

1 **CITY OF ROLLINGWOOD, TEXAS**

2
3 **ORDINANCE NO. 2023-05-17-08**

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6 **AN ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,**
7 **AMENDING THE CITY’S CODE OF ORDINANCES SECTIONS 101-2**
8 **ADOPTION OF CODES, AMENDING THE BUILDING CODE LOCAL**
9 **AMENDMENTS RELATED TO WOOD SHINGLES AND THE**
10 **DEFINTION OF BUILDING HEIGHT; PROVIDING A SAVINGS**
11 **CLAUSE, REPEALING CONFLICTING LAWS AND ESTABLISHING AN**
12 **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 repealing certain amendments provided herein; and

23 **WHEREAS**, the City Council after consideration has determined that it is in the best
24 interest of the residents of the City to repeal the local amendments to the International Codes, as
25 set forth herein, to regulate construction activities in the City; and

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

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

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33 **SECTION 1.** All the above premises are hereby found to be true and correct legislative
34 and factual findings of the City Council and are hereby approved and incorporated into the body
35 of this Ordinance as if copied in their entirety.

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37 **SECTION 2.** The City’s Code of Ordinances Chapter 101, Section 101-2 Adoption of
38 codes shall be amended to read as follows, with underlines being additions and strikethroughs
39 being deletions:

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Sec.101-2 – Adoption of codes.

- (a) The codes adopted in this section, together with the remaining provisions of this chapter and the fire code and regulations of chapter 10, shall constitute the city construction regulations. The city construction regulations will apply to all construction within the city, except as otherwise specifically provided in this Code.
- (b) The city adopts the following codes as though fully set forth in this chapter, copies of which are on file in the office of the city secretary:
 - (1) International Administrative Code, 2006 Edition, published by the International Code Council.
 - (2) International Building Code, 2015 Edition, published by the International Code Council, subject to the amendments set forth in subsection (d) of this section.
 - (3) International Residential Code, 2015 Edition, published by the International Code Council, with amendments and section AG105 of appendix G.
 - (4) International Energy Conservation Code, 2015 Edition, published by the International Code Council.
 - (5) International Mechanical Code, 2015 Edition, published by the International Code Council.
 - (6) International Plumbing Code, 2015 Edition, published by the International Code Council.
 - (7) National Electrical Code, 2014 Edition, published by the National Fire Protection Association, subject to the amendments set forth in subsection (d) of this section.
 - (8) Uniform Code for the Abatement of Dangerous Buildings, 2015 Edition, published by the International Conference of Building Officials.

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

- ~~(1) By adding a new section 1505.6.1, which follows immediately after section 3202(c), to read as follows:~~

~~Section 1505.6.1. Wood shingles. Notwithstanding any other provision in this code, it is specifically provided that wood shakes, wood shingles, or any wooden roof covering is hereby prohibited to be used as a roof covering within the city.~~

- ~~(2) By amending the definition of "height of building" to read as follows:~~

~~*Building height, nonresidential.* The vertical distance from the lowest finished floor elevation (including a garage floor) to the highest part of the following: the coping of a flat roof, the deck line of a mansard roof, or the gable of a pitched or hipped roof. Where, due to topographical or other~~

80 ~~conditions, the lowest finished floor elevation of a building differs from one~~
81 ~~part to another, the maximum permissible height shall be computed~~
82 ~~separately for each portion of such building containing a differing lowest~~
83 ~~finished floor elevation. If the lowest finished floor elevation is more than~~
84 ~~four feet directly above the point where the foundation intersects the natural~~
85 ~~grade, then the vertical distance must be measured from a point that is four~~
86 ~~feet directly above the point where the foundation intersects the natural~~
87 ~~grade to the highest point described above.~~

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89 ~~*Building height, residential.* The vertical distance above a reference datum~~
90 ~~measured to the highest point of the building. The reference datum shall be~~
91 ~~selected by either of the following, whichever yields a greater height of the~~
92 ~~building:~~

- 93 ~~1. The elevation of the highest adjoining original native ground surface~~
94 ~~within a five foot horizontal distance of the exterior wall of the building~~
95 ~~when such original native ground surface is not more than ten feet above~~
96 ~~the lowest grade; or~~
97 ~~2. An elevation of ten feet higher than the lowest grade when the original~~
98 ~~native ground surface described in subsection 1 of this definition is more~~
99 ~~than ten feet above lowest grade.~~

100 ~~(d)~~(c) The National Electrical Code adopted in this section is amended by adding
101 a new section 308, which follows immediately after section 307, to read as
102 follows:

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

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107 **SECTION 3.** All provisions of the ordinances of the City of Rollingwood in conflict with
108 the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other
109 provisions of the ordinances of the City of Rollingwood not in conflict with the provisions of this
110 ordinance shall remain in full force and effect.

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112 **SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of
113 this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not
114 affect the validity of this ordinance as a whole, or any part or provision thereof other than the part
115 so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of
116 Ordinances as a whole.

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118 **SECTION 5.** This ordinance shall take effect immediately from and after its passage and
119 the publication of the caption, as the law and charter in such cases provide.
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APPROVED, PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas,
on the _____ day of _____, 2023.

APPROVED:

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary

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