

CITY OF DRIPPING SPRINGS

ORDINANCE No. 1220.16

UPDATING BUILDING CODES

AN ORDINANCE AMENDING VOLUME 2 , ARTICLE 15 , CHAPTER 2 OF THE DRIPPING SPRINGS CODE OF ORDINANCES; UPDATING REFERENCES TO THE MOST RECENT EDITIONS OF THE APPLICABLE BUILDING CODES; INCLUDING CODES APPLYING TO RESIDENTIAL, COMMERCIAL, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY CONSERVATION AND FIRE; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; CODIFICATION; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Dripping Springs seeks to provide for the safe and orderly development of property within its corporate limits; and

WHEREAS, the City Council finds it to be in the best interest of the public to provide for the uniform regulation of the construction, design, repair, and maintenance of residential and non-residential buildings within the City; and

WHEREAS, pursuant to Texas Local Government Code Chapter 214 the City Council is expressly 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; and

WHEREAS, the City Council has adopted the authorized building codes, and now finds it to be in the public interest to adopt a code which addresses conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City to adopt an ordinance amending the Code of Ordinances to reference the most recent version of the applicable building codes.

NOW, THEREFORE, BE IT ORDAINED by the Dripping Springs City Council:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. AMENDMENT

Volume 2, Article 15, Chapter 2 is hereby amended, and after such amendment, shall) read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

7. PROPER NOTICE & 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, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 9th day of February, 2010, by a vote of 4 (*ayes*) to 0 (*nays*) to 0 (*abstentions*) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: *B. Pro Tem Foulds*
Mayor Pro Tem Foulds

ATTEST:

 Jo Ann Touchstone
Jo Ann Touchstone, City Secretary

APPROVED AS TO FORM:
Alan J. Bojorquez, City Attorney

City of Dripping Springs
CODE OF ORDINANCES
VOLUME: 2
ARTICLE 15: DEVELOPMENT
CHAPTER 2: BUILDING CODES

6. RESIDENTIAL BUILDING CODE

6.1. Code Adopted

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "International Residential Code for One- and Two- Family Dwellings," published by the International Code Council, Inc., as may be amended. Such document, as may be amended, is hereby adopted as the "Residential Building Code" of the City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to and use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City, and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such International Residential Code, which is adopted and made a part hereof as if fully set out in this Ordinance. The Residential Building Code shall also include the certain Appendix Chapters as may be designated by the City Council.

7. COMMERCIAL BUILDING CODE

7.1. Code Adopted

The City hereby adopts a certain document, a copy of which are on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "International Building Code," published by the International Code Council, Inc., as may be amended. Such document, as may be amended, is hereby adopted as the "Commercial Building Code" of the City for control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Commercial Building Code, which is adopted and made a part hereof as if fully set out in this Ordinance. The Commercial Building Code shall also include the certain Appendix Chapters as may be designated by the City Council.

8. NATIONAL ELECTRICAL CODE

8.1.

The City of Dripping Springs ("City") hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2008 edition of the "National Electrical Code," as may be amended. Such document, as may be amended, is hereby adopted as the "Electrical Code" of the City, and as such shall apply to all electrical construction applications, excluding single- and two-family residences (which are covered under the International Building Code). The City Council may establish procedures for the administration and enforcement of the Electrical Code, and may adopt local amendments to the National Electrical Code.

9. INTERNATIONAL PLUMBING CODE

9.1. Code Adopted

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "The International Plumbing Code," published by the International Association of Plumbing and Mechanical Officials, as may be amended. Such document, as may be amended, is hereby adopted as the "Plumbing Code" of the City, and as such shall apply to all plumbing construction applications. The City Council may establish procedures for the administration and enforcement of the Plumbing Code, and may adopt local amendments to the International Plumbing Code.

10. INTERNATIONAL MECHANICAL CODE

10.1. Code Adopted

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "The International Mechanical Code," as developed by the International Code Council, as may be amended. Such document, as may be amended, is hereby adopted as the "Mechanical Code" of the City, and as such shall apply to all mechanical construction applications. The City Council may establish procedures for the administration and enforcement of the Mechanical Code, and may adopt local amendments to the International Mechanical Code.

11. INTERNATIONAL ENERGY CONSERVATION CODE

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "The International Energy Conservation Code." Such document, as may be amended, is hereby adopted as the "Energy Conservation Code" of the City, and as such shall apply to all residential and commercial construction applications. The City Council may establish procedures for the administration and enforcement of the Energy Conservation Code, and may adopt local amendments to the International Energy Conservation Code.

12. INTERNATIONAL FIRE CODE

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the "ICC International Fire Code." Such document, as may be amended, is hereby adopted as the "Fire Code" of the City, and as such shall apply to all residential and commercial construction applications. The City Council may establish procedures for the administration and enforcement of the Fire Code, and may adopt local amendments to the International Fire Code.

[Section 12.2 deleted in its entirety]