

ORDINANCE NO. 2005-11-03

AN ORDINANCE OF THE CITY OF WESTON ADOPTING THE 2003 INTERNATIONAL BUILDING CODE, 2003 INTERNATIONAL RESIDENTIAL CODE, THE 2003 INTERNATIONAL PLUMBING CODE, THE 2003 INTERNATIONAL MECHANICAL CODE, THE 2003 INTERNATIONAL FUEL GAS CODE, THE 2003 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2003 INTERNATIONAL EXISTING BUILDING CODE; THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2003 INTERNATIONAL FIRE CODE; AND THE 2005 NATIONAL ELECTRICAL CODE; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a Type A general-law municipality located in Collin 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 Council of the City of Weston desires to adopt the 2003 Editions of the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, International Property Maintenance Code, International Fire Code, and the 2005 Edition of the National Electrical Code as the official municipal codes of the City; and

WHEREAS, the City Council of the City of Weston desires to provide a mechanism by which local modifications reflecting the unique needs of the City of Weston may be made when deemed appropriate.

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

**SECTION 1.
ADOPTION OF 2003 INTERNATIONAL BUILDING CODE**

The 2003 Edition of the International Building Code is hereby adopted as the official building code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained

as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 2.
ADOPTION OF LOCAL AMENDMENTS TO INTERNATIONAL BUILDING CODE

The 2003 Edition of the International Building Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "A" attached hereto.

SECTION 3.
ADOPTION OF 2003 INTERNATIONAL RESIDENTIAL CODE

The 2003 Edition of the International Residential Code is hereby adopted as the official residential construction code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 4.
**ADOPTION OF LOCAL AMENDMENTS TO
INTERNATIONAL RESIDENTIAL CODE**

The 2003 Edition of the International Residential Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "B" attached hereto.

SECTION 5.
**RESOLUTION OF CONFLICTS BETWEEN INTERNATIONAL BUILDING CODE
AND INTERNATIONAL RESIDENTIAL CODE**

To the extent of any conflict between the International Building Code as applied to residential property and the International Residential Code, the International Residential Code shall control.

SECTION 6.
ADOPTION OF 2003 INTERNATIONAL PLUMBING CODE

The 2003 Edition of the International Plumbing Code is hereby adopted as the official plumbing code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 7.
ADOPTION OF LOCAL AMENDMENTS TO INTERNATIONAL PLUMBING CODE

The 2003 Edition of the International Plumbing Code, as adopted herein is hereby

amended by adoption of those local amendments shown on Exhibit "C" attached hereto.

**SECTION 8.
ADOPTION OF 2003 INTERNATIONAL MECHANICAL CODE**

The 2003 Edition of the International Mechanical Code is hereby adopted as the official mechanical code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

**SECTION 9.
ADOPTION OF LOCAL AMENDMENTS TO
INTERNATIONAL MECHANICAL CODE**

The 2003 Edition of the International Mechanical Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "D" attached hereto.

**SECTION 10.
ADOPTION OF 2003 INTERNATIONAL FUEL GAS CODE**

The 2003 Edition of the International Fuel Gas Code is hereby adopted as the official fuel gas code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

**SECTION 11.
ADOPTION OF LOCAL AMENDMENTS TO INTERNATIONAL FUEL GAS CODE**

The 2003 Edition of the International Fuel Gas Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "E" attached hereto.

**SECTION 12.
ADOPTION OF 2003 INTERNATIONAL ENERGY CONSERVATION CODE**

The 2003 Edition of the International Energy Conservation Code is hereby adopted as the official energy conservation code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 13.
ADOPTION OF LOCAL AMENDMENTS TO
INTERNATIONAL ENERGY CONSERVATION CODE

The 2003 Edition of the International Energy Conservation Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "F" attached hereto.

SECTION 14.
ADOPTION OF 2003 INTERNATIONAL FIRE CODE

The 2003 Edition of the International Fire Code is hereby adopted as the official fire code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 15.
ADOPTION OF LOCAL AMENDMENTS TO
INTERNATIONAL FIRE CODE

The 2003 Edition of the International Fire Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "G" attached hereto.

SECTION 16.
ADOPTION OF 2003 INTERNATIONAL EXISTING BUILDING CODE

The 2003 Edition of the International Existing Building Code is hereby adopted as the official existing building code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 17.
ADOPTION OF 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE

The 2003 Edition of the International Property Maintenance Code is hereby adopted as the official property maintenance code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 18.
ADOPTION OF 2005 NATIONAL ELECTRICAL CODE

The 2005 National Electrical Code is hereby adopted as the official electrical code of the City of Weston, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall be maintained as a public

record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

**SECTION 19.
ADOPTION OF LOCAL AMENDMENTS TO
NATIONAL ELECTRICAL CODE**

The 2005 Edition of the National Electrical Code, as adopted herein is hereby amended by adoption of those local amendments shown on Exhibit "H" attached hereto.

**SECTION 20.
MAINTENANCE OF CODES AS PUBLIC RECORDS**

The material contained in Exhibits "A" through "H" shall be maintained as a public record in the office of the City Secretary. These exhibits will be available for public inspection and copying during regular business hours.

**SECTION 21.
ADDITIONAL LOCAL AMENDMENTS CONTEMPLATED**

The City of Weston may from time to time determine that additional local modifications to the codes adopted herein are necessary and appropriate to meet the unique building needs of the City of Weston. To effectuate modifications, the city council may enact individual ordinances amending this ordinance fully setting forth the change to be made in the specific code. Such subsequent amendments shall be consolidated as an exhibit to this ordinance, and shall be maintained as a public record in the office of the city secretary.

**SECTION 22.
PERMITS AND FEES**

The codes adopted herein provide for the issuance of certain permits and the collection of fees therefor. The fees shall be established by the City's schedule of fees.

**SECTION 23.
PROVISIONS CUMULATIVE BUT CONFLICTING ORDINANCES REPEALED**

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

**SECTION 24.
PROVISIONS SEVERABLE**

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 any phrase, clause,

sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 25.
PENALTY**

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 no more than Two Thousand Dollars and no cents (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than Five Hundred Dollars and no cents (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 26.
PREVIOUSLY ACCRUING RIGHTS AND REMEDIES SAVED**

All rights and remedies of the City of Weston, Texas, are expressly saved as to any and all violations of the provisions of the Building Code, Residential Code, Electrical Code, Energy Code, Fuel Gas Code, Mechanical Code, Plumbing Code, Existing Building Code, Property Maintenance Code, Fire Code or any other ordinances affecting such codes which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 27.
PUBLICATION**

The City Secretary of the City of Weston is directed to publish the caption, penalty clause, publication clause and effective date of this Ordinance in accordance with the provisions of Section 52.011 of the Local Government Code.

**SECTION 28.
PUBLICATION IN PAMPHLET FORM**

The City Secretary of the City of Weston is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

**SECTION 29.
EFFECTIVE DATE**

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

PASSED AND APPROVED ON THIS 14th DAY OF November, 2005.

Patti Harrington
MAYOR

ATTEST:

Susan M. Coffey
CITY SECRETARY

EFFECTIVE: 14 November 2005

**EXHIBIT A
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL BUILDING CODE**

**EXHIBIT B
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL RESIDENTIAL CODE**

**EXHIBIT C
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL PLUMBING CODE**

**EXHIBIT D
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL MECHANICAL CODE**

**EXHIBIT E
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL FUEL GAS CODE**

**EXHIBIT F
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL ENERGY CONSERVATION CODE**

**EXHIBIT G
LOCAL AMENDMENTS
TO 2003 INTERNATIONAL FIRE CODE**

**EXHIBIT H
LOCAL AMENDMENTS
TO 2005 NATIONAL ELECTRICAL CODE**