

**City of Dripping Springs**

**2021 International Energy Conservation Code Adoption  
Ordinance**

**ORDINANCE No. YYYY-##**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, AMENDING CHAPTER 24, ARTICLE 24.02, DIVISION 8, SECTION 24.02.351, AND REPEALING SECTION 24.02.352, OF THE CITY CODE OF ORDINANCES TO ADOPT THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE WITHOUT LOCAL AMENDMENTS; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, the City of Dripping Springs, Texas (the City), is authorized to adopt and enforce building energy-efficiency standards and to establish procedures for their administration and enforcement; and

WHEREAS, the City Council finds that adoption of the 2021 edition of the International Energy Conservation Code is in the public interest and will provide a clear, uniform energy-conservation standard for residential and commercial construction applications; and

WHEREAS, the City Council finds that this Ordinance is necessary and proper for the good government, peace, order, and welfare of the City.

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

**1. Findings of Fact**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if fully set forth herein.

**2. Amendment and Repeal**

Chapter 24, Article 24.02, Division 8, Section 24.02.351, Adopted, of the City Code of Ordinances is amended, and Section 24.02.352, Local Amendments, is repealed, as shown in Exhibit A, which is attached to and incorporated into this Ordinance for all purposes.

### **3. Transition Rules**

- (a) A building permit issued before the effective date of this Ordinance remains subject to the 2024 International Energy Conservation Code and local amendments in effect when the permit was issued, unless the permittee elects in writing to comply with the 2021 International Energy Conservation Code adopted by this Ordinance.
- (b) A building permit application pending on the effective date of this Ordinance shall be processed under the 2021 International Energy Conservation Code adopted by this Ordinance. An applicant may elect in writing, within 10 days after the effective date of this Ordinance, to have the application processed under the 2024 International Energy Conservation Code and local amendments in effect immediately before the effective date of this Ordinance.

### **4. Repealer**

All ordinances or parts of ordinances in conflict or inconsistent with this Ordinance, including the provisions adopting the 2024 edition of the International Energy Conservation Code and the local amendments in Section 24.02.352, are repealed to the extent of the conflict or inconsistency.

### **5. Severability**

If any provision, section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each provision, section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses, phrases, or portions may be declared invalid, unconstitutional, or unenforceable.

### **6. Effective Date**

This Ordinance shall take effect immediately upon passage and publication as provided by law.

### **7. Proper Notice and Meeting**

It is officially found and determined that the meeting at which this Ordinance was considered and adopted was open to the public, that public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, and that all other notices required by law in connection with adoption of this Ordinance were provided.

PASSED & APPROVED this, the \_\_\_\_ day of October, \_\_\_\_\_, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: \_\_\_\_\_  
Bill Foulds, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Diana Boone, City Secretary

City of Dripping Springs  
CODE OF ORDINANCES  
CHAPTER 24 : Building Regulations

ARTICLE 24.02 – Technical and Construction Codes and Standards

DIVISION 9. ENERGY CONSERVATION CODE

**Sec. 24.02.351. Adopted.**

The city hereby adopts a certain document, one copy of which is on file at the development services building, being marked and designated as the ~~2024~~ 2021 edition of the "International Energy Conservation Code." Such document, as may be amended, is hereby adopted as the energy conservation code of the city, and as such shall apply to all residential and commercial construction applications. The city council may establish procedures for the administration and enforcement of the energy conservation code, and may adopt local amendments to the International Energy Conservation Code.

**~~Sec. 24.02.352. Local amendments.~~**

~~The following sections, paragraphs, and sentences of the 2024 International Energy Conservation Code (IECC) are hereby amended as follows:-~~

~~{Below is the amended text as it will read.} Standard type is text from the IFC. Underlined type is text inserted. Lined through type has been removed from the text.~~

~~(a) — Section C102.4/R102.4; change to read as follows:-~~

~~**C102.4 Referenced Codes and Standards.** The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections C102.4.1 and C102.4.2.~~

~~Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.~~

~~Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instruction shall apply.~~

~~**R102.4 Referenced Codes and Standards.** The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2.~~

~~Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.~~

~~Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instruction shall apply.~~

~~(b) Sections C103.1/R103.1; amend to insert the Department Name and Building Official.~~

~~**C103.1 Creation of enforcement agency.** The Building Department is hereby created and the official in charge thereof shall be known as the building official.~~

~~{Remainder unchanged}~~

~~**R103.1 Creation of enforcement agency.** The Building Department is hereby created and the official in charge thereof shall be known as the building official.~~

~~{Remainder unchanged}~~

~~(c) Section C104/R104I; add Section C104.1.2 and R104.1.2 (N1101.4.1) to read as follows:~~

~~**C104.1.2 Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.~~

~~**R104.1.2 (N1101.4.1) Alternative compliance.** A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the Code Official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. Regardless of the program or the path to compliance, each 1- and 2-family dwelling shall be tested for air and duct leakage as prescribed in Section R402.5.1.2 (N1102.5.1.2) and R403.3.7 (N1103.3.7) respectively.~~

~~(d) Section C405.2.10 Sleeping unit and dwelling unit lighting and switched receptacle controls; deleted in its entirety.~~

~~(e) Section R105.2.2 Solar Ready System; deleted in entirety.~~

~~(f) Section R106.3 Permit Valuation; deleted in entirety.~~

**Secs. 24.02.35~~2~~<sup>3</sup>—24.02.390. Reserved.**