

AN ORDINANCE

AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH 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 CHAPTER 5 "FIRE PREVENTION AND PROTECTION", ARTICLE 5.02 "FIRE CODE"; PROVIDING FOR A PENALTY OF NOT MORE THAN \$2000 PER VIOLATION PER DAY FOR NONCOMPLIANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

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

WHEREAS, the adoption of these Codes is done to facilitate proper inspection activities by the City of Fair Oaks Ranch, Texas relating to construction and to maintenance of buildings within the corporate city limits and relating to public safety, health and general welfare, and;

WHEREAS, at times it is necessary to update the city's Building Regulations in the Fair Oaks Ranch Code of Ordinances Chapter 3 and Fire Prevention and Protection in Chapter 5 of same Code, and;

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

PART 1. 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.

PART 2. All existing amendments to the International Residential Code 2018 edition, International Plumbing Code 2018 edition, and National Electric Code 2017 edition, shall remain in effect and be considered amendments to the appropriate codes adopted herein.

PART 3. 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.

PART 4. 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.

PART 5. 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.

PART 6. This ordinance shall take effect immediately from and after its second reading, passage and publication as may be required by governing law.

PART 7. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

PART 8. 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.

PART 9. Any person, firm, corporation, or association violating the provision of this ordinance shall, upon conviction, be fined in any sum consistent with Section 1.01.009 of the Fair Oaks Ranch Code of Ordinances.

PASSED on first reading this 16th day of December, 2021.

PASSED, APPROVED AND ADOPTED on second reading this 6th day of January 6th, 2022.

Greg Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney

Exhibit A

[Deletions shown as strikethrough and additions shown as italics]

A. Chapter 3 “Building Regulations” is hereby amended as follows:

Article 3.03 Building Code

Section 3.03.001 Adopted

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

- (1) International Building Code, ~~2018~~ 2021 edition *including appendix G*. Section 113 ~~(IBC)~~ ~~board Means of appeals~~ *Appeals* is hereby repealed in its entirety.
- (2) International Existing Building Code, ~~2018~~ 2021 edition. Section 112 ~~board Means of appeals~~ *Appeals* is hereby repealed in its entirety.

Article 3.04 Residential Code

Section 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, ~~2018~~ 2020 edition, including appendixes ~~A, B, C, D, G, H, J, N, and P~~ *AA, AB, AC, AD, AG, AH, AJ, AN, and AP* but excluding Sections R313 and P2904. Section ~~R112~~ Board of Appeals is hereby repealed in its entirety.

Article 3.05 Energy Conservation Code

Section 3.05.001 Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: International Energy Conservation Code, ~~2018~~ 2021 edition. Section ~~C109~~ *C110* ~~(IEC)~~ Board of Appeals is hereby repealed in its entirety.

Article 3.06 Plumbing Division 2 Plumbing Code

Section 3.06.031 Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: International Plumbing Code, ~~2018~~ 2021 edition. Including Appendix E. Section ~~109~~ *114* ~~(IPC) means of appeal~~ *Means of Appeals* is hereby repealed in its entirety.

Article 3.07 Electricity Division 2 Electrical Code

Section 3.07.031 Adopted

(a) The following code is hereby adopted by reference as though copied herein fully: National Electric Code, ~~2017~~ 2020 edition.

Article 3.08 Mechanical Code

Section 3.08.001 Adopted

- (a) The following code is hereby adopted by reference as though copied herein fully: International Mechanical Code, ~~2018~~ 2021 edition. Section ~~109 113 (IMC) means of appeal~~ *Means of Appeals* and Section 114 Board of appeals ~~is~~ are hereby repealed in ~~its~~ their entirety.

Article 3.09 Fuel Gas Code

Section 3.09.001 Adopted

- (a) The following code is hereby adopted by reference as though copied herein fully: International Fuel Gas Code, ~~2018~~ 2021 edition. *Including Appendices A, B, and C.* Section ~~109 113 (IFGC) means of appeal~~ *Means of Appeal* and section 114 Board of Appeals (IFGC) ~~is~~ are hereby repealed in ~~its~~ their entirety.

Article 3.11 Swimming Pools and Spas

Section 3.11.001 Adopted

- (a) The following code is hereby adopted by reference as though copied herein fully: International Swimming and Spa Code, ~~2018~~ 2021 edition. Section ~~108 111 (ISPSC) means of appeal~~ *Means of Appeal* and Section 112 Board of Appeals ~~is~~ are hereby repealed in ~~its~~ their entirety.

B. Chapter 5 "Fire Prevention and Protection" is hereby amended as follows:

Article 5.02 Fire Code

Section 5.02.001 Adopted

- (a) The following code is hereby adopted by reference as though copied herein fully: International Fire Code, ~~2018~~ 2021 edition, *including appendices A, B, C, D, E, F, G, H, I, J, K, L, M, and N.* Section ~~109 111 (IFC) board of appeals~~ *Means of Appeals* is hereby repealed in its entirety.