

City of Niederwald

ORDINANCE NO. 20170213-B

AN ORDINANCE OF THE CITY OF NIEDERWALD, TEXAS ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE REGULATING AND GOVERNING ALL BUILDINGS OR STRUCTURES NOT GOVERNED BY THE RESIDENTIAL CODE; ADOPTING THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE REGULATING AND GOVERNING ALL RESIDENTIAL ELECTRICAL CONSTRUCTION APPLICATIONS; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PLUMBING CODE REGULATING AND GOVERNING ALL CONSTRUCTION APPLICATIONS; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE REGULATING AND GOVERNING ALL MECHANICAL CONSTRUCTION APPLICATIONS; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE REGULATING AND GOVERNING ALL RESIDENTIAL AND COMMERCIAL APPLICATIONS; ADOPTING THE 2015 INTERNATIONAL FUEL GAS CODE; ADOPTING THE 2015 INTERNATIONAL EXISTING BUILDING CODE; PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Niederwald ("City Council") seeks to provide for the safe and orderly development of property within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council finds that poorly constructed or maintained buildings constitute a nuisance and threat to the public health, safety and welfare; and

WHEREAS, the City Council seeks to protect the citizens of Niederwald from conditions hazardous to life or property in the occupancy of buildings and premises; and

WHEREAS, the City Council finds it to be in the best interest of the public to provide for building codes governing and regulating residential and non-residential buildings and structures within the City of Niederwald ("City"); and

WHEREAS, the City Council is authorized to regulate construction and prohibit nuisances pursuant to the City's general police powers and Texas Local Government Code Chapters 51, 54 and 217; and

WHEREAS, pursuant to Texas Local Government Code Chapter 214 the City Council is authorized to establish procedures to adopt certain building codes, establish

local amendments to such codes, and provide for the administration and enforcement of the codes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIEDERWALD, TEXAS:

1. Findings of Fact.

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

2. Adoption of *International Building Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Building Code*, 2015 edition, published by the International Code Council, is hereby adopted as the building code of the City of Niederwald, establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and each and all of the regulations, provisions, conditions and terms of such *International Building Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.
- b. The *International Building Code*, 2015 edition, is amended as follows:
 - 1. Section 101.1 Insert: City of Niederwald, Texas
 - 2. Section 1612.3 Insert: City of Niederwald, Texas

3. Adoption of *International Plumbing Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Plumbing Code*, 2015 edition, published by the International Code Council, is hereby adopted as the plumbing code of the City of Niederwald, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Plumbing Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.

b. The *International Plumbing Code*, 2015 edition, is amended as follows:

1. Section 101.1 Insert: City of Niederwald, Texas
2. Section 106.6.2 Amended in its entirety to read: The fees for all plumbing work shall be as indicated in the fee schedule adopted by the City Council, a copy of which shall be maintained in the City Secretary's office.
3. Section 106.6.3 Insert: 50%
4. Section 108.4 Amended in its entirety to read: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, and if convicted shall be guilty of a misdemeanor, punishable by a fine of not more than two-thousand dollars (\$2,000). Each day that a violation continues shall be deemed a separate offense.
5. Section 108.5 Amended by deleting the last sentence.
6. Section 305.4.1 Insert: **[INCHES BELOW FINISH GRADE SEWERS MUST BE INSTALLED]**
7. Section 903.1 Insert: **[# OF INCHES VENT PIPE SHOULD BE TERMINATED ABOVE ROOF]**

4. Adoption of *International Mechanical Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Mechanical Code*, 2015 edition, published by the International Code Council, is hereby adopted as the mechanical code of the City of Niederwald, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Mechanical Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.
- b. The *International Mechanical Code*, 2015 edition, is amended as follows:

1. Section 101.1 Insert: City of Niederwald, Texas
2. Section 106.5.2 Amended in its entirety to read: The fees for all mechanical work shall be as indicated in the fee schedule adopted by the City Council, a copy of which shall be maintained in the City Secretary's office.

3. Section 106.5.3 Insert: 50%
4. Section 108.4 Amended in its entirety to read: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, and if convicted shall be guilty of a misdemeanor, punishable by a fine of not more than two-thousand dollars (\$2,000). Each day that a violation continues shall be deemed a separate offense.
5. Section 108.5 Amended by deleting the last sentence.

5. Adoption of *International Energy Conservation Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Energy Conservation Code*, 2015 edition, published by the International Code Council, is hereby adopted as the energy conservation code of the City of Niederwald, regulating and governing energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Energy Conservation Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.
- b. The *International Energy Conservation Code*, 2015 edition, is amended as follows:
 1. Section C101.1 and R101.1 Insert: City of Niederwald, Texas

6. Adoption of *International Fuel Gas Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Fuel Gas Code*, 2015 edition, published by the International Code Council, is hereby adopted as the fuel gas code of the City of Niederwald, regulating and governing fuel gas systems and gas-fired appliances; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Fuel Gas Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.
- b. The *International Fuel Gas Code*, 2015 edition, is amended as follows:

1. Section 101.1 Insert: City of Niederwald, Texas
2. Section 106.6.2 Amended in its entirety to read: The fees for all mechanical work shall be as indicated in the fee schedule adopted by the City Council, a copy of which shall be maintained in the City Secretary's office.
3. Section 106.6.3 Insert: 50%
4. Section 108.4 Amended in its entirety to read: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, and if convicted shall be guilty of a misdemeanor, punishable by a fine of not more than two-thousand dollars (\$2,000). Each day that a violation continues shall be deemed a separate offense.
5. Section 108.5 Amended by deleting the last sentence.

7. Adoption of *International Existing Building Code* and Local Amendments.

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the *International Existing Building Code*, 2015 edition, published by the International Code Council, is hereby adopted as the mechanical code of the City of Niederwald, regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Existing Building Code*, 2015 edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.
- b. The *International Existing Building Code*, 2015 edition, is amended as follows:
 1. Section 101.1 Insert: City of Niederwald, Texas
 2. Section 1401.2 Insert: February 13, 2017

8. Adoption of the *National Electrical Code*

- a. That certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the NFPA 70, *National Electrical Code*, 2014 edition, published by the National Fire Protection Association, is hereby adopted as the electrical code of the City of Niederwald, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems; and each and all of the regulations, provisions, conditions and terms of such *National Electrical*

Code, 2014 edition, published by the National Fire Protection Association, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this Ordinance.

9. Repealer.

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

10. Severability.

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

11. Effective Date.

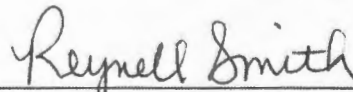
This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

12. Proper Notice and Meeting.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

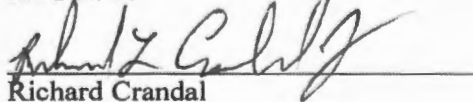
PASSED AND APPROVED on this 13th day of February, 2017.

CITY OF NIEDERWALD, TEXAS



Hon. Reynell Smith, Mayor

ATTEST:



Richard Crandal
City Administrator/Secretary

