

ORDINANCE NO. 19-112013

AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS AMENDING ORDINANCE 19 BY EXCLUDING CERTAIN PROVISIONS OF THE 2009 INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL MECHANICAL CODE, AND INTERNATIONAL PLUMBING CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE; REPEALER CLAUSE; PREEMPTION CLAUSE; SEVERABILITY; AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of City of Garden Ridge, Texas has adopted the 2009 editions of the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Plumbing Code as published by the International Code Council, as the building and safety codes for the City of Garden Ridge; and

WHEREAS, the City Council of the City of Garden Ridge finds that it is in the best interests of the citizens of the City of Garden Ridge to implement the provisions and requirements of the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Plumbing Code that are most applicable to the City and its needs, and allow the City to allocate resources effectively; and

WHEREAS, The City Council of the City of Garden Ridge deems it necessary to amend this ordinance providing requirements for building construction in order to protect the health, safety, and welfare of the citizens of Garden Ridge:

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

I. SECTION

That Ordinance 19, Amendment #6 approved on May 5, 2010 is repealed and that Section 2 of Ordinance 19 is hereby amended in its entirety to now read as follows:

SECTION 2.

THAT, the City of Garden Ridge, Comal County, Texas hereby adopts a minimum building requirements code for construction, alteration, repair and additions to every building and structure, as well as any appurtenances connected or attached to such buildings or structures in the City. These minimum building requirements also include the construction and/or installation of fences, retaining walls, swimming pools, barns, patios, carports, play houses, fixed dog kennels, decks, gazebos, spas, hot tubs (fixed), lawn sprinkler systems and security alarm systems. The following standards and provisions, as well as those attached as part of this Ordinance, shall constitute and be known as “The Building Code” and are herein referred to as “the Code”:

- A. The International Building Code, 2009 Edition, with the exception of the following portions:
 - 1. Section 103, Department of Building Safety
 - 2. Section 104, Duties and Powers of Building Official
 - 3. Section 109, Means of Appeal
- B. The International Plumbing Code, 2009 edition, with the exception of the following portions:
 - 1. Section 103, Department of Plumbing Inspection
 - 2. Section 104, Duties and Powers of the Code Official
 - 3. Section 109, Means of Appeal
 - 4. Section 6.08.16.5, Connections to lawn irrigation systems
 - 5. Section 312.9, Inspection and testing of backflow prevention assemblies
- C. The International Mechanical Code, 2009 edition, with the exception of the following portions:
 - 1. Section 103, Department of Mechanical Inspection

2. Section 104, Duties and Powers of the Code Official;
 3. Section 109, Means of Appeal
- D. The International Fuel and Gas Code, 2009 edition, with the exception of the following portions:
1. Section 103, Department of Inspection
 2. Section 104, Duties and Powers of the Code Official
 3. Section 109, Means of Appeal
- E. The International Residential Code, 2009 edition, with the exception of the following portions:
1. Section R103, Department of Building Safety
 2. Section R104, Duties and Powers of the Building Official
 3. Section R112, Board of Appeals
- F. The minimum building requirements of the City of Garden Ridge, as specified in Attachments 1, 2, and 3 of Ordinance 19.

II. SECTION TWO.

That Ordinance 19, Section 7 is hereby amended to add:

- g. Any plumbing inspection required by this Code shall be performed by an individual who is properly licensed as a plumbing inspector under the laws of the State of Texas.

Subsequent subsections shall be renumbered as necessary.

III. REPEALER

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

IV. 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.

V. PREEMPTION

Should any State or Federal law be enacted which prohibits the enforcement of this ordinance in its entirety than this ordinance shall automatically be repealed.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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.

VII. EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this the 6th day of November, 2013.

CITY OF GARDEN RIDGE, TEXAS



ANDREW DALTON, MAYOR

ATTEST:



SHELLY GOODWIN, CITY SECRETARY

Approved as to form:



GEORGE E. HYDE, CITY ATTORNEY

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