

ORDINANCE NO. 1077

AN ORDINANCE OF THE CITY OF KEMAH, TEXAS ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ALL STRUCTURES, IN THE CITY OF KEMAH; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR THE ISSUANCE OF PERMITS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF KEMAH, TEXAS:

SECTION 1. That The 2009 International Plumbing Code, including Appendices C, D, E, F, and G as published by the International Code Council Inc., as filed with the City Secretary and are hereby adopted by reference as the Municipal Plumbing Code of the City of Kemah, Texas for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of all structures in the City of Kemah, Texas and providing for the issuance of permits therefore and each and all of the regulations, provisions, conditions and terms of such International Plumbing Code, on file in the office of the City of Kemah, are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. Provided, however, Section 608.16.5 of said standard code is amended to read as follows: Section 608.16.5:

- A. Irrigation systems shall be installed in accordance with this section and other applicable rules and regulations of the City.
- B. Irrigation system design drawings shall be prepared by the homeowner who resides at the project address, a master plumber whose license number shall appear on the drawings, or by a Texas Professional Engineer, or a licensed irrigation installer, or a licensed landscape architect. The latter three professionals shall seal, sign and date their drawings.
- C. It shall be unlawful for any person for hire to install all or any part of an irrigation system within the city or holds a master plumber license issued by the Texas State Board of Plumbing Examiners or a valid installer's license issued by the Texas Commission on Environmental Quality ("TCEQ").
- D. The owner of the property on which an irrigation system is to be installed may install all of the irrigation system with the exception of the connection to the potable water source, the water meter and the required backflow prevention

device, each of which must be installed and appropriately connected by a qualified person as noted in subsection C above.

- E. It shall be unlawful for any person to install all or any portion of an irrigation system without having first received a permit therefore from the city. An irrigation installation permit for the installation of the connection to the potable water source, the water meter and the required backflow prevention device shall not be issued to any person who is not a qualified person as noted in subsection C above.
- F. The city shall have no obligation to maintain or protect, or to repair or replace, all or any part of an irrigation system, existing or future, that is located within a public right- of-way or easement, that is damaged or destroyed, or required to be removed, incident to or as a result of roadway and/or utility or drainage construction, maintenance or operation.
- G. Exemptions to the above permit requirements are:
 - 1) Systems associated with on-site sewage disposal systems;
 - 2) Irrigation systems used on or by an agriculture operation; or
 - 3) Irrigation systems connected to a groundwater well used for domestic purposes.

SECTION 3. PENALTY:

Any violation of this ordinance shall be punishable by fine not to exceed the maximum amount allowed by law.

SECTION 4. SEVERABILITY:

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses or phrases be deemed unconstitutional.

SECTION 5. EFFECTIVE DATE:

That 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 upon the date of its final passage and adoption and repeals any ordinances in conflict herewith.

AND IT IS SO ORDERED.

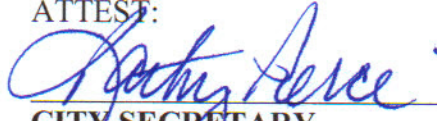
PASSED AND APPROVED ON FIRST READING THIS 1st DAY OF November, 2012

PASSED AND APPROVED ON SECOND AND FINAL READING THIS 5th DAY OF December, 2012.



MAYOR
CITY OF KEMAH, TEXAS

ATTEST:



CITY SECRETARY
CITY OF KEMAH, TEXAS

Gregg/KEMAH/ordinances/Ord adopting 2009 International PLUMBING Code oct 2012