

ORDINANCE NO. 2022-O-11

AN ORDINANCE OF THE CITY OF LULING, TEXAS, AMENDING CHAPTER 22, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI, RESIDENTIAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF LULING, TEXAS; ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the laws of the State of Texas, including Texas Local Government Code section 51.001, the City Council of the City of Luling (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, the City Council has the authority to adopt International Codes to protect the public health and safety and ensure safe, quality development occurs within the city limits; and

WHEREAS, the City Council is of the opinion and finds that the adoption of the *International Residential Code*, 2018 edition, will promote the public health, safety, and general welfare of the citizens of the City; and

WHEREAS, the City Council is of the opinion and finds that local amendments to the *International Residential Code* will promote the public health, safety, and general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City, and as well, the owners and occupants thereof, and the City generally;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Luling, Texas that:

I. AMENDMENTS

Chapter 22, Buildings and Building Regulations, Article VI, Residential Code of the Code of Ordinances of the City of Luling, Texas is hereby amended by adding Article 3.12, Residential Code to read as follows:

ARTICLE VI RESIDENTIAL CODE

Sec. 22-181 Adoption of International Residential Code and Local Amendments

- (a) A certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the *International Residential Code*, 2018 edition, including appendix chapters A – K & M – T (excluding appendix L) and any amendments that become an official part of said code, as published by the International Code Council, be

and is hereby adopted as the residential code of the city, for regulating and governing the conditions and maintenance of single and two family residential properties, buildings and structures; 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 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 section, with the additions, insertions, deletions and charges, if any, prescribed in subsection (b) of this section.

(b) The following sections are hereby revised:

Section R101.1. Insert: City of Luling.

Section R112 Delete in its entirety.

Section R113.2 Delete section item.

Section R113.3 Delete section item.

Section R113.4. Substitute: Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than \$25.00 nor more than \$1,000.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section R105.2 Remove Items 1, 5, & 10 from Building list.

Section R301.2(1) Chart is not applicable.

Section P2603.5.1 Insert: 12 inches & 12 inches.

Section P2904 Delete in its entirety.

Appendix L Not adopted.

II. REPEALER

All provisions of the ordinances of the City of Luling in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Luling, not in conflict with the provisions of this Ordinance, shall remain in full force and effect. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any

rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

III. SEVERABILITY

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 14th DAY OF July, 2022.



Martha C. Velasquez
Martha Velasquez, City Secretary

CJ Watts
Hon. CJ Watts, Mayor
City of Luling, Texas