

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING CHAPTER 8 (BUILDINGS), ARTICLE II, SECTIONS 8-15 AND 8-16 (A) 9,10 and 13 (d), AND 8-61; CHAPTER 12 (ELECTRICAL CODE) ARTICLE VI, SECTION 12-147; CHAPTER 13 (FIRE PREVENTION AND PROTECTION), ARTICLE III, SECTION 13-32, 13-32 (P); CHAPTER 15 (GAS AND GAS FITTINGS), ARTICLE II, SECTIONS 15-26, 15-27; AND CHAPTER 21 (PLUMBING) ARTICLE IV, SECTION 21-1 AND 21-2 OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE PASS, TEXAS TO INCLUDE THE CURRENT EDITIONS OF THE BUILDING SAFETY CODES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

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

SECTION 1. That Chapter 8, Article II, Sections 8-15 and 8-16, (A) Subsections 9, 10 and 13 (d); (B) Subsection 8; and 8-61 of the City's Code of Ordinances is hereby amended to read as follows and the rest remains the same:

Sec. 8-15. Adopted

Those certain documents, a copy of each of which is on file in the Office of the City Secretary of the City of Eagle Pass, being marked and identified as the 2018 editions of International Building Code (IBC), the International Residential Code (IRC), the International Mechanical Code (IMC), the International Existing Building Code (IEBC), the International Energy Conservation Code (IECC), and the 2012 edition of the Texas Accessibility Standards, together with all appendices contained therein unless specifically excluded by this section, are hereby adopted as the City of Eagle Pass Building Code for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, conditions and terms of said building code are hereby referred to, adopted, and made part hereof, as [if] fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in section 8-16.

Sec. 8-16 Amendments

The following sections of the building codes adopted in section 8-16 are amended as follows:

A. International Building Code

9. Section 105.2.2 Public service agencies is deleted.

10. Section 107.2.6 Site plan is amended to read as follows:

13. Section 109.2 Schedule of permit fees is amended to read as follows:

(d) Plan check fee. The following base plan check fees shall be paid at the time of building permit application and are non-refundable:

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B. International Residential Code

8. Section R108.3 Building permit valuations is amended to read as follows:

The building permit valuation shall include the total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including material and labor.

Final building permit valuation shall be set by the building official, and shall be based upon the schedule set forth in Section 8-16 (A) (13)

Permit fee payment shall be as set forth in IBC Section 109.2 as amended.

Sec. 8-61. Standard Swimming Pool Code—Adopted.

The 2018 International Swimming Pool and Spa Code (ISPSC) is hereby adopted by reference, and as thereafter amended, as though it were copied fully herein.

SECTION 2. That Chapter 12, Article VI, Section 12-147 of the City's Code of Ordinances is hereby amended to read as follows and the rest remains the same:

Sec. 12-147. Adopted

2017 Edition of the National Electric Code is hereby adopted, as the electrical code for the City of Eagle Pass.

SECTION 3. That Chapter 13, Article III, Section 13-32, 13-32 (P) of the City's Code of Ordinances is hereby amended to read as follows the rest remains the same and re-lettering the remaining:

Sec. 13-32. International Fire Code adopted

That [a] certain document, one (1) copy of which is on file in the Office of the City Secretary of the City of Eagle Pass, Texas, being marked and designated as the 2018 *International Fire Code*, together with all appendices contained therein unless specifically excluded by this section, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Eagle Pass, Texas, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections of the 2018 International Fire Code (IFC) adopted in this section are hereby amended as follows:

Sec. 13-32. International Fire Code adopted

P. 607.2 Where Required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.

1. Mobile Food Trucks and food trailers may be exempt from the requirement upon approval by Fire Marshal.

SECTION 4. That Chapter 15, Article III, Sections 15-26, 15-27 and 15-33 of the City's Code of Ordinances is hereby amended to read as follows the rest remains the same:

Sec. 15-26. Adoption of the International Fuel Gas Code (IFGS).

The 2018 edition of the International Fuel Gas Code (IFGS), together with all appendices contained herein unless specifically excluded by this section, are hereby adopted as the City of Eagle Pass Gas Fitting Code for the control of gas and gas fitting installation.

Sec. 15-27. Amendments

The following sections of the 2018 International Fuel Gas Code adopted in Section 15-26 are amended as follows:

SECTION 5. That Chapter 21, Article I, Section 21-1, and 21-2, of the City's Code of Ordinances is hereby amended to read as follows the rest remains the same.

Sec. 21-1. Adopted

Those certain documents, a copy of each of which is on file in the Office of the City Secretary for the City of Eagle Pass, being marked and identified as the 2018 edition of International Plumbing Code (IPC), together with all appendices contained therein unless specifically excluded by this section, are hereby adopted as the City of Eagle Pass Plumbing Code for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, conditions and terms of said plumbing code are hereby referred to, adopted, and made part hereof, as [if] fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in section 21-2.

Sec. 21-2. Amendments

The following sections of the 2018 International Plumbing Code adopted in Section 21-1 are amended as follows:

SECTION 6. Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phrase, clause, sentence, paragraph, or section.

SECTION 7. This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Charter of the City of Eagle Pass.

READ, PASSED, AND APPROVED ON FIRST READING on this 1st Day of February, A.D., 2022.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Ramon, and Cruz
NAYS: None

ABSTAINED: None
ABSENT: Diaz

READ, PASSED, AND APPROVED ON SECOND READING, this 15th Day of February, A.D., 2022.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Ramon, and Cruz
NAYS: None
ABSTAINED: None
ABSENT: Davis and Diaz

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 17th Day of February, A.D., 2022.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Ramon, and Cruz
NAYS: None
ABSTAINED: None
ABSENT: Davis and Diaz

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney