

ORDINANCE NO. 2019-07

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 18 OF THE
CODE OF ORDINANCES, CITY OF PORT NECHES, TEXAS, WHICH
PROVIDES FOR BUILDINGS AND BUILDING REGULATIONS WITHIN
THE CITY OF PORT NECHES; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Chapter 18 of the Code of Ordinances of the City of Port Neches concerns buildings and building regulations within the limits of the City of Port Neches; and,

WHEREAS, the City Council of the City of Port Neches finds that it is in the best interests of the citizens of the City of Port Neches to repeal the current Chapter 18 in its entirety 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That Chapter 18 of the Code of Ordinances of the City of Port Neches be and it is hereby repealed.

SECTION II.

That Chapter 18 of the Code of Ordinances of the City of Port Neches be and it is hereby adopted to read as more fully set forth in Exhibit "A," attached hereto.

SECTION III. REPEALING CLAUSE:

All ordinances or parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other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 IV: SEVERABILITY CLAUSE:

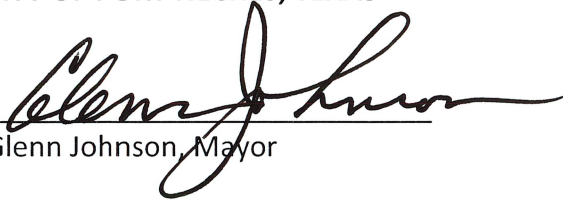
If any section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to a particular set of persons or circumstances, should for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this Ordinance and, to such end, the various portions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

SECTION V: EFFECTIVE DATE AND PUBLICATION:

This Ordinance shall become effective 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 20th day of June, 2019.

CITY OF PORT NECHES, TEXAS


Glenn Johnson, Mayor

ATTEST:


Jamie Mendoza, City Secretary

APPROVED FOR FORM


Pete Steele, City Attorney

EXHIBIT A

CHAPTER 18 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. - IN GENERAL

Secs. 18-1—18-30. - Reserved.

ARTICLE II. - BUILDING CODE

Sec. 18-31. - International Building Code adopted.

The International Building Code, 2006 edition, including Appendix Chapters A & I, as published by the International Code Council be and is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all the regulations, provisions, penalties, conditions and terms of said building 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 18-32.

Sec. 18-32. - Revisions, amendments and additions to the 2006 International Building Code.

The following sections are hereby revised:

Section 101.1. Insert: City of Port Neches.

Section 1612.3. Insert: City of Port Neches.

Section 1612.3. Insert: January 1, 1975.

Section 3410.2. Insert: 1962.

Section 108.2. Schedule of permit fees of the 2006 International Building Code is hereby amended to read in full as follows:

Schedule of Permit Fees:

On all buildings, structures or alterations requiring a building permit, as set forth in section 105.1, the fee shall be paid as required at the time of filing the application in accordance with the following schedule:

RESIDENTIAL CONSTRUCTION

New Construction – Building Permit Fee	\$40.00 issuance/inspection fee plus \$0.35/square foot for total area under roof
New Construction – Plan Review Fee	\$0.18/square foot for total area under roof

Remodel/Renovations – Building Permit Fee	\$40.00 issuance/inspection fee plus \$0.18/square foot
Driveways/patios/sidewalks	\$50.00
Roofs	\$100.00
Fences	\$40.00
Inground Pools	\$250.00
Carports, patios, portable buildings or any non-permanent structure on a foundation	\$40.00
Moving fee	\$150.00 This fee is in addition to any building permit fees.
Demolition fee	\$50.00
Residential Mechanical Permit Fee	\$40.00 issuance/inspection fee
Residential Mechanical Reinspection Fee	\$25.00

The Building Official reserves the right to determine whether an inspection should be required for work not fully described above and in doing so, the permit fee shall include the permit issuance and inspection fee of \$40.00 plus \$25.00 for each additional inspection as required.

NON-RESIDENTIAL PERMIT FEES

TOTAL VALUATION	FEE
Up to \$999.99	\$25.00 for any amount up to \$999.99
\$1,000.00 to \$49,999.99	\$25.00 for the first \$1,000.00 plus \$7.00 for each additional thousand or fraction thereof, up to and including \$49,999.99
\$50,000.00 to \$99,999.99	\$300.00 for the first \$50,000 plus \$6.00 for each additional thousand or fraction thereof, up to and including \$99,999.99
\$100,000.00 to \$499,999.99	\$500.00 for the first \$100,000 plus \$5.00 for each additional thousand or fraction thereof, up to and including \$499,999.99
\$500,000.00 and up	\$2,000.00 for the first \$500,000 plus \$4.00 for each additional thousand or fraction thereof

Commercial Plan Check Fee: Plan check fee shall be equal to one-half (½) of the building permit fee. Such plan check fee is in addition to the building permit fee.

Commercial Mechanical Permit Fee	\$15.00
Commercial Mechanical Inspection Fee	\$25.00 for the first \$1,000.00 or fraction thereof of valuation of the installation, plus \$2.00 for each additional \$1,000.00 or fraction thereof.
Commercial Mechanical Reinspection Fee	\$25.00

The Building Official reserves the right to determine whether an inspection should be required for work not fully described above and in doing so, the permit fee shall include the permit issuance and inspection fee of \$40.00 plus \$25.00 for each additional inspection as required.

Moving Fee: For the moving of any building or structure, the fee shall be \$150.00. This fee is in addition to any building permit fee.

Demolition Fee: For the demolition of any building or structure, the fee shall be \$50.00.

Section 105.2. Work exempt from permit of the 2006 International Building Code is hereby amended to read in full as follows:

Work Exempt from Permit:

Permits shall not be required for painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

Section 3408. Moved Structures of the 2006 International Code is hereby amended to read in full as follows:

Moving of Structures:

(A) Existing constructed single-family dwellings, duplex dwellings, multiple-family dwellings or commercial buildings are prohibited from being moved into and/or within the City limits of the City of Port Neches.

Exceptions:

1. HUD-Code approved manufactured homes placed only in designated manufactured home parks/subdivisions.
2. Single-family dwellings, duplex dwellings and commercial industrialized housing and buildings complying with the Regulations of Texas Industrialized Housing and Building Act.

(B) Regulations of Texas Industrialized Housing and Building Act.

1. Single-family, duplex or commercial industrialized housing and building must have all local permits and licenses that are applicable to other site built single-family, duplex or commercial buildings.
 - a. Purchasers of industrialized homes and buildings shall provide a complete set of design plans bearing the Texas Department of Licensing and Regulations stamp for each installation. The design plans shall state and meet the International body of codes and all amendments thereto as adopted by the City of Port Neches.
 - b. All industrialized components shall bear an approved decal reflecting that they have been inspected at the manufacturing plant and conform to the Texas Industrialized Housing and Building Act.
 - c. All City inspections are required to assure the installation/construction is in compliance with the approved design plans.
2. Single-family, duplex and commercial industrialized buildings shall:
 - a. have a value equal to or greater than the median taxable value for each dwelling establishment or commercial establishment located within 500 feet of the lot on which the installation is proposed to be located as determined by the most recent certified tax appraisal roll for the City of Port Neches; (for the purpose of this subsection, "value" means the taxable value of the improvements and the lot);
 - b. have exterior construction, roofing, roofing pitch, foundation fascia and fenestration compatible with other establishments within 500 feet of the lot on which the industrialized installation is proposed to be located;
 - c. comply with municipal land use and zoning laws, building setbacks, square footage, parking requirements and other site requirements; and,
 - d. be securely fixed to a permanent foundation.
 - e. A \$40.00 building permit fee will be charged to install a HUD approved manufactured home placed in designated mobile home parks/subdivisions.

Section 105.4.1. Conditions of the permit of the 2006 International Building Code is hereby amended to read in full as follows:

Conditions of the Permit:

Except for fences, building permits will not be issued for construction where the City does not maintain a dedicated street; where there are uncorrected drainage problems; and where water, fire hydrants and sewer are not available; or for any building (permanent or temporary), any concrete slab, driveway, pool or pool decking and equipment and any other structure which encroaches on an easement for water mains, sanitary sewers or storm drains or other utilities or pipelines unless a license to encroach has been approved by the Director of Public Works or the City Council. Also, permits will not be issued for construction on public property unless the City Council has approved and granted either a lease or a franchise for use of the property.

Section 105.7.1. This section is hereby added to the 2006 International Building Code to read as follows:

Contractor's License and Permit Bond:

Before a building permit is issued by the City of Port Neches, every pertinent building contractor shall furnish proof to the City that such contractor is in compliance with State licensing laws. It shall be the duty of every contractor or builder who shall make contracts for which a permit is required, and every contractor or builder making such contracts and subletting the contracts, or any part thereof, shall file a permit bond in the amount of fifteen thousand dollars (\$15,000) with the City's Building Department, holding the City harmless from any damage by reason of such contractor or builder engaging in such business and providing that such contractor or builder shall faithfully perform all the duties of such business according to the requirements of the Ordinances of the City. The bond shall provide third party provisions giving the third party the right of protection under the bond for recovery up to the benefit of the bond.

Said bond shall be revocable by the Building Official with the business named on said bond having the right to appeal the Building Official's decision.

Said bond shall not be revocable by the sureties without ten (10) days' prior notice to all parties concerned. The form of the bond shall be on the City of Port Neches' bond form.

Section 103.3.1. This section is hereby added to the 2006 International Building Code to read as follows:

Definition of Certain Terms:

- (A) Whenever the word "municipality" is used in the code adopted by Section 18-31, it shall be held to mean the City of Port Neches, Texas.
- (B) Whenever the term "corporation counsel" is used in such code, it shall be held to mean the City Attorney for the City of Port Neches, Texas.
- (C) Whenever the term "chief appointing authority" is used in such code, it shall be held to mean an appointment by the City Manager of the City of Port Neches, Texas.

Section 109.1.1. This section is hereby added to the 2006 International Building Code to read as follows:

Location of Structures:

The Building Official will not have the responsibility of the location of a structure.

Section 1910.1. This section is hereby added to the 2006 International Building Code to read as follows:

Foundation Repair:

General:

- (A) Foundation repair work on all residential structures shall be accomplished only by a contractor licensed by and bonded to the City to operate as a building contractor or foundation repair contractor within the corporate limits of the City.
- (B) A permit for each foundation repair project must be obtained from the Building Official prior to beginning any actual repair work. The fee shall be that established by the City in accordance with current fee schedules.
- (C) A permit will be issued to the foundation repair contractor upon approval by the Building Official of documents submitted in duplicate by the contractor containing the following information and payment of the scheduled fee:
 - 1. A drawing of the complete building foundation plan indicating the location of the foundation failure and the proposed corrective work.

2. A detailed description of the proposed corrective work.
3. A copy of the proposal to the property owner with the owner's signature indicating acceptance.
4. Prior to placement of any concrete, the contractor shall arrange for a jobsite inspection by the Building Official.

Minimum Standards—Reinforced Concrete Foundation:

- (A) Holes in earth for foundation piers and footings must be free of standing water, loose dirt or other deleterious matter prior to placement of concrete.
- (B) Each drilled shaft/(footing) must have a minimum of an 18-inch diameter shaft or a 12-foot diameter shaft with an 18-in diameter foot. In lieu of these minimum size footings, an engineered design for this particular project may be substituted. Engineered design repair work shall be documented by drawings and specifications bearing the seal and signature of a current Texas Registered Professional Engineer.
- (C) Minimum sized shafts/(footings) shall have a minimum spacing of eight feet zero inches for single-story structures and six feet zero inches for two-story structures. A minimum of two footing diameters clearance shall be maintained between footings.
- (D) Shafts/(footings) shall be founded at a minimum depth of eight feet zero inches and bearing on a firm soil of constant moisture content.
- (E) Each shaft/(footing) shall have a maximum angle of 15 degrees from vertical.
- (F) Each shaft/(footing) shall contain a minimum of three #5-A36 reinforcing bars for the full depth of the shaft.
- (G) Each shaft/(footing) must have a minimum of five days of concrete (minimum 2,500 psi at 28 days) curing time before imposing jacking loads.
- (H) A solid concrete block or poured-in-place concrete (minimum 2,500 psi at 28 days) must be used to transfer the building load to the footing after jacking.
- (I) Minimum size (three-inch by six-inch by one-quarter-inch) steel shims set in two rows, a maximum of three inches high may be used to transfer the load to the solid concrete blocks.

- (J) Backfill of the excavation may consist of excavated material or low p.i. (10-20) clay compacted to existing adjacent conditions. Sand backfill will not be permitted except for the top six inches, which may be used to level the grade.

Minimum Standards—House on Piers:

- (A) Minimum size concrete footing pads shall be 16-inch by 16-inch by four-inch solid concrete with solid concrete block piers.
- (B) Maximum height of shims shall be 1-1/2 inches and shim width must equal the width of sill. Exception: shims on existing masonry piers may have a maximum height of three inches.
- (C) All new wood sills must be treated wood, half-lap spliced and properly nailed with two treated wood splice plates. All joints must be supported by pier with pad footing.

Secs. 18-33—18-60. - Reserved.

ARTICLE III. - PLUMBING CODE

Sec. 18-61. - International Plumbing Code adopted.

A certain document being marked and designated as the International Plumbing Code, 2006 edition, including Appendix Chapters E and F, as published by the International Code Council, be and is hereby adopted as the Plumbing 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 plumbing systems 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 plumbing 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 18-62.

Sec. 18-62. - Revisions, amendments and additions to the 2006 International Plumbing Code.

The following sections are hereby revised:

Section 101.1. City of Port Neches.

Section 106.6.2. of the 2006 International Plumbing Code is amended by adding a schedule of fees to read as follows:

Plumbing Permit Fee Schedule

Fee for issuing permit	\$15.00
Toilets	3.00
Tubs	3.00
Lavatories	3.00
Sinks	3.00
Urinals	3.00
Showers	3.00
Water Heaters	10.00
Water Lines	10.00
Sewer Lines	10.00
Floor Drains	3.00
Washing Machines	3.00

Air Condition Drain	3.00
Drink Fountains	3.00
Under-counter Grease Traps	3.00
Grease Trap up to 500 gallons	10.00
Grease Traps over 500 gallon	10.00
Sinks in Cafe or Restaurant Single	3.00
2 compartment	5.00
3 compartment	8.00
Dental Chairs	8.00
Wash Racks for garages	5.00
Dish Washers	3.00
Laundry Tray	3.00
Garbage Disposal	3.00
Service Sink	3.00
Lawn Sprinkler System	25.00
Inspection or Reinspection	25.00

Section 106.4 of the 2006 International Plumbing Code is amended to read as follows:

106.4 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 plumbing work to be performed by the property owner on property owned and occupied as the owners homestead.

Section 108.4 of the 2006 International Code is hereby amended in full to read as follows:

108.4 Violations penalties. Any person who violates a provisions of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs plumbing 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. In addition to the fines, the City may terminate water service to any user for allowing raw sewage to be deposited under or

around any structure. Once the sewer system has been properly repaired, a reconnection and service fee may be charged in order for the service to be turned back on.

Section 305.6.1 of the International Plumbing Code is amended by adding "12 inches" in both blanks provided.

Section 904.1 of the International Plumbing Code is amended to add "6 inches" in the blank provided.

Section 605.4 of the International Plumbing code is amended to add a new section 605.4.1 to read as follows:

Section 605.4.1. Underground inaccessible water distribution piping under a slab shall be copper water tube minimum type "L" without joints or fittings

Section 702.2 of the International Plumbing Code is amended to read:

Section 702.2. Underground building sanitary drainage and vent pipe. All sanitary drainage and vent piping for building drain or building sewer to be schedule 40 PVC or better, cast iron, or copper tube."

Section 702.3 of the International Plumbing Code is amended to read:

Section 702.3. Building sewer pipe. Building sewer piping shall be a minimum of four inches in diameter and shall be Schedule 40 PVC DWV pipe and fittings, cast iron, or copper pipe and fittings. Six inch and larger sewer pipe may be SDR 26 or better"

Section 710.1 is amended to read as follows:

710.1. Maximum fixture unit load. The maximum number of drainage fixture units connected to a given size of building sewer, building drain, or horizontal branch of the building drain shall be determined using table 710.1(1). However, no building sewer shall be less than four inches in size and not over two water closets on any three-inch building drain. The maximum number of drainage fixture units connected to a given size of horizontal branch or vertical soil or waste stack shall be determined using table 710.1. (2).

Section 916. of the International Plumbing Code is amended by adding a new section 9.16.1.1 to read as follows:

"Every building shall have a minimum of one, three inch main vent that is either a vent stack or stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air at least six inches above the roof."

Section 917.3. of the International Plumbing Code is amended to read:

Section 917.3. Where permitted. Air admittance valves will be allowed only with the specific approval from the Chief Building Official and only in areas where taking a vent to the outside would be either impossible or impractical."

Secs. 18-63—18-90. - Reserved.

ARTICLE IV. - GAS CODE

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

A certain document being marked and designated as the International Fuel Gas Code, 2006 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 2006 International Fuel Gas Code.

The following sections are hereby revised:

Section 101.1 City of Port Neches

Section 106.6.2. of the 2006 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 2006 International Fuel Gas Code is amended by adding Section 106.3.2 to read as follows:

106.3.2 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 108.4 of the 2006 International Code is hereby amended in full to read as follows:

108.4 Violations penalties. Any person who violates a provisions 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.

Secs. 18-93 – 18-120. – Reserved

ARTICLE V. MECHANICAL CODE

Sec. 18-121. - International Mechanical Code adopted.

A certain document being marked and designated as the International Mechanical Code, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Mechanical 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 mechanical systems and mechanical 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 mechanical 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 18-122.

Sec. 18-122. - Revisions, amendments and additions to the 2006 International Mechanical Code.

The following sections are hereby revised:

Section 101.1 City of Port Neches

Section 106.5.2. of the 2006 International Mechanical Code is amended by adding a schedule of fees to read as follows:

Residential Mechanical Fee Schedule

Permit Fee: \$40.00 issuance/inspection fee

Re-inspection fee: \$25.00

Commercial Mechanical Fee Schedule

Permit issuance fee: \$15.00

Additional fees: The fee for inspecting heating, ventilating, ductwork, air conditioning and refrigeration systems, and boilers shall be \$25.00 for the first \$1,000.00 or fraction thereof of valuation of the installation, plus \$2.00 for each additional \$1,000.00 or fraction thereof.

Re-inspection fee: \$25.00

Section 106 of the 2006 International Mechanical Code is amended by adding Sections 106.3.2 to read as follows:

106.3.2 Persons who may obtain permits; licensing of contractors.

- (a) It shall be unlawful for any person to engage in the business of refrigeration, air conditioning, heating and ventilation without first having procured a state air conditioning and refrigeration contractor's license from the Texas Department Of Licensing And Regulation. This license, along with the certificate of insurance required by the state, must be presented to the city with the application and appropriate fees in order to receive the required permit for the work.
- (b) Nothing in the mechanical code shall be construed to prevent a person from doing air conditioning, heating, ventilation and refrigeration himself on his own residence which is his or her homestead immediately upon completion of such residence so long as he or she complies with all of the other provisions of the mechanical code. This exception shall be construed to mean an individual owner (not a firm or corporation) who actually does the labor himself or herself.

Section 108.4 of the 2006 International Code is hereby amended in full to read as follows:

108.4 Violations penalties. Any person who violates a provisions 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.

Secs. 18-123 – 18-150. – Reserved

ARTICLE VI. – ELECTRICAL CODE

DIVISION 1. - GENERALLY

Sec. 18-151. - Short title.

The provisions of this article shall be known as "The Port Neches Electrical Code" and may be cited as such.

Sec. 18-152. - Purpose.

The purpose of this code is the practical safeguarding of persons, and buildings and their contents, from electrical hazards arising from the improper use of electricity for light, heat, power and other purposes.

Sec. 18-153. - Definitions.

For the purpose of this code, the following words and phrases shall have the meanings respectfully ascribed to them:

Generally. The definitions contained in the National Electrical Code shall apply, except where the same may conflict with the following.

Approved or approval. Approved by the electrical inspector. National, state, and city standards shall be the basis of such approval.

Conductor. A wire or cable or other form of metal suitable for carrying electrical current or potential.

Electrical construction. All work and material used in installing, maintaining, or extending a system of electrical wiring, and all appurtenances, apparatus, and equipment used in connection therewith, inside of or attached to any building or structure, lot or premises.

Electrical contractor. A person, licensed as an electrical contractor, who is in the business of performing "electrical contracting" as defined by V.T.C.A., Occupations Code § 1305.002(5). The electrical contractor shall meet the requirements of the V.T.C.A., Occupations Code § 1305.159. He shall hold a "master electrician's" certificate or shall employ an individual who does and carry him on his active payroll. A master electrician may not qualify more than one contractor. He shall be available to the inspection authority to answer any questions relating to electrical work coming under the jurisdiction of this electrical inspection authority.

Equipment. Conductors, materials, fittings, devices, appliances, fixtures, signs, apparatus, motors, and the like, used as a part of or in connection with any electrical installation.

Journeyman electrician. An individual, licensed as a journeyman electrician, who works under the general supervision of a master electrician, on behalf of an electrical contractor, while performing "electrical work" as defined by V.T.C.A., Occupations Code § 1305.002(11).

Journeyman sign electrician. Any person who is employed by a master sign electrician to install signs for wages and who does not furnish any materials and supplies in the performance of his work and who holds an electrical journeyman sign electrician's license with the state.

Electrical maintenance and repair. The replacement, or repair of existing electrical appurtenances, apparatus, equipment, machinery, or controls used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises. All replacements or repairs must be of the same rating and type as the existing installation. No improvements may be made that are necessary to comply with applicable codes under V.T.C.A., Occupations Code chapter 1305. Electrical maintenance work does not include the replacement of any raceways, conductors, disconnecting means, or service feeder components. It also does not include the installation of any new electrical appurtenances, apparatus, equipment, machinery, or controls beyond the scope of any existing electrical installation. The term does not include work exempted by V.T.C.A., Occupations Code § 1305.003.

Maintenance electrician. An electrician regularly employed on a permanent basis by any person and who performs work only in the confines of the building or in or on the premises where he is regularly employed on a permanent basis, and who does maintenance work as defined in the paragraph "maintenance and repair" and who holds a maintenance electrician's license with the state. A maintenance electrician shall not offer services to the public.

Master electrician. Any person who is, by training, experience, and education, competent to lay out, design, and install a system of wiring for light, heat, or power and who holds a master electrician's license with the state.

Master sign electrician. A person who holds himself out to the public to contract for himself, or through others, manufactures, installs, connects, reconnects, or services electric signs, or any cold cathode or neon gas tubing, inside or outside of whatever description or for any purpose and is qualified. The master sign electrician must hold a master sign electrician's license from the state.

Responsible person. The person that is responsible for installing electrical wiring and/or equipment in a structure. This would include a licensed electrician doing residential or commercial work as well as a homeowner doing work on his/her own house, owned and occupied by him/her and has a homestead tax exemption filed with the office of the Jefferson County Appraisal Districts Tax Office.

Sec. 18-154. - Scope.

- (a) The provisions of this article shall apply to all installations of and work done on electrical conductors, fittings, devices, motors, controls, appliances, fixtures, electronic devices, signs and gaseous tubing, herein referred to as electrical equipment, within or on public and private buildings and premises with exceptions as provided herein.
- (b) On all installations of electrical conductors or equipment hereafter made, and all existing installations which are altered, or for which the use has changed, all work shall be done in a manner that will conform with the requirements for a sufficient and safe electrical structure and system under this article.
- (c) Repair and maintenance work shall be such that if any electrical conductor or equipment is removed and later replaced, same shall be replaced in accordance with the provisions of this article.

Sec. 18-155. - Public utilities.

The provisions of this article shall not apply to installations made or used by agencies in the generation, transmission or distribution of electricity, or for the operation of railways, signal or transmission of intelligence when located within or on buildings, enclosures, or premises used exclusively by such agency or on public thoroughfare; provided, however, such agencies excepted are operating under a valid franchise agreement with the city.

Secs. 18-156—18-180. - Reserved.

DIVISION 2. - ADMINISTRATION

Sec. 18-181. - Appointment.

The office of the electrical inspector shall be filled by appointment by the city manager.

Sec. 18-182. - Qualifications.

The person appointed to fill the office of electrical inspector shall be of good moral character; shall be possessed of such executive ability as is required for the performance of his duties; shall have a thorough knowledge of the standard materials and methods used in the installation of electrical conductors and equipment; shall be well versed in approved methods of construction for safety to persons and property, and in the provisions of the National Electrical Code.

Sec. 18-183. - Liability.

Any officer, employee, or member of the construction board of adjustments and appeals, charged with the enforcement of this code, acting for the city in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of this code shall be defended by the city attorney until the final termination of the proceedings.

Sec. 18-184. - Powers and duties of the electrical inspector.

The electrical inspector is hereby authorized and directed to enforce the provisions of this code. The electrical inspector is further authorized to render interpretations of this code, which are consistent with their spirit and purpose. The electrical inspector shall have the power to suspend or revoke the registration of any electrician who is found guilty of:

- (1) The practice of any fraud or deceit in obtaining such license;
- (2) Taking out electrical permits in the name of some person authorized by law to do electrical work and thereafter permitting a person without a proper license to do the work;
- (3) Any gross negligence, incompetence, or misconduct in the performance of electrical work within the jurisdiction of the city under this article.

Sec. 18-185. - Decision of the electrical inspector.

The owner of the building, structure or service system, or his duly authorized agent or registered electrician, may appeal a decision of the electrical inspector to the construction board of adjustments and appeals whenever any one of the following conditions is claimed to exist:

- (1) The electrical inspector rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
- (2) The provisions of this article do not apply to this specific case.
- (3) That an equally good or more desirable form of installation can be employed in any specific case.
- (4) The true intent and meaning of this article or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

- (5) The wrong intent or facts were used by the electrical inspector in the revoking of a registration.

Sec. 18-186. - Notice of appeal.

Notice of appeal shall be in writing to the construction board of adjustments and appeals and filed within 30 calendar days after the decision is rendered by the electrical inspector. Appeals shall be in a form acceptable to the electrical inspector. In the case of a building, structure, or service system which, in the opinion of the electrical inspector, is unsafe, or dangerous, the electrical inspector may limit the time for such appeals to ten calendar days.

Sec. 18-187. - Decisions.

The construction board of adjustments and appeals shall meet within 30 calendar days after notice of appeal has been received. They shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the construction board of adjustments and appeals shall also include the reasons for the decision. If a decision of the construction board of adjustments and appeals reverses or modifies a refusal, order, or disallowance of the electrical inspector or varies the application of any provision of this article, the electrical inspector shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the city secretary and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant. Every decision of the construction board of adjustments and appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity.

Sec. 18-188. - Revocation of registration.

Conviction under the provisions of this article shall be deemed just cause for the revocation of the city registration which such person must have under the provisions of this article in order to work in the city. Any registration being revoked shall be for a period that shall be determined by the construction board of adjustments and appeals. After said time period reinstatement shall be contingent upon payment of all current registration fees. The decision of the construction board of adjustments and appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity.

Secs. 18-189—18-210. - Reserved.

DIVISION 3. - REGISTRATION FOR ELECTRICIANS

Sec. 18-211. - Registration required.

All master electricians, journeyman electricians, master sign electricians journeyman sign electricians, and maintenance electricians doing residential or commercial wiring in the city shall be required to hold a valid Texas State Electrical License and be currently registered with the city.

Sec. 18-212. - False representations of registration.

It shall be unlawful for any person to engage in the business of installing, maintaining, altering or repairing any wiring, fixtures or equipment used for the conducting of electricity for which a permit is required by this article, or to in any manner undertake to execute such work, unless such person is the holder of a license and city registration as required by this article.

Sec. 18-213. - Registration classification.

There shall be five classes of state electrical licenses accepted by the city requiring registration and a fee. These are:

- (1) Master electrician;
- (2) Master sign electrician;
- (3) Journeyman electrician
- (4) Journeyman sign electrician;
- (5) Maintenance electrician.

Sec. 18-214. - Registration; fees; issuance.

Each state-licensed electrician wishing to register to do electrical work in the city shall submit the required registration fee, a copy of their electrical license, and a copy of their liability insurance certificate to the inspection department.

The following fees shall be applicable in this article:

CLASSIFICATION	REGISTRATION	ANNUAL RENEWAL	LIABILITY INSURANCE
Master electrician	\$50.00	\$25.00	As required by state law
Master sign electrician	50.00	25.00	As required by state law
Journeyman electrician	10.00	5.00	None

Journeyman sign electrician	10.00	5.00	None
Maintenance electrician	10.00	5.00	None

Sec. 18-215. - Registration renewal.

Annual renewal of the city registration shall be accompanied by submitting the renewal fee and, if required, a copy of their renewed liability insurance certificate.

Annual renewal fees are due January 1 and payable before January 31 of each year. License holders who have not paid their annual renewal fee will not be permitted to perform work or be issued permits until the fees are paid in full.

Sec. 18-216. - License transferability; signing.

A license registration shall not be transferable and shall be issued to the person examined by the state and named on the license and known as the holder of the license.

Sec. 18-217. - Supervision of work.

In the actual work of installing, maintaining, altering, or repairing of any electrical conductors or equipment for which a permit is required by this article, there shall be present and in direct supervision a qualified electrician of the proper classification as determined by this article. It shall be required that a master electrician or master sign electrician, as the case may be, be liable and responsible for the layout and technical supervision of any work which has required the securing of permits and journeyman electrician shall not supervise at the job site more than three apprentices. Should it come to the notice of the electrical inspector or his assistants that such supervision and control are not being maintained, the electrical inspector may order the work to be discontinued and the person to whom the permit has been issued shall discontinue further work until proper supervision has been employed or supplied as verified by the electrical inspector.

Secs. 18-218—18-240. - Reserved.

DIVISION 4. - PERMITS

Sec. 18-241. - Application; scope of permit requirements.

Every person who shall install, cause to be installed, or permit to be installed, any electrical wiring, fixtures or equipment or shall make any alteration, addition, change or repair within the

scope of this article shall, before commencement of such work, make application for a permit therefore with the electrical inspector.

Sec. 18-242. - Required; to whom issued; exemption.

- (a) Permits shall be issued to master electricians or master sign electricians qualified to secure permits, as set forth in this article, or to their duly authorized agent. The master electrician or master sign electrician shall certify their duly authorized agent to the electrical inspector in the form of an affidavit stating that such master or master sign electrician assumes all and full responsibility for any permit taken out or applied for by such agent.
- (b) When one master electrician or master sign electrician completes the rough work, in whole or in part, or does any electrical wiring or installation of fixtures or equipment and a second master electrician or master sign electrician is called upon to complete the work, in whole or in part, a separate permit is required for which regular fees shall be paid for the work done. Before the second master electrician or master sign electrician is issued a permit for the completion of an electrical wiring or installation of fixtures or equipment job, the electrical inspector shall require the holder of the building permit or the owner of the property to submit a letter stating the first electrical permit holder is released from the job and that all diligent effort has been put forth to notify the electrical permit holder of this release. The issuance of the second permit shall cancel the first permit and no refund of fees shall be made.
- (c) Nothing in this article shall be construed to prevent a person from doing electrical work himself on his own residence, which is owned, occupied and homesteaded, or to be occupied and homesteaded by him immediately upon completion. By signing said permit, the individual owner is also acknowledging the affidavit on the permit, which states the above statement to be true. This exception shall be construed to mean an individual owner (not a firm, copartnership, or corporation) who actually does the labor himself. This individual owner shall be present at the time of any electrical inspection. Electrical work on rent property shall be permitted and performed by a licensed and bonded master electrician or a journeyman electrician who performs the work directly under the permit and direction of a master electrician.
- (d) The application for permit shall include a diagram or plan in such a format as required by the electrical inspector showing clearly the character and kind of wiring or installation of fixtures or equipment work to be done. The plan or diagram shall show the manner in which the electrical installation is to be made, or the character of any repairs to any existing electric installation. The work shall comply with all of the provisions of this article.

Sec. 18-243. - Fees; administrative.

Payment of permit fees shall be made for the issuance of a permit, and shall be based on the schedule of fees herein set out:

(a) Fee schedule.

Issuance of permit	\$15.00
Service up to 200 amperes	15.00
Over 200 amperes	25.00
Additional meter, each	5.00
Additional subpanel, each	10.00
Outlet, switch and receptacle, each	0.50
Fixtures	0.50
Bells, buzzers and chimes	0.50
Smoke detectors	0.50
Water heater	2.50
Dishwasher	2.50
Disposal	2.50
Dryer	2.50
Range	2.50
Vent-a-hood or bath vent fan, each	0.50
Room air conditioner outlet	2.50
Central heating unit	5.00
Air conditioning unit (up to five tons)	5.00
(Over five tons, per ton)	1.00
Each motor up to five HP	5.00
Each motor over five HP	7.50
Electrical signs	15.00
Rectifier or transformer, each	7.50
Elevators, dumbwaiters, escalators	15.00
Gasoline pumps	10.00
Floodlight poles	5.00
Welding machine outlet	5.00
Walk-in boxes and freezers	5.00
Washing machines (washateria), each	2.50
Temporary service on pole	25.00
Reinspection	25.00
Inspection for lights or name change	25.00
Swimming pools	25.00
Antennas	2.50

(b) Administrative fee. Where work for which a permit is required by this code is begun prior to obtaining said permit, the fees shall be doubled, plus an additional reinspection fee.

Sec. 18-244. - Cancellation.

The electrical inspector shall have the right to declare a permit null and void if there has been misrepresentation of facts or any violation of the provisions of this article.

Secs. 18-245—18-260. - Reserved.

DIVISION 5. - STANDARDS AND SPECIFICATIONS

Sec. 18-261. - Responsibility for safe work, liability of city for damages.

The electrical regulations of this article shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating or installing electrical conductors, devices, appliances, fixtures, apparatus, motors or equipment, for damages to persons or buildings caused by any defect therein by reason of the inspection herein authorized or the certificate of approved inspection issued by the electrical inspector as herein provided; nor shall the city be held liable for any damages that occurred from the action taken by the electrical inspector in connection with the performance of his duties.

Sec. 18-262. - Installation standards generally; adoption of code.

Conformity of electrical installations with the applicable standards set forth in the 2002 National Electrical Code and each new addition as published in book form of the National Electrical Code as adopted and approved by the National Fire Protection Association shall be prima facie evidence that such installations are reasonably safe for persons and property; provided that the provisions of this article shall prevail over the National Electrical Code in case of conflicting provisions. The 2002 version of the National Electrical Code is the electrical code of the city. Such code is adopted and made a part of this article as if fully copied herein. One copy of such current code shall be filed in the office of the electrical inspector.

Sec. 18-263. - Equipment standards generally.

All electrical equipment installed or used shall be reasonably safe to persons and property in conformity with the provisions of this article, the applicable statutes of the state and any rules or regulations issued by authority thereof. Conformity of electrical equipment with the applicable standards of the Underwriters Laboratories, Inc., shall be prima facie evidence that such equipment is reasonably safe to persons and property. Only standard parts and materials approved by Underwriters Laboratories, Inc., shall be permitted in electrical repairs or maintenance work.

Sec. 18-264. - Sign standards generally.

- (a) All electrically illuminated or electrically powered outdoor and indoor signs and displays shall be safe to persons and property and in conformity with the provisions of this article.
- (b) Conformity of all types of electrical signs with applicable standards of the Underwriters' Laboratories, Inc., and the National Electrical Code shall be prima facie evidence that such installations are reasonably safe to persons and property; provided that the provisions of this article shall prevail in case of conflicting provisions.
- (c) Conformity of construction, erecting, foundation and means of support of all such signs with the adopted building code shall be approved by the electrical inspector before permits for electrical inspection shall be issued under the authority of this article.

Sec. 18-265. - Radio and television equipment standards generally.

- (a) The object of this section is to provide regulations supplemental to the National Electrical Code for the installation and inspection of television antennas erected on or above the rooftop of buildings.
- (b) It shall be unlawful for any person to install or cause to be installed, or permit to be installed, any television antenna, or to make any alteration or addition to a television antenna, without first having secured a permit therefor issued by the electrical inspector. There shall be one permit secured for each television antenna installed.
- (c) Antenna systems must not interfere with fire department operations.
- (d) An antenna system must have a clear clearance of eight feet from other antennas on flat roofs. An antenna system must be eight feet above all points on a flat roof.
- (e) An antenna system must not cross a public way or above or below light, power and communication lines.
- (f) Downleads must be separated by at least two feet from power lines with potentials up to 250 volts, and ten feet from lines with potentials higher than 250 volts, and six feet from lightning-rod systems.
- (g) The location of the antenna system must be such that sagging, swinging or collapse of the antenna will not result in contact with lights, power or communication lines.
- (h) Antenna systems must be adequately supported to withstand the wind-load requirement as listed in the International Building Code.

- (i) Chimneys must be in good condition and have at least a two-square-foot cross section to be suitable as a mast support.
- (j) Masts should not extend above eight feet from the top of a chimney unless property guyed.
- (k) All antennas, except those of the self-supporting type, with masts ten feet or higher should be guyed at one level of the mast. Masts from 20 to 30 feet high should be guyed at two levels.
- (l) The maximum height of antennas mounted on building structures shall not exceed 30 feet.
- (m) Attachment of any part of the antenna system to light, power, or communication structures or poles is prohibited.
- (n) The materials entering into the construction of the antenna system shall be of a quality that meets the standards of recognized testing laboratories such as Underwriters' Laboratories, Inc., and shall bear the stamp of approval of these laboratories.
- (o) All antennas must be set back a minimum distance out from the front building line equal to the length of the mast plus eight feet.
- (p) Upon completion of the installation of any television antenna, regardless of whether or not the antenna is connected to a television set upon completion, the person in charge shall notify the electrical inspector that the antenna is ready for final inspection. The electrical inspector shall then cause a final inspection to be made within 24 hours. If any faulty or defective work or materials are found, the person in charge of the installation shall be notified of the changes to be made in order that the work shall conform to this division, and a reinspection must be made when such changes are made. If such work is found to be correctly installed, replaced or repaired, the electrical inspector shall endorse his approval upon the final inspection certificate, stating that the work has been done in accordance with the provisions of this division. If a reinspection is necessary before the final inspection certificate is issued, a fee for each reinspection shall be charged as provided for in this article.

Sec. 18-266. - Utility company rules and regulations.

Rules and regulations for the company supplying electricity to the city, regarding service and meter installations for the kind and character of service to be rendered, as passed and approved by the city council from time to time, in accordance with franchise provisions, are hereby referred to, incorporated herein, and made a part hereof.

Sec. 18-267. - Approved wiring methods, use thereof.

Wiring methods approved by the National Electrical Code shall be used with the exceptions listed below:

- (a) Any National Electrical Code approved method may be used for temporary work.
- (b) In all commercial buildings, and all buildings used for commercial purposes, the following wiring methods for new construction, renovations, or a change of occupancy requirements as described in the building code are excluded from the approved methods, as listed in the National Electrical Code:

COMMERCIAL STRUCTURES	
1.	Article 398—Open wiring on insulators
2.	Article 394—Concealed knob and tube work
3.	Article 362—Electrical non-metallic tubing
4.	Article 320—Armored cable
5.	Article 334—Non-metallic sheathed cable
6.	Article 338—Service entrance cable
7.	Article 339—Underground feeder and branch circuit cable
RESIDENTIAL STRUCTURES	
1.	Article 398—Open wiring on insulators
2.	Article 394—Concealed knob and tube work
3.	Article 320—Armored cable
4.	Article 338—Service entrance cable

- (c) Residential structures shall have a maximum of eight outlets per circuit.

Sec. 18-268. - Use of aluminum wiring prohibited.

It shall be unlawful for any person within the city to install aluminum wiring in any residential or commercial structure.

Sec. 18-269. - Main disconnects and minimum wire size.

There shall be an outside main disconnect provided for all new construction, renovations, or replacement and repair on any commercial or residential structure. Wiring in all residences and commercial structures shall be number 12AWG copper conductors or larger.

Sec. 18-270. - Temporary construction poles.

Temporary poles shall comply with the National Electrical Code and the requirements of the local utility company's standard service practices.

Sec. 18-271. - Posting advertisements on light, power, or communication poles.

It shall be unlawful for any person to place or allow to be placed any advertising cards, posters or like material on any poles within the city limits used for the transmission of light, power or communication.

Sec. 18-272. - Existing building.

Alterations, repairs or rehabilitation work may be made to any existing structure or buildings electrical system without requiring the building or structure electrical system to comply with all the requirements of the technical codes provided that the alteration, repair or rehabilitation of the electrical system does not exceed a total replacement of 50 percent of the system. When repairs, alterations or rehabilitation exceed 50 percent of the electrical system, the entire electrical system shall comply with the requirements of the technical codes. If dangerous electrical equipment or system exists outside of the alteration, repair or rehabilitation work, it shall be repaired and inspected.

Secs. 18-273—18-284. - Reserved.

DIVISION 6. - INSPECTIONS

Sec. 18-285. - Rough and final inspection, correcting faulty work, reinspection.

(a) Notice, time, signing inspection tag. When the rough wiring or final wiring installation work is completed on any premises, the responsible person therefore shall notify the electrical inspector that the job is ready for inspection, giving proper identification of the work, address and permit number. The electrical inspector shall then make every reasonable effort to do an inspection of the electric installation within 24 hours from the time of notification (exclusive of Saturdays, Sundays and legal holidays). If the wiring or installation work has been installed in accordance with the terms and provisions of this article, the electrical inspector shall sign the inspection tag, noting thereon the date of approval of the work. More than one rough or final inspection may be made without charge when the progress of construction requires such inspection.

(b) Rectification of faulty work. The responsible person shall, within a reasonable time from the time of notification, make or start to make the changes ordered and shall proceed with the

work until the same is completed. Upon completion thereof and payment of the reinspection fee, he shall notify the electrical inspector to the effect that faulty work has been corrected. The latter shall then cause the reinspection to be made and, if such work is found to comply with this article, he shall sign the inspection card noting thereon the date of approval of the work. If the electrical inspector shall again find the work incorrectly installed, he shall notify the responsible person of the necessary changes and that person shall pay an additional reinspection fee to the city before any other inspections are made. If the responsible person does not make the required changes within a reasonable time, the electrical inspector shall refuse to issue to any such person any further permits until such work in question is corrected and approved.

Sec. 18-286. - Leaving work open.

It shall be unlawful for any person to cover, or cause to be covered, any part of a wiring installation with flooring, lath, wallboard or other material, until the electrical inspector shall have approved the wiring installation, in part or as a whole.

Secs. 18-287—18-320. - Reserved.

ARTICLE VII. - PROPERTY MAINTENANCE CODE

Sec. 18-321. - International Property Maintenance Code adopted.

There is hereby adopted by the city, for the purpose of establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures by providing the standard for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupancy and use, and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures, a property maintenance code, known as the International Property Maintenance Code, and all future revisions thereof, save and except such portions as are deleted, modified or amended in this article.

Sec. 18-322. - Amendments.

[The International Property Maintenance Code adopted by section 18-321 is amended as follows:]

Section 108.3 Hearing and Notice.

- (a) Appeal of an order or failure to comply with an order to demolish and remove a structure shall be conducted by public hearing before the city council to determine whether said structure complies with the standards adopted by the city.
- (b) Prior to the hearing, the city shall make a diligent effort to discover each owner, mortgagee and lienholder having an interest in the structure or in the real property on which the structure is located. A diligent effort to determine the identity and address of an owner, a lienholder, or a mortgagee is satisfied by searching the following records:
 - (1) Real property records filed with the County Clerk of Jefferson County, Texas;
 - (2) Records on file with the Jefferson County Appraisal District;
 - (3) Records of the secretary of state;
 - (4) Assumed name records of Jefferson County, Texas;
 - (5) Tax records of the city; and
 - (6) Utility records of the city.
- (c) The city shall personally deliver or send by certified mail, return receipt requested, to each identified owner, mortgagee and lienholder a notice containing:

- (1) An identification, which is not required to be a legal description, of the building and the property on which it is located;
 - (2) A description of the violation of municipal standards that is present at the building;
 - (3) A statement that the city will remove or demolish the building, if the ordered action is not taken within a reasonable time; and
 - (4) A statement that the owner, lienholder, or mortgagee of the property will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.
- (d) When notice mailed in accordance with this section to a property owner, lienholder, or mortgagee is returned by the United States Postal Service as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.
- (e) In addition to the notice required in (c) above, on or before the 10th day before the date of the public hearing, notice must be given to all unknown owners by posting a copy of the notice on the front door of each improvement situated on the affected property or as close thereto as practicable and by publishing a copy of the notice in a newspaper of general circulation in this county.
- (f) Within ten days after the date that an order to demolish is issued by the city council, a copy of the order shall be:
- (1) Filed in the office of the city secretary; and
 - (2) A notice published in a newspaper of general circulation in this county containing:
 - (A) The street address or legal description of the property;
 - (B) The date of the hearing;
 - (C) A brief statement indicating the results of the order; and
 - (D) Instructions stating where a complete copy of the order may be obtained.

Section 108.6 Time Limits.

- (a) After conducting a hearing authorized under this section, the city council shall require the owner, lienholder, or mortgagee of the building to within 30 days:

- (1) Secure the building from unauthorized entry; or
 - (2) Repair, remove, or demolish the building, unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.
- (b) If the city council allows the owner, lienholder, or mortgagee more than 30 days to repair, remove, or demolish the building, the city council shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder, or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the code official.
- (c) The city council may not allow the owner, lienholder, or mortgagee more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the order unless the owner, lienholder, or mortgagee:
- (1) Submits a detailed plan and time schedule for the work at the hearing; and
 - (2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.
- (d) If the city council allows the owner, lienholder, or mortgagee more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the city council shall require the owner, lienholder, or mortgagee to regularly submit progress reports to the city council or code official to demonstrate compliance with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder, or mortgagee appear before the city council or code official to demonstrate compliance with the time schedules.

Section 110 General.

The code official shall order the owners of any premises upon which is located any structure which, in the code official's judgment, is so old or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for its intended use, utility, occupancy or for human habitation and it is unreasonable to repair the structure, to demolish and remove such structure within a fixed period of time. However, if the structure is capable of being made safe by repairs, the code official shall order the owners to repair the structure and make the structure safe and sanitary within a fixed period of time. Failure to comply with an order to demolish and remove a structure or the appeal of an order to demolish and remove a structure shall be heard by the city council of the City of Port Neches, Texas; all other matters under this section shall be heard by the construction board of adjustments and appeals.

Section 110.3 Failure to Comply.

- (a) If the structure is not vacated, secured, repaired, removed, or demolished within the allotted time, the city may vacate, secure, remove, or demolish the structure at its own expense.
- (b) If the city incurs expenses under subsection (a), the city may assess the expenses on, and the city has a lien against the property on which the structure was located, unless it is a homestead protected by the Texas Constitution. The lien is extinguished if the property owner or another person having an interest in the legal title to the property, reimburses the city for the expenses. The lien arises and attaches to the property at the time the notice of the lien is recorded and indexed in the office of the county clerk in the county in which the property is located. The notice must contain the name and address of the owner if that information can be determined with a reasonable effort, a legal description of the real property on which the building was located, the amount of expenses incurred by the municipality, and the balance due.

Secs. 18-323—18-350. - Reserved.

ARTICLE VIII. - NUMBERING OF BUILDINGS

Sec. 18-351. - Plan adopted.

There is hereby adopted a plan for numbering residences, business houses and other buildings in the city, which plan was prepared by the city engineer and shall be at all times on file in the office of the city secretary.

Sec. 18-352. - Duty of owner of building.

The owner of any building in the city shall cause the building to be numbered in accord with the plan adopted by section 18-351.

Sec. 18-353. - Furnishing of numbers.

The building official, under the direction of the city engineer and in accordance with the plan adopted by section 18-351, shall furnish, upon request of the owner, a correct number for any residence, business house or other building.

Sec. 18-354. - Notice to number building or correct numbering of building.

Where any residence, business house or other building in the city is not numbered with a plain and visible house number, or is numbered incorrectly so that the number of the building does not conform to the plan adopted by section 18-351, it shall be the duty of the city secretary to give the owner of such residence, business house or other building written notice to number the building or to correct the number thereon, as the case may be. Any owner who shall fail to comply with the provisions of such notice within five days after the receipt of such notice shall be deemed guilty of a misdemeanor.

Secs. 18-355—18-360. - Reserved.

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 (3) 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, 2000 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.

Sec. 18-362. - Amendments.

Section R105.2 Work exempt from permit. Delete exception for permit requirement on detached structures less than 200 square feet and on fences not over six feet high.

Section R301.2.1.1 Design criteria. Amended to read:

"Design criteria. 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."

Section R403.1.3.2 Slabs-on-ground with turned-down footings. Amended to read:

"Slabs-on-ground with monolithically poured footings shall have a minimum of four No. 5 bar, two within two to three inches of the bottom of the footing and two in the top of footing six inches below the surface of the slab."

Section R403.1.4 Minimum depth. Amended to read:

"All exterior footings shall extend six inches into undisturbed soil and have an overall depth of at least 20 inches for a single story residence and an overall depth of at least 24 inches for a two story residence. The width of the footing shall be at least 12 inches and 16 inches respectively."

Section M1501.1 General. Add the following sentence:

"Exhaust ducts shall be constructed of a minimum 0.016-inch-thick rigid metal ducts, or schedule 40 PVC when used in concrete slabs, and not exceeding 25 feet, having smooth interior surfaces with joints running in the direction of air flow."

Section P2903.8.7 Hose bibb bleed. Delete entire section.

Section P2904.5.1 Under concrete slab. Amended to read:

"Under concrete slabs. Inaccessible water distribution piping under concrete slabs shall be copper water tube minimum Type 'L'."

Section P3002.1 Piping within buildings. Amended to read:

" 1. Drain waste and vent piping in buildings shall be schedule 40 PVC DWV pipe and fittings, cast iron, or copper pipe and fittings.

2. The horizontal drain line for all food waste grinders and/or disposals shall be a minimum of three inches."

Section P3002.2 Building sewer. Amended to read:

"Building sewer. Building sewer piping shall be a minimum of four inches and conform to P3002.1. Six inches and larger sewer may be SDR 26 or better."

Section P3102.1 Main vent required. Amended to read:

"Every building shall have a minimum of one, three inch main vent that is either a vent stack or stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air at least six inches above the roof."

Section P3114.3 Where permitted. Amended to read:

"Air admittance valves are allowed only with specific approval from the Building Official and only in areas where taking a vent to the outside would be either impossible or impractical."

Section E3501.6 Service disconnect required. Amended to read:

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

Section D3602.13 Branch-Circuit Requirements Table E3602.13. Amended to read:

Minimum size circuit conductors (AWG) #12.

Secs. 18-365—18-370. - Reserved.

ARTICLE X. - INTERNATIONAL ENERGY CONSERVATION CODE

Sec. 18-371. - 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 Energy Conservation Code, as published by the International Code Council, be 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 the building envelope, mechanical, lighting and power systems in the City of Port Neches and providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Energy Conservation Code, 2000 edition, published by the International Code Council, on file in the office of the Building Official are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Sec. 18-372. - Amendments.

The following section is hereby revised:

Section 101.1.1. Insert "The City of Port Neches".