

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. 783-25**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING VARIOUS PROVISIONS OF CHAPTER 3, "BUILDING REGULATIONS," ARTICLE 3.02, "TECHNICAL AND CONSTRUCTION CODES AND STANDARDS," OF THE CODE OF ORDINANCES, TOWN OF BARTONVILLE, TEXAS, BY ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL FUEL GAS CODE, AND INTERNATIONAL EXISTING BUILDING CODE, AND THE 2020 EDITION OF THE NATIONAL ELECTRIC CODE; PROVIDING FOR THE MODIFICATION OF THE CODE TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR THE RECORDING OF THE CODES AS PUBLIC RECORDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Bartonville, Texas (the "Town"), is a Type-A general law municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town Council has previously adopted the 2009 editions of the International Building Code, International Residential Code, International Mechanical Code, and International Plumbing Code, the 2012 edition of the International Fire Code, the 2018 edition of the International Energy Conservation Code, and the 2011 edition of the National Electric Code, and

WHEREAS, Chapter 214, Subchapter G, of the Texas Local Government Code provides the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fire Code, International Energy Conservation Code, and National Electric Code are adopted as the municipal codes in this state and grants a municipality the power to adopt local amendments to the codes and administer and enforce the codes; and

WHEREAS, the Town Council desires to update and adopt the 2021 editions of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fire Code, International Swimming Pool and Spa Code, International Energy Conservation Code, International Fuel Gas Code, and international existing building code, and 2020 edition of the National Electric Code; and

WHEREAS, the Town Council desires to provide a mechanism by which local modifications reflecting the unique needs of the Town may be made when deemed appropriate; and

WHEREAS, the North Central Texas Council of Governments and Town Staff have recommended adoption of certain amendments to the Codes to reflect locally accepted practice; and

WHEREAS, the Town Council has determined that the adoption of these codes as amended herein is in the public interest and therefore deems it advisable to enact this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1.

Division 2, "Building Code," of Article 3.02, "Technical and Construction Codes and Standards," of Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby amended in its entirety to read as follows:

"§ 3.02.041 Adoption.

The 2021 edition of the International Building Code is hereby adopted as the official building code of the town. This building code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Building Code shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.042 Amendments.

The 2021 edition of the International Building Code, as adopted herein, is hereby amended as shown in Exhibit "A" attached to Ordinance No. 783-25.

§ 3.02.043 through § 3.02.070 are hereby reserved."

SECTION 2.

Division 3, "Residential Code," of Article 3.02, "Technical and Construction Codes and Standards," Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby amended in its entirety to read as follows:

"§ 3.02.071 Adoption.

The 2021 edition of the International Residential Code is hereby adopted as the official residential code of the town. This residential code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Residential Code, and any local amendments thereto, shall not be included in any formal municipal codification of

ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.072 Amendments.

The 2021 edition of the International Residential Code, as adopted herein, is hereby amended as shown in Exhibit "B" attached to Ordinance No. 783-25.

§ 3.02.073 through § 3.02.100 are hereby reserved."

SECTION 3.

Division 4, "Mechanical Code," of Article 3.02, "Technical and Construction Codes and Standards," of Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby amended in its entirety to read as follows:

"§ 3.02.101 Adoption.

The 2021 edition of the International Mechanical Code is hereby adopted as the official mechanical code of the town. This mechanical code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Mechanical Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.102 Amendments.

The 2021 edition of the International Mechanical Code, as adopted herein is hereby amended as shown in Exhibit "C" attached to Ordinance No. 783-25.

§ 3.02.103 through § 3.02.130 are hereby reserved."

SECTION 4.

Division 5, "Plumbing Code," of Article 3.02, "Technical and Construction Codes and Standards," of Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby amended in its entirety to read as follows:

"§ 3.02.131 Adoption.

The 2021 edition of the International Plumbing Code is hereby adopted as the official plumbing code of the town. This plumbing code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Plumbing Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.132 Amendments.

The 2021 edition of the International Plumbing Code, as adopted herein is hereby amended as show in Exhibit "D" attached to Ordinance No. 783-25.

§ 3.02.133 through § 3.02.160 are hereby reserved."

SECTION 5.

Division 6, "Fire Code," of Article 3.02, "Technical and Construction Codes and Standards," of Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby amended in its entirety to read as follows:

"§ 3.02.161 Adoption.

The 2021 edition of the International Fire Code is hereby adopted as the official fire code of the town. This fire code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Fire Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.162 Amendments.

The 2021 edition of the International Fire Code, as adopted herein is hereby amended as shown in Exhibit "E" attached to Ordinance No. 783-25.

§ 3.02.163 through § 3.02190 are hereby reserved."

SECTION 6.

Division 7, "Swimming Pool and Spa Code," of Article 3.02, "Technical Construction Codes," of Chapter 3, "Building Regulations," of the Code of Ordinances, Town of Bartonville, Texas, is hereby created to read as follows:

"§ 3.02.191 Adoption.

The 2021 edition of the International Swimming Pool and Spa Code is hereby adopted as the official swimming pool and spa code of the town. This swimming pool and spa code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Swimming Pool and Spa Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.192 Amendments.

The 2021 edition of the International Swimming Pool and Spa Code, as adopted herein is hereby amended as shown in Exhibit "F" attached to Ordinance No. 783-25.

§ 3.02.193 through § 3.02.220 are hereby reserved.”

SECTION 7.

Division 8, “Energy Conservation Code,” of Article 3.02, “Technical Construction Codes,” of Chapter 3, “Building Regulations,” of the Code of Ordinances, Town of Bartonville, Texas, is hereby created to read as follows:

“§ 3.02.221 Adoption.

The 2021 edition of the International Energy Conservation Code is hereby adopted as the official energy conservation code of the town. This energy conservation code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Energy Conservation Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.222 Amendments.

The 2021 edition of the International Energy Conservation Code, as adopted herein is hereby amended as shown in Exhibit “G” attached to Ordinance No. 783-25.

§ 3.02.223 through § 3.02.250 are hereby reserved.”

SECTION 8.

Division 9, “Electrical Code,” of Article 3.02, “Technical Construction Codes,” of Chapter 3, “Building Regulations,” of the Code of Ordinances, Town of Bartonville, Texas, is hereby created to read as follows:

“§ 3.02.251 Adoption.

The 2020 edition of the National Electric Code is hereby adopted as the official electric code of the town. This electric code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the National Electric Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.252 through § 3.02.280 are hereby reserved.”

SECTION 9.

Division 11, “Fuel and Gas Code,” of Article 3.02, “Technical Construction Codes,” of Chapter 3, “Building Regulations,” of the Code of Ordinances, Town of Bartonville, Texas, is hereby created to read as follows:

“§ 3.02.311 Adoption.

The 2021 edition of the International Fuel Gas Code is hereby adopted as the official fuel gas code of the town. This fuel gas code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Fuel Gas Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.312 Amendments.

The 2021 edition of the International Fuel Gas Code, as adopted herein is hereby amended as shown in Exhibit “H” attached to Ordinance No. 783-25.

§ 3.02.313 through § 3.02.610 is hereby reserved.”

SECTION 10.

Division 12, “Existing Building Code,” of Article 3.02, “Technical Construction Codes,” of Chapter 3, “Building Regulations,” of the Code of Ordinances, Town of Bartonville, Texas is hereby created to read as follows:

“§ 3.02.611 Adoption.

The 2021 edition of the International Existing Building Code is hereby adopted as the official existing building code of the town. This existing building code is fully incorporated by reference as though copied into this division in its entirety. The material contained in the International Existing Building Code, and any local amendments thereto, shall not be included in any formal municipal codification of ordinances but shall be maintained as a public record in the office of the town secretary and will be available for public inspection and copying during regular business hours.

§ 3.02.612 Amendments.

The 2021 edition of the International Existing Building Code, as adopted herein is hereby amended as shown in Exhibit “I” attached to Ordinance No. 783-25.

§ 3.02.613 through § 3.02.910 is hereby reserved.”

SECTION 11.

The Town may from time to time determine that additional local modifications of the code adopted herein are necessary and appropriate to meet the unique needs of the Town. The effectuate modifications, the Town Council may enact individual ordinances amending this Ordinance fully setting forth the changes to be made. Such subsequent amendments shall be consolidated as an exhibit to this Ordinance, and shall be maintained as a public record in the office of the Town Secretary, available for public inspection and copying during regular business hours.

SECTION 12.

This Ordinance shall be cumulative of all provisions of the Code of Ordinances, Town of Bartonville, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 13.

All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of any ordinances of the Town which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 14.

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgement of decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 15.

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

SECTION 16.

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions or terms of this Ordinance shall be fined no more than two thousand dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined not more than five hundred dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 17.

The Town Secretary of the Town of Bartonville is hereby directed to publish the caption and penalty clause in the official Town newspaper as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 18.

This Ordinance shall take effect and be in full force from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on this the 15th day of April 2025.

APPROVED:

ATTEST:

Jaclyn Carrington,
Mayor

Shannon Montgomery, TRMC,
Town Secretary