

# ORDINANCE 2016-03-01

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS, AMENDING THE CITY'S FIRE AND ENERGY CONSERVATION CODES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO-THOUSAND DOLLARS (\$2,000) PER DAY, PROVIDING FOR CUMULATIVE REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas, Collin County, 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 has adopted the 2015 International Fire and Energy Conservation Codes 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 2015 INTERNATIONAL FIRE CODE AMENDMENT

A. Section 1103.5.1 of the 2015 International Fire Code is amended as follows:

~~1103.5.1 Group A-2. An automatic sprinkler system shall be installed in accordance with Section 903.3.1.1 throughout existing buildings or portions thereof used as Group A-2 occupancies with an occupant load of 300 or more. Spray Booths and Rooms. Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.~~

Reason: Consistent with amendment to IFC 2404, and long-standing regional requirement. The published 1103.5.1 requiring sprinklers retroactively in A-2 occupancies was deleted by ICC Errata.

## SECTION 2 ADOPTION OF 2015 INTERNATIONAL ENERGY CONSERVATION CODE AMENDMENTS

A. Table R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT is amended as follows:

WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 to read as follows: ~~20 or 13+5<sup>h</sup>~~ 13<sup>i</sup>

This amendment expires on August 31, 2016 and the code requirements revert to the code as published.

Reason: This amendment retains the values in the 2009 code. The state mandated adoption of the residential provisions of the 2015 IRC effective September 1, 2016 will deem this amendment less stringent and therefore must expire.

B. Table R402.1.4 EQUIVALENT U-FACTORS is amended as follows:

WOOD FRAME WALL U-FACTOR for CLIMATE ZONE 3 to read as follows: ~~0.060~~ 0.082<sup>d</sup>

This amendment expires on August 31, 2016 and the code requirements revert to the code as published.

Reason: This amendment retains the values in the 2009 code. The state mandated adoption of the residential provisions of the 2015 IRC effective September 1, 2016 will deem this amendment less stringent and therefore must expire.

C. Section R402.4.1.2 Testing is amended as follows:

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour in Climate Zones 1 and 2, and 3 air changes per hour in Climate Zones 3 through 8. {Remainder of text unchanged}

This amendment expires on August 31, 2016 and the code requirements revert to the code as published.

Reason: This amendment retains the values in the 2009 code. The state mandated adoption of the residential provisions of the 2015 IRC effective September 1, 2016 will deem this amendment less stringent and therefore must expire.

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**SECTION 3  
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 4  
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 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 5  
CUMULATIVE REPEALER**

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 6  
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 7  
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 8  
PUBLICATION**

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

**SECTION 9  
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 8<sup>th</sup> day of March 2016.

APPROVED:

Patti Harrington  
Patti Harrington, Mayor

ATTESTED:

Susan M. Coffey  
Susan Coffey, City Secretary