

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 23-043-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING ARTICLE 3.03 OF THE CODE OF ORDINANCES TO ADOPT TABLE 1004.1.2 REGARDING MAXIMUM FLOOR AREA PER OCCUPANT, TABLE 1004.5 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT, AND SECTION 403.2 INTERNATIONAL PLUMBING CODE (IPC) AND SECTION 2902.2 FROM THE 2021 INTERNATIONAL BUILDING CODE (IBC); ADOPTING AMENDMENTS TO SAID CODES; PROVIDING A SEVERABILITY, SAVING CLAUSE, CONFLICTING ORDINANCES CLAUSE, SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the regulation and control of buildings and structures within the City of Leander (the “City”) is necessary and essential to the economic health of the community and the preservation and protection of the public welfare; and

WHEREAS, the City desires to adopt the local amendments set forth in this Ordinance to promote administration of the International Building Code in the City and to further preserve and protect the public health and safety;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this Ordinance are reasonable and necessary to protect the public health, safety and quality of life.

SECTION 2. Amending Section 3.03.001. Section 3.03.001 of the City of Leander Code of Ordinances (the “Code”) is hereby amended to adopt table 1004.1.2 regarding maximum floor area per occupant, table 1004.5 maximum floor area allowances per occupant, and Section 403.2 International Plumbing Code (IPC) and Section 2902.2 from the 2021 International Building Code (IBC).

SECTION 3. Amendment Section 3.03.032 (5). Section 3.03.032(5) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 4. Amendment Section 3.03.034 (3) A) & B). Section 3.03.034 (3) (A) & (B) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 5. Amendment of Section 3.03.034 (4) (B). Section 3.03.034 (4) (A) & (B) of the City of Leander Code of Ordinances is hereby amended to update the section to read as follows:

(B) Wind design – 115 miles per hour (no special topographical effect)

SECTION 6. Amendment of Section 3.03.272 (3). Section 3.03.272 (3) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 7. Amendment of Section 3.03.272 (4). Section 3.03.272 (4) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 8. Amendment of Section 3.03.272 (5). Section 3.03.272 (5) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 9. Amendment of Section 3.03.302 (i). Section 3.03.302 (i) of the City of Leander Code of Ordinances is hereby amended to remove this section.

SECTION 10. Savings Clause. All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting building construction and site development within the City which are pending or have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 11. Severability. It is hereby declared that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 12. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

SECTION 13. Effective Date. This Ordinance shall take effect immediately upon its approval and passage as required by law and the City Charter.

PASSED AND APPROVED on the 3rd day of August, 2023.

ATTEST:

THE CITY OF LEANDER, TEXAS:

Dara Crabtree, City Secretary

Christine DeLisle, Mayor