



ORDINANCE NO. 2014-02-02

AN ORDINANCE OF THE CITY OF WESTON, TEXAS ADOPTING THE 2012 NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) INTERNATIONAL BUILDING CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL RESIDENTIAL CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL FIRE CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL PLUMBING CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL MECHANICAL CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL FUEL GAS CODE REGIONAL AMENDMENTS, THE 2012 NCTCOG INTERNATIONAL ENERGY CONSERVATION CODE REGIONAL AMENDMENTS, AND THE 2012 NCTCOG RECOMMENDED AMENDMENTS TO THE 2011 NATIONAL ELECTRICAL CODE; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; 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 2012 NCTCOG International Building Code Regional Amendments, the 2012 NCTCOG International Residential Code Regional Amendments, the 2012 NCTCOG International Plumbing Code Regional Amendments, the 2012 NCTCOG International Mechanical Code Regional Amendments, the 2012 NCTCOG International Fuel Gas Code Regional Amendments, the 2012 NCTCOG International Energy Conservation Code Regional Amendments, the 2012 NCTCOG International Existing Building Code Regional Amendments, the 2012 NCTCOG International Fire Code, and the 2012 NCTCOG Recommended Amendments to the 2011 Edition of the National Electrical Code as the official municipal codes of the City;

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

SECTION 1

ADOPTION OF THE NCTCOG 2012 INTERNATIONAL BUILDING CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Building Code Regional Amendments are hereby adopted as the official building code of the City of Weston, Texas, and are 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 2012 NCTCOG INTERNATIONAL RESIDENTIAL CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Residential Code Regional Amendments are hereby adopted as the official residential construction code of the City of Weston, Texas, and are 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.

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SECTION 3 RESOLUTION OF CONFLICTS BETWEEN INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE

To the extent of any conflict between the 2012 International Building Code as applied to residential property and the 2012 International Residential Code, the 2012 International Residential Code and the 2012 NCTCOG International Residential Code Regional Amendments shall control.

SECTION 4 ADOPTION OF 2012 NCTCOG INTERNATIONAL PLUMBING CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Plumbing Code Regional Amendments are hereby adopted as the official plumbing code of the City of Weston, Texas, and are 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 5 ADOPTION OF 2012 NCTCOG INTERNATIONAL MECHANICAL CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Mechanical Code Regional Amendments are hereby adopted as the official mechanical code of the City of Weston, Texas, and are 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 6 ADOPTION OF 2012 NCTCOG INTERNATIONAL FUEL GAS CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Fuel Gas Code Regional Amendments are hereby adopted as the official fuel gas code of the City of Weston, Texas, and are 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 2012 NCTCOG INTERNATIONAL ENERGY CONSERVATION CODE REGIONAL AMENDMENTS

The 2012 NCTCOG International Energy Conservation Code Regional Amendments are hereby adopted as the official energy conservation code of the City of Weston, Texas, and are 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 8 ADOPTION OF 2012 INTERNATIONAL FIRE CODE Regional AMENDMENTS

The 2012 NCTCOG International Fire Code Regional Amendments are hereby adopted as the official fire code of the City of Weston, Texas, and are 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 2012 NCTCOG REGIONAL AMENDMENTS TO THE 2011 NATIONAL ELECTRICAL CODE

The 2012 NCTCOG Recommended Amendments to the 2011 National Electrical Code are hereby adopted as the official electrical code of the City of Weston, Texas, and are 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 10 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.

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SECTION 11 PERMITS AND FEES

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

SECTION 12 PROVISION 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 13 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 14 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 ordinances shall be fined no more than Two Thousand Dollars and no cents (\$2,000.00) for all violations 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 15 PREVIOUSLY ACCRUING RIGHTS AND REMEDIES SAVED

All rights and remedies of the 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 16 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.

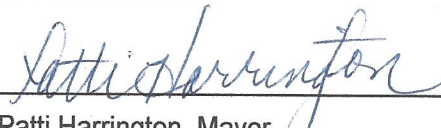
SECTION 17 EFFECTIVE DATE

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 by Council this the 11th day of February 2014.



APPROVED BY:


Patti Harrington, Mayor

ATTESTED BY:


Susan Coffey, City Secretary