

1 **CITY OF ROLLINGWOOD, TEXAS**

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3 **ORDINANCE NO. 2024-01-17-02**

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6 **AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,**  
7 **AMENDING THE CITY’S CODE OF ORDINANCES SECTION 101-2**  
8 **ADOPTION OF CODES, ADDING LOCAL AMENDMENTS TO THE**  
9 **INTERNATIONAL BUILDING CODE AND INTERNATIONAL**  
10 **RESIDENTIAL CODE FOR ESTABLISHING SURVEY CONTROL**  
11 **POINTS; PROVIDING A SAVINGS CLAUSE, REPEALING**  
12 **CONFLICTING LAWS AND ESTABLISHING AN EFFECTIVE DATE**

13 **WHEREAS**, the City of Rollingwood (“City”) is a General Law Type A City under the  
14 statutes of the State of Texas; and

15 **WHEREAS**, the Texas Local Government Code empowers cities to enact building codes  
16 and regulations and provide for their administration, enforcement, and amendment; and

17 **WHEREAS**, the City Council desires to protect the safety and welfare of the citizens of  
18 the City through regulation of construction activities in the City; and

19 **WHEREAS**, the City has adopted previous versions of the ICC International codes; and

20 **WHEREAS**, the City’s building and construction codes are intended to be updated  
21 periodically and City Staff has undertaken a review of the existing codes and amendments and  
22 recommends adoption of the amendments provided herein; and

23 **WHEREAS**, the City Council held a public hearing on January 17, 2024 and after  
24 consideration has determined that it is in the best interest of the residents of the City to amend the  
25 local amendments to the International Codes, as set forth herein, to regulate construction activities  
26 in the City; and

27 **WHEREAS**, the City has complied with all conditions precedent necessary to take this  
28 action, has properly noticed and conducted all public hearings and public meetings pursuant to the  
29 Texas Local Government Code and Texas Government Code, as applicable.

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31 **NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**  
32 **ROLLINGWOOD, TEXAS, THAT:**

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34 **SECTION 1.** All the above premises are hereby found to be true and correct legislative  
35 and factual findings of the City Council and are hereby approved and incorporated into the body  
36 of this Ordinance as if copied in their entirety.  
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38           **SECTION 2.** The City’s Code of Ordinances Chapter 101, Section 101-2 Adoption of  
39 codes shall be amended to read as follows, with underlines being additions and strikethroughs  
40 being deletions:

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42           Sec.101-2 – Adoption of codes.

43 (a) The codes adopted in this section, together with the remaining provisions of this  
44 chapter and the fire code and regulations of chapter 10, shall constitute the city  
45 construction regulations. The city construction regulations will apply to all  
46 construction within the city, except as otherwise specifically provided in this  
47 Code.

48 (b) The city adopts the following codes as though fully set forth in this chapter,  
49 copies of which are on file in the office of the city secretary:

50           (1) International Administrative Code, 2006 Edition, published by the  
51 International Code Council.

52           (2) International Building Code, 2015 Edition, published by the International  
53 Code Council, subject to the amendments set forth in subsection (d) of this  
54 section.

55           (3) International Residential Code, 2015 Edition, published by the International  
56 Code Council, with amendments and section AG105 of appendix G.

57           (4) International Energy Conservation Code, 2015 Edition, published by the  
58 International Code Council.

59           (5) International Mechanical Code, 2015 Edition, published by the  
60 International Code Council.

61           (6) International Plumbing Code, 2015 Edition, published by the International  
62 Code Council.

63           (7) National Electrical Code, 2014 Edition, published by the National Fire  
64 Protection Association, subject to the amendments set forth in subsection  
65 (d) of this section.

66           (8) Uniform Code for the Abatement of Dangerous Buildings, 2015 Edition,  
67 published by the International Conference of Building Officials.

68 (c) The International Building Code adopted herein is amended as follows:

69           (1) By adding a new section, Section 110.3.8.1, which follows immediately  
70 after section 110.3.8, to read as follows:

71           Section 110.3.8.1 Pre-development survey and building height verification.

72  
73           Prior to the issuance of any permit for site development associated with site disturbance  
74 and grading or new residential construction, addition or demolition which the Building  
75 Official determines may affect the original native ground surface of a property, a survey of  
76 the original native ground surface of the site must be prepared and submitted by the  
77 applicant. The survey shall meet the requirements provided by the Building Official and must  
78 be verified and approved by the city or its representative.

79 In addition to the survey of the original native ground surface prior to any site  
80 development, any residential structure that is proposed to have a height within five feet of the  
81 maximum height allowed in the respective zoning district must have a height and elevation  
82 verification performed by the city or its representative prior to passing the framing  
83 inspection, showing the original native ground surface and proposed building height. [Surveys](#)  
84 [shall use survey control points from the City of Rollingwood Sewer Manhole Reference](#)  
85 [Network Survey, kept on file at City Hall.](#)  
86

87 (d) The International Residential Code adopted herein is amended as follows:

88 (1) By adding a new section, Section R109.1.5.2, which follows immediately after section  
89 R109-1.5.1, to read as follows:

90 Section R109.1.5.2 Pre-development survey and building height verification.

91 Prior to the issuance of any permit for site development associated with site disturbance  
92 and grading or new residential construction, addition or demolition which the Building  
93 Official determines may affect the original native ground surface of a property, a survey of  
94 the original native ground surface of the site must be prepared and submitted by the  
95 applicant. The survey shall meet the requirements provided by the Building Official and must  
96 be verified and approved by the city or its representative.  
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100 In addition to the survey of the original native ground surface prior to any site  
101 development, any residential structure that is proposed to have a height within five feet of the  
102 maximum height allowed in the respective zoning district must have a height and elevation  
103 verification performed by the city or its representative prior to passing the framing  
104 inspection, showing the original native ground surface and proposed building height. [Surveys](#)  
105 [shall use survey control points from the City of Rollingwood Sewer Manhole Reference](#)  
106 [Network Survey, kept on file at City Hall.](#)  
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108 (e) The National Electrical Code adopted in this section is amended by adding a  
109 new section 308, which follows immediately after section 307, to read as  
110 follows:

111 Section 308. Notwithstanding any other provision of this code, the use of  
112 aluminum wiring as a conductor of electricity in branch circuit wiring, or in  
113 service conductors smaller than six, is hereby prohibited.

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115 **SECTION 3.** All provisions of the ordinances of the City of Rollingwood in conflict with  
116 the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other  
117 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this  
118 ordinance shall remain in full force and effect.  
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120 **SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of  
121 this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not  
122 affect the validity of this ordinance as a whole, or any part or provision thereof other than the part

123 so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of  
124 Ordinances as a whole.

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126 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and  
127 the publication of the caption, as the law and charter in such cases provide.  
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132 **APPROVED, PASSED AND ADOPTED** by the City Council of the City of Rollingwood, Texas,  
133 on the \_\_\_\_ day of \_\_\_\_\_, 2024.

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135 APPROVED:

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138 \_\_\_\_\_  
139 Gavin Massingill, Mayor

140  
141 ATTEST:

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143  
144 \_\_\_\_\_  
145 Desiree Adair, City Secretary