

ORDINANCE NO. 2021-21

AN ORDINANCE REPEALING AND REPLACING CHAPTER 18, ARTICLE IV OF THE CODE OF ORDINANCES, CITY OF PORT NECHES, TEXAS, WHICH PERTAINS TO THE GAS CODE IN THE CITY OF PORT NECHES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 18, Article IV of the Code of Ordinances of the City of Port Neches relates to and regulates gas codes located within the limits of the City of Port Neches; and,

WHEREAS, the City Council of the City of Port Neches, after conducting a public hearing, finds that it is in the best interest of the citizens of the City of Port Neches to repeal the current Chapter 18, Article IV of the City Code of Ordinances of the City of Port Neches, Texas, in its entirety, and all other Ordinances or parts of Ordinances in conflict herewith, and replace it with provisions which would better serve the City and its citizens.

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

SECTION I.

That Chapter 18, Article IV of the Code of Ordinances of the City of Port Neches is hereby repealed and as the same may be hereafter modified by the City Council of the City of Port Neches, Texas.

Secs. 18-63—18-90. - Reserved.

ARTICLE IV. - GAS CODE ^[2]

Sec. 18-91. - International Fuel Gas Code adopted.

A certain document being marked and designated as the International Fuel Gas Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Port Neches, in the State of Texas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees, therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said fuel gas code on file in the office of the city are hereby referred to, adopted and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions, and changes, if any, prescribed in Section 18-92.

Sec. 18-92. - Revisions, amendments and additions to the 2018 International Fuel Gas Code.

The following sections are hereby revised:

Section 101.1: City of Port Neches

Section 106.6.2. of the 2018 International Fuel Gas Code is amended by adding a schedule of fees to read as follows:

Fuel Gas Fee Schedule

Permit Issuance Fee: \$15.00

Inspection Outlets (1—4): 25.00

Each Additional Outlet: 2.00

Section 106 of the 2018 International Fuel Gas Code is amended by adding Section 106.3.1.1 to read as follows:

106.3.1.1 By whom application is made:

1) Any master plumber licensed by the Texas State Plumbing Board and having on file with the City the certificate of issuance as required by the Texas State Plumbing Board.

2) Any property owner for fuel gas work to be performed by the property owner on property owned and occupied as the owner's homestead.

Section 106.6.3 is hereby deleted.

Section 108.4 of the 2018 International Code is hereby amended in full to read as follows:

108.4 Violations penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs fuel gas work in violation of the approved construction documents or direction of the Building Official, or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION II.

All ordinances or parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION III. SEVERABILITY CLAUSE:

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance and, to such end, the various portions and provisions of this Ordinance are declared to be severable.


SECTION IV. NOTHING AFFECTING LEGAL RIGHTS OR REMEDIES:

Nothing in this Ordinance of Gas Code hereby adopted shall be construed to affect any suit or proceeding pending in any court or any rights acquired or liability incurred or any cause or causes of action acquired or existing under any Act or Ordinance hereby repealed as cited in Chapter 18, Article IV of this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION V. EFFECTIVE DATE AND PUBLICATION:

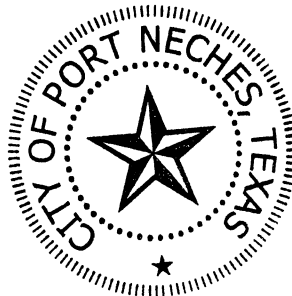
The City Secretary is hereby ordered and directed to cause this Ordinance to be published and this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2022 and after its approval, adoption and publication pursuant to law.

PASSED AND APPROVED by the City Council of the City of Port Neches, Texas, at a regular meeting this, the 11th day of November, A.D., 2021.



Glenn Johnson, Mayor
City of Port Neches, Texas

ATTEST:


Holly Alexander, City Secretary
City of Port Neches, Texas



APPROVED AS TO FORM:


Pete Steele, City Attorney
City of Port Neches