

## **AN ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.03 BUILDING CODE, ARTICLE 3.04 RESIDENTIAL CODE, ARTICLE 3.05 ENERGY CONSERVATION CODE, ARTICLE 3.06 PLUMBING, ARTICLE 3.07 ELECTRICITY, ARTICLE 3.08 MECHANICAL CODE, ARTICLE 3.09 FUEL GAS CODE, ARTICLE 3.11 SWIMMING POOLS AND SPAS, AND CHAPTER 5 FIRE PREVENTION AND PROTECTION, ARTICLE 5.02 FIRE CODE; PROVIDING FOR A PENALTY FOR NONCOMPLIANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, it is the desire of the City of Fair Oaks Ranch to adopt, in all respects, the various International Codes relating to buildings, residential, energy conservation, plumbing, mechanical, swimming pools, fire, and fuel gas, and to adopt the National Electrical Code relating to electricity; and

**WHEREAS**, the adoption of these Codes is done to facilitate proper inspection activities relating to construction and to maintenance of buildings within the corporate city limits; and

**WHEREAS**, adopting periodic updates maintains compliance with current safety standards and industry regulations further ensuring public safety, health and general welfare; and

**WHEREAS**, the City Council of the City of Fair Oaks Ranch finds amending the Fair Oaks Ranch Code of Ordinances, Chapter 3 Building Regulations, Articles 3.03-3.09, Article 3.11 and Chapter 5 Fire Prevention and Protection, Article 5.02 is warranted..

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:**

- Section 1.** The Fair Oaks Ranch Code of Ordinances Chapter 3 Building Regulations, Article 3.03 Building Code, Article 3.04 Residential Code, Article 3.05 Energy Conservation Code, Article 3.06 Plumbing, Article 3.07 Electricity, Article 3.08 Mechanical Code, Article 3.09 Fuel Gas Code, Article 3.11 Swimming Pools, and Chapter 5 Fire Prevention and Protection, Article 5.02 Fire Code, are hereby amended as set forth in the attached **Exhibit A**.
- Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

- Section 4.** That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 5.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.
- Section 6.** If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this ordinance would have been enacted without such invalid provision.
- Section 7.** All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters ordained herein.
- Section 8.** This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9.** This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

**PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 3<sup>rd</sup> day of April 2025.**

**PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 17<sup>th</sup> day of April 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC  
City Secretary

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Denton Navarro Rodriguez Bernal Santee & Zech  
P.C., City Attorney

## EXHIBIT A

**[Deletions shown as strikethrough and additions shown as underlined]**

Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations" is hereby amended as follows:

### ARTICLE 3.03 - BUILDING CODE

#### Sec. 3.03.001 - Adopted

(a) The following codes are hereby adopted by reference as though copied herein fully:

(1) International Building Code, ~~2021~~ 2024 edition including appendix G ~~Section 113 (IBC) Means of Appeals is hereby repealed in its entirety.~~ but excluding Section 113 Means of Appeals and Appendix B Board of Appeals.

(2) International Existing Building Code, ~~2021~~ 2024 edition ~~Section 112 Means of Appeals is hereby repealed in its entirety.~~ but excluding Section 112 Means of Appeals and Appendix D Board of Appeals.

### ARTICLE 3.04 - RESIDENTIAL CODE

#### Sec. 3.04.001 - Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: International Residential Code for One- and Two-Family Dwellings, ~~2020~~ 2024 edition, including appendixes BB, BC, ~~AA~~ CA, AB, CB, AC, AD, CC, AG, CD, AH, BF, AJ, BO, AN, CE, and AP, CF ~~but excluding Sections R313 and P2904.~~ Section Board of Appeals is hereby repealed in its entirety. but excluding Sections R309, Section R112 Means of Appeals and Appendix AA Board of Appeals.

(c) Island and Peninsular Countertops and Work Surfaces. Section E3901.4.2 of the International Residential Code is hereby amended as follows: On an island or peninsula countertop or work surface a receptacle outlet shall be installed in accordance with Section E3901.4.3.

### ARTICLE 3.05 - ENERGY CONSERVATION CODE

#### Sec. 3.05.001 - Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: International Energy Conservation Code, ~~2021~~ 2024 edition ~~Section C110 Board of Appeals is hereby repealed in its entirety.~~ but excluding Section C109 Means of Appeals and Appendix CA Board of Appeals.

### ARTICLE 3.06 - PLUMBING

#### Sec. 3.06.031 - Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: International Plumbing Code, ~~2021~~ 2024 edition including Appendix E ~~Section 114 Means of Appeals is hereby repealed in its entirety.~~ but excluding Section 112 Means of Appeal and Section 113 Board of Appeals.

## EXHIBIT A

### ARTICLE 3.07 – ELECTRICITY

#### Sec. 3.07.031 - Adopted

(a)The following code is hereby adopted by reference as though copied herein fully: National Electrical Code, ~~2020~~ 2023 edition.

(c) “Island and Peninsular Countertops and Work Surfaces”. Section 210.52 (c) (2) of the National Electrical Code is hereby amended as follows: On an island or peninsula countertop or work surface a receptacle outlet shall be installed in accordance with Section 210.52 (c) (3).”

### ARTICLE 3.08 - MECHANICAL CODE

#### Sec. 3.08.001 - Adopted

(a)The following code is hereby adopted by reference as though copied herein fully: International Mechanical Code, ~~2021~~ 2024 edition ~~Section 113 Means of Appeals and Section 114 Board of appeals are hereby repealed in their entirety. but excluding Section 112 Means of Appeals and Section 113 Board of Appeals.~~

### ARTICLE 3.09 - FUEL GAS CODE

#### Sec. 3.09.001 - Adopted

(a)The following code is hereby adopted by reference as though copied herein fully: International Fuel Gas Code, ~~2021~~ 2024 edition. Including Appendices A, B and C ~~Section 113 (IFGC) Means of Appeal and section 114 Board of Appeals (IFGC) are hereby repealed in their entirety. but excluding Section 112 Means of Appeals and Appendix D Board of Appeals.~~

### ARTICLE 3.11 - SWIMMING POOLS AND SPAS

#### Sec. 3.11.004 – Code Adopted

(a)The following code is hereby adopted by reference as though copied herein fully: International Swimming and Spa Code, ~~2021~~ 2024 edition ~~Section 111 Means of Appeal and Section 112 Board of Appeals are hereby repealed in their entirety. but excluding Section 112 Means of Appeals and Appendix D Board of Appeals.~~

### ARTICLE 5.02 - FIRE CODE

#### Sec. 5.02.001 - Adopted

(a)The following code is hereby adopted by reference as though copied herein fully: International Fire Code, ~~2021~~ 2024 edition, including appendices B, C, D, E, F, G, H, I, J, K, L, M, and N ~~Section 111 Means of Appeals is hereby repealed in its entirety. but excluding Appendix A Board of Appeals and Section 112 Means of Appeals.~~

(b)"Security gates" in section 503.6 of the ~~2018~~ 2024 International Fire Code is hereby amended by replacing ~~where security gates are installed, they shall have an approved means of emergency operation~~ with where security gates are installed, they shall have a siren operated sensor means of emergency operation.