ORDINANCE NO. 2021-26

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

WHEREAS, Chapter 18, Article IX of the Code of Ordinances of the City of Port Neches relates to and regulates the residential code 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 IX 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That Chapter 18, Article IX of the Code of Ordinances of the City of Port Neches is hereby repealed and as the same may be hereafter modified by the City Council of the City of Port Neches, Texas.

ARTICLE IX. - INTERNATIONAL RESIDENTIAL CODE

Sec. 18-361. - Code adopted.

That certain documents which are on file in the office of the Building Official of the City of Port Neches, being marked and designated as the International Residential Code as published by the International Code Council and is hereby adopted as the Code of the City of Port Neches for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City of Port Neches, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2018 edition, published by the International Code Council on file in the office of the Building Official of the City of Port Neches are hereby referred to, adopted and made a part hereof as if fully set out in this Article. In addition, the Southern Building Code Congress International Standard for Hurricane Resistant Residential Construction SSTD 10-97 is adopted for use. Cold-formed steel construction shall be designed in accordance with provisions of this Code.

Sec. 18-362. – Amendments, revisions, additions and deletions, if any, to the 2018 International Residential Code.

Section 101.1 Title - insert City of Port Neches in name of Jurisdiction

Section 105.2 Work exempt from permit – is hereby deleted

Section R301.2 (1) – Insert in this order: Zero, 140, Yes, Yes, 2, A, Negligible, 20-24 inches per City Ordinance, Very Heavy, 35 degrees Fahrenheit, No, a) 11-19-1987 b) 11-17-1970 c) 485500IND0, 4855000005D and 4855000010D all 01-06-1983, 1500 or less, 69 degrees Fahrenheit and insert, "The International Standard for Hurricane Resistant Residential Construction SSTD 10-97 is adopted for use. Insert in this order: 16 feet, 30 degrees North, 31 degrees Fahrenheit, 93 degrees Fahrenheit, N/A, 75 degrees Fahrenheit, 75 degrees Fahrenheit, -7 degrees Fahrenheit (68 degrees F), N/A, N/A, 78, 65%, 95%

Section R309.5 Garage Fire Sprinklers – is hereby deleted (Texas state law prevents this requirement)

Section R313.2 Automatic Fire Sprinklers – is hereby deleted (Texas state law prevents this requirement)

Section E3601.6 Service disconnect required – is hereby amended to read:

An outside disconnect means located beside the meter shall be provided to disconnect all conductors from the service.

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 Numbering of Buildings 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 IX 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

CITY OF PORT NECHES, TEXAS

APPROVED AS TO FORM:

Pete Steele, City Attorney
City of Port Neches