bay City, Friendswood, Alvin, and Beaumont. Any Application for Windstorm Building Inspection, Form WPI-1, submitted pursuant to this subsection will be accepted through May 31, 2003.

(d) Periodic Review of Building Code Standards. The Building Code Advisory Committee, in accordance with Article 21.49 of the Insurance Code, shall review periodically, and at least on a bi-annual basis, the building code standards specified in this plan of operation and shall recommend to the Commissioner any changes to these standards that the committee deems appropriate.

Revised text

§5.4443. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After February 1, 2003, and Before January 1, 2005.³

(a) To be eligible for Texas windstorm and hail insurance, structures located in the designated catastrophe areas specified in §5.4442 of this chapter (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After September 1, 1998, and Before February 1, 2003) and that were constructed, repaired, or to which additions were made on or after February 1, 2003, and before January 1, 2005, must comply with the 2000 *International Residential Code* or the 2000 *International Building Code*, as revised by the Texas Revisions to the *International Residential Code* and the Texas Revisions to the *International Building Code*, and all of which are adopted by reference to be effective February 1, 2003. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233, and the Texas Revisions to the *International Residential Code* and the Texas Revisions to the *International Building Code* are available from the Windstorm Inspections Program of the Inspections Office at

³ Current 5.4009.

TDI and the TDI website at www.tdi.texas.gov. The following wind speed requirements apply.

(1) Areas seaward of the Intracoastal Canal. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas that are seaward of the Intracoastal Canal and constructed, repaired, or to which additions are made on or after February 1, 2003, and before January 1, 2005, must be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas inland of the Intracoastal Canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in subsections (b)(2)(A) and (b)(2)(B) of §5.4442 of this title and constructed, repaired, or to which additions are made on or after February 1, 2003, and before January 1, 2005, must be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas inland and west of the specified boundary line. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in subsection (c) of §5.4442 of this chapter and constructed, repaired, or to which additions are made on or after February 1, 2003, and before January 1, 2005, must be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

(1) The structure is listed or is eligible for listing on the National Register of Historic Places.

(2) The structure is a Recorded Texas Historic Landmark.

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance; is at least 50 years old; and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Source text

§5.4009.

(a) To be eligible for catastrophe property insurance, structures located in the designated catastrophe areas specified in §5.4008 of this chapter (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made On and After September 1, 1998, and before February 1, 2003) and which are constructed, repaired, or to which additions are made on and after February 1, 2003, and before January 1, 2005, shall comply with the 2000 International Residential Code or the 2000 International Building Code, as revised by the Texas Revisions to the International Residential Code and the Texas Revisions to the International Building Code, and all of which are adopted by reference to be effective February 1, 2003. The codes are published by and available from the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, (Telephone: 800-214-4321), and the Texas Revisions to the International Residential Code and the Texas Revisions to the International Building Code are available from the Windstorm Inspections Section of the Inspections Division, Texas Department of Insurance, 333 Guadalupe, P.O. Box 149104, MC 103-3A, Austin, Texas, 78714-9104 and the Texas Department of Insurance website at www.tdi.state.tx.us. The following wind speed requirements shall apply:

(1) Areas Seaward of the Intracoastal Canal. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas which are seaward of the Intracoastal Canal and constructed, repaired, or to which additions are made on or after February 1, 2003, shall be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas Inland of the Intracoastal Canal and Within Approximately 25 Miles of the Texas Coastline and east of the Specified Boundary Line and Certain Areas in Harris County. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in subsections (b)(2)(A) and (b)(2)(B) of §5.4008 of this chapter and constructed, repaired, or to which additions

are made on or after February 1, 2003, shall be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas Inland and West of the Specified Boundary Line. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in subsection (c) of §5.4008 of this chapter and constructed, repaired, or to which additions are made on or after February 1, 2003, shall be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. In order for a historic structure to be exempted, at least one of the following conditions shall apply to the structure:

(1) The structure is listed or is eligible for listing on the National Register of Historic places.

(2) The structure is a Recorded Texas Historic Landmark (RTHL).

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure, in order to maintain its historical designation.

Revised text

§5.4444. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After January 1, 2005, and Before January 1, 2008.⁴

(a) To be eligible for Texas windstorm and hail insurance, structures located in the designated catastrophe areas specified in §5.4442 of this chapter (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After September 1, 1998, and Before February 1, 2003) and that were constructed, repaired, or to which additions were made on or after January 1, 2005, and before January 1, 2008, must comply with the 2003 editions of the *International Residential Code* and the *International Building Code*, as each

⁴ Current §5.4010.

is revised by the 2003 Texas Revisions, and all of which are adopted by reference to be effective January 1, 2005. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233, and the 2003 Texas Revisions to both codes are available from the Windstorm Inspections Program of the Inspections Office at TDI and the TDI website at www.tdi.texas.gov. The following wind speed requirements apply.

(1) Areas Seaward of the Intracoastal Canal. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas that are seaward of the Intracoastal Canal and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, must be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas inland of the Intracoastal Canal and within approximately 25 miles of the Texas Coastline and east of the specified boundary line and certain areas in Harris County. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in subsection (b)(2)(A) and (B) of §5.4442 of this chapter and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, must be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas inland and west of the specified boundary line. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in subsection (c) of §5.4442 of this title and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, must be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

(1) The structure is listed or is eligible for listing on the National Register of Historic Places.

(2) The structure is a Recorded Texas Historic Landmark.

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance; is at least 50 years old; and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Source text

§5.4010.

(a) To be eligible for catastrophe property insurance, structures located in the designated catastrophe areas specified in §5.4008 of this chapter (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made On and After September 1, 1998, and before February 1, 2003) and which are constructed, repaired, or to which additions are made on and after January 1, 2005, and before January 1, 2008, shall comply with the 2003 Editions of the International Residential Code and the International Building Code, as each is revised by the 2003 Texas Revisions, and all of which are adopted by reference to be effective January 1, 2005. The codes are published by and available from the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, (Telephone: 888-422-7233), and the 2003 Texas Revisions to the 2003 Edition of the International Residential Code and the 2003 Texas Revisions to the 2003 Edition of the International Building Code are available from the Windstorm Inspections Section of the Inspections Division, Texas Department of Insurance, 333 Guadalupe, P.O. Box 149104, MC 103-3A, Austin, Texas, 78714-9104 and the Texas Department of Insurance website at www.tdi.state.tx.us. The following wind speed requirements shall apply:

(1) Areas Seaward of the Intracoastal Canal. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas which are seaward of the Intracoastal Canal and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, shall be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas Inland of the Intracoastal Canal and Within Approximately 25 Miles of the Texas Coastline and east of the Specified Boundary Line and Certain Areas in Harris County. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in subsection (b)(2)(A) and (B) of §5.4008 of this chapter and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, shall be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas Inland and West of the Specified Boundary Line. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in subsection (c) of §5.4008 of this chapter and constructed, repaired, or to which additions are made on or after January 1, 2005, and before January 1, 2008, shall be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. In order for a historic structure to be exempted, at least one of the following conditions shall apply to the structure:

(1) The structure is listed or is eligible for listing on the National Register of Historic places.

(2) The structure is a Recorded Texas Historic Landmark (RTHL).

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure, in order to maintain its historical designation.

Revised text

§5.4445. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After January 1, 2008, and Before September 1, 2020.⁵

(a) To be eligible for Texas windstorm and hail insurance, structures located in the designated catastrophe areas specified in §5.4442 of this title (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed,

⁵ Current §5.4011.

Repaired, or to Which Additions Are Made on or After September 1, 1998, and Before February 1, 2003) and that were constructed, repaired, or to which additions were made on or after January 1, 2008, and before September 1, 2020, must comply with the 2006 editions of the *International Residential Code* and the *International Building Code*, as each is revised by the 2006 Texas Revisions, and all of which are adopted by reference to be effective January 1, 2008. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233, and the 2006 Texas Revisions to both codes are available from the Windstorm Inspections Program of the Inspections Office at TDI at TDI and on the TDI website at www.tdi.texas.gov. The following wind speed requirements must apply.

(1) Areas seaward of the Intracoastal Canal. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas that are seaward of the Intracoastal Canal and which were constructed, repaired, or to which additions were made on or after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas inland of the Intracoastal Canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County. To be eligible for Texas windstorm and hail insurance, structures located in designated catastrophe areas specified in §5.4442(b)(2)(A) and (B) of this title and which were constructed, repaired, or to which additions were made on or after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas inland and west of the specified boundary line. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in §5.4442(c) of this title and which were constructed, repaired, or to which additions were made on or after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

(1) The structure is listed or is eligible for listing on the National Register of Historic Places.

(2) The structure is a Recorded Texas Historic Landmark.

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance; is at least 50 years old; and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Source text

§5.4011.

(a) To be eligible for catastrophe property insurance, structures located in the designated catastrophe areas specified in §5.4008 of this title (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made On and After September 1, 1998, and before February 1, 2003) and which are constructed, repaired, or to which additions are made on and after January 1, 2008, and before September 1, 2020, must comply with the 2006 editions of the *International Residential Code* and the *International Building Code*, as each is revised by the 2006 Texas Revisions, and all of which are adopted by reference to be effective January 1, 2008. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233, and the 2006 Texas Revisions to both codes are available from the Windstorm Inspections Program of the Inspections Office at TDI and on the TDI website at www.tdi.texas.gov. The following wind speed requirements must apply.

(1) Areas seaward of the intracoastal canal. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas which are seaward of the intracoastal canal and constructed, repaired, or to which

additions are made on and after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 130 miles per hour.

(2) Areas inland of the intracoastal canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in §5.4008(b)(2)(A) and (B) of this title and constructed, repaired, or to which additions are made on and after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 120 miles per hour.

(3) Areas inland and west of the specified boundary line. To be eligible for catastrophe property insurance, structures located in designated catastrophe areas specified in §5.4008(c) of this title and constructed, repaired, or to which additions are made on and after January 1, 2008, and before September 1, 2020, must be designed and constructed to resist a 3-second gust of 110 miles per hour.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must be met.

(1) The structure is listed or is eligible for listing on the National Register of Historic places.

(2) The structure is a Recorded Texas Historic Landmark (RTHL).

(3) The structure has been specifically designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old, and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure, in order to maintain its historical designation.

Revised text

§5.4446. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After September 1, 2020, and Before April 1, 2026.⁶

⁶ Current §5.4012.

(a) To be eligible for Texas windstorm and hail insurance, structures located in the designated catastrophe area that are constructed, repaired, or to which additions are made on or after September 1, 2020, and before April 1, 2026, must comply with the 2018 editions of the *International Residential Code* and the *International Building Code*, which are adopted by reference and applicable beginning September 1, 2020. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

(1) The structure is listed or is eligible for listing on the National Register of Historic Places.

(2) The structure is a Recorded Texas Historic Landmark.

(3) The structure has been designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance; is at least 50 years old; and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Source text

§5.4012.

(a) To be eligible for catastrophe property insurance, structures located in the designated catastrophe areas specified in paragraphs (1), (2), and (3) of this subsection that are constructed, repaired, or to which additions are made on and after September 1, 2020, and before April 1, 2026, must comply with the 2018 editions of the *International Residential Code* and the *International Building Code*, which are adopted by reference and applicable beginning September 1, 2020. The codes are published by and available from the International Code Council at

iccsafe.org or by calling toll-free 1-888-422-7233. The designated catastrophe areas are those areas:

- (1) seaward of the intracoastal canal;
- (2) inland of the intracoastal canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County as described in §5.4008(b)(2)(A) and (B) of this title (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made On and After September 1, 1998, and before February 1, 2003); and
- (3) inland and west of the specified boundary line as described in §5.4008(c) of this title.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

- (1) The structure is listed or is eligible for listing on the National Register of Historic Places.
- (2) The structure is a Recorded Texas Historic Landmark by the Texas Historical Commission.
- (3) The structure has been designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old, and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Notes on new §5.4446

We removed the reference to the three designated zones within the catastrophe area, commonly called Seaward, Inland I, and Inland II. The 2018 editions of the International Residential Code and *International Building Code*, adopted to be effective September 1, 2020, do not delineate these three zones, so they are unnecessary in the section describing windstorm building code standards for construction begun on or after that date. Therefore, new §5.4446 does not specify those areas. However, TWIA still uses the zones to assign premium credits for structures exceeding the standards for a zone under the older codes. Therefore, the zones are still defined in current §5.4008/new §5.4442.

Revised text

§5.4447. Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired, or to Which Additions Are Made on or After April 1, 2026.

(a) To be eligible for Texas windstorm and hail insurance, structures located in the designated catastrophe area that are constructed, repaired, or to which additions are made on or after April 1, 2026, must comply with the 2024 editions of the *International Residential Code* and the *International Building Code*, which are adopted by reference and applicable beginning April 1, 2026. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

(1) The structure is listed or is eligible for listing on the National Register of Historic Places.

(2) The structure is a Recorded Texas Historic Landmark.

(3) The structure has been designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance; is at least 50 years old; and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Source text

§5.4013.

(a) To be eligible for catastrophe property insurance, structures located in the designated catastrophe areas specified in paragraphs (1), (2), and (3) of this subsection that are constructed, repaired, or to which additions are made on and after April 1, 2026, must comply with the 2024 editions of the *International Residential Code* and the *International Building Code*, which are adopted by

reference and applicable beginning April 1, 2026. The codes are published by and available from the International Code Council at iccsafe.org or by calling toll-free 1-888-422-7233. The designated catastrophe areas are those areas:

- (1) seaward of the intracoastal canal;
- (2) inland of the intracoastal canal and within approximately 25 miles of the Texas coastline and east of the specified boundary line and certain areas in Harris County as described in §5.4008(b)(2)(A) and (B) (relating to Applicable Building Code Standards in Designated Catastrophe Areas for Structures Constructed, Repaired or to Which Additions Are Made On and After September 1, 1998, and before February 1, 2003) of this title; and
- (3) inland and west of the specified boundary line as described in §5.4008(c) of this title.

(b) Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a historic structure may be made without conformance to the requirements of subsection (a) of this section. For a historic structure to be exempted, at least one of the following conditions must apply to the structure.

- (1) The structure is listed or is eligible for listing on the National Register of Historic Places.
- (2) The structure is an RTHL by the Texas Historical Commission.
- (3) The structure has been designated by official action of a legally constituted municipal or county authority as having special historical or architectural significance, is at least 50 years old, and is subject to the municipal or county requirements relative to construction, alteration, or repair of the structure to maintain its historical designation.

Notes on new §5.4447

We removed the reference to the three designated zones within the catastrophe area, commonly called Seaward, Inland I, and Inland II. The 2024 editions of the *International Residential Code* and *International Building Code*, adopted to be effective April 1, 2026, do not delineate these three zones, so they are unnecessary in the section describing windstorm building code standards for construction begun on or after that date. Therefore, new §5.4447 does not specify those areas. However, TWIA still uses the zones to assign premium credits for structures exceeding the standards for a zone under the older codes. Therefore, the zones are still defined in current §5.4008/new §5.4442.