

ORDINANCE NO. 250

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PELICAN BAY, TEXAS, TARRANT COUNTY, ADOPTING THE 2015 EDITIONS OF THE *INTERNATIONAL BUILDING CODE* AND THE 2014 EDITION OF THE *NATIONAL ELECTRICAL CODE* WITH AMENDMENTS RECOMMENDED BY THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS; ESTABLISHING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, the City of Pelican Bay is a Type A General Law municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Pelican Bay previously adopted Ordinance Numbers 137 through 143 adopting the 2000 editions of the International Building Code and 1999 National Electrical Code; and

WHEREAS, the City Council, upon recommendation of the Building Official, hereby desires to adopt the updated 2015 edition of the International Building with amendment recommendations from North Central Texas Council of Governments (NCTCOG).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELICAN BAY, TEXAS THAT:

SECTION 1

Codes Adopted The 2015 International Building Code, 2015 International Residential Code, 2015 International Fire Code, 2015 International Plumbing Code, 2015 International Mechanical Code, 2015 International Fuel Gas Code, 2015 International Energy Conservation Code, 2015 International Existing Building Code, and 2015 International Swimming Pool and Spa Code, and 2014 National Electrical Code, as revised, including all appendix chapters of said codes, published by the International Code Council and the National Fire Protection Association respectively, are hereby adopted as the building code of the City for the purpose of regulating the design, construction, quality of materials, erection, enlargement, alteration, repair, moving, removal, demolition, conversion, occupation, equipment, use, height, area and maintenance of all buildings or structures in the city. These building codes are fully incorporated by reference as though copied into this article in its entirety.

Amendments:

- a) The 2015 International Building Code as adopted herein is hereby amended as shown on Exhibit “A” attached hereto and on file in the office of the City Secretary.
- b) The 2015 International Residential Code for One-and Two-Family Dwellings as adopted herein is hereby amended as shown on Exhibit “B” attached hereto and on file in the office of the City Secretary.
- c) The 2015 International Fire Code as adopted herein is hereby amended as shown on Exhibit “C” attached hereto and on file in the office of the City Secretary.
- d) The 2015 International Plumbing Code as adopted herein is hereby amended as shown on Exhibit “D” attached hereto and on file in the office of the City Secretary.
- e) The 2015 International Mechanical Code as adopted herein is hereby amended as shown on Exhibit “E” attached hereto and on file in the office of the City Secretary.
- f) The 2015 International Fuel Gas Code as adopted herein is hereby amended as shown on Exhibit “F” attached hereto and on file in the office of the City Secretary.
- g) The 2015 International Energy Conservation Code as adopted herein is hereby amended as shown on Exhibit “G” attached hereto and on file in the office of the City Secretary.
- h) The 2015 International Existing Building Code as adopted herein is hereby amended as shown on Exhibit “H” attached hereto and on file in the office of the City Secretary.
- i) The 2015 International Swimming Pool and Spa Code as adopted herein is hereby amended as shown on Exhibit “I” attached hereto and on file in the office of the City Secretary.
- j) The 2014 National Electrical Code as adopted herein is hereby amended as shown on Exhibit “J” attached hereto and on file in the office of the City Secretary.

SECTION 2

This ordinance shall be cumulative of all provisions of ordinances of the City of Pelican Bay, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

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 are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not effect eh remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4

All rights and remedies of the City of Pelican Bay are expressly saved as to any and all violations of the provisions of any ordinances governing building codes as of the effective date of this ordinance; and any accrued violations, or pending litigation, both civil and criminal, whether pending in court or not under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense involving fire safety, zoning or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6

The City Secretary of the City of Pelican Bay is hereby directed to publish the caption, penalty clause, and effective date clause in the official City newspaper one time as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 7

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED on this 11 day of June, 2018.

PASSED: ✓
AYES: 5
NAYS: 0

CITY OF PELICAN BAY

By:



Bill Morley, Mayor

ATTEST:



Teri Anthony, City Secretary