

## **CITY OF DRIPPING SPRINGS**

### **ORDINANCE No. 2022-42**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 24: BUILDING REGULATIONS: ARTICLE 24.02. TECHNICAL AND CONSTRUCTION CODES AND STANDARDS; DIVISION 2. RESIDENTIAL BUILDING CODE FOR SHEDS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

- WHEREAS,** the City desires to lessen the permitting requirements for small accessory structures; and
- WHEREAS,** the City Council of the City of Dripping Springs ("City Council") seeks to promote reasonable, sound, and efficient construction within the City of Dripping Springs ("City"); and
- WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and
- WHEREAS,** pursuant to Texas Local Government Code Chapters 214 and 216, to protect the public health, safety, and welfare, the International Residential Code of One- and Two-Family Dwellings of 2018 is adopted as the municipal residential building codes in this state; and
- WHEREAS,** the City has found that limiting the permitting requirements as directed by the International Residential Building Code for sheds to be in the best interest of promoting comfortable enjoyment of residential neighborhoods; and
- WHEREAS,** the City seeks to amend the Building Code Ordinance as it relates to accessory units to establish additional regulations for these units; and
- WHEREAS,** the proposed building code amendment has been reviewed by City staff, including the City's Building Official, with the consensus being that the proposed changes are consistent with best building practices and consistent with the International Residential Code; and
- WHEREAS,** after public hearing held by the City Council on November 15, 2022, the City Council voted to approve the proposed amendment; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or policy regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** the City Council finds that it is necessary and proper for the protection of the welfare, health, peace, temperance, and safety of the City of Dripping Springs to adopt an ordinance amending regulations of sheds.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, THAT:**

### **1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **2. ENACTMENT**

Chapter 24, Article 24.02 Building Regulations of the Dripping Springs Code of Ordinances is hereby amended to read in accordance with *Attachment "A"* and which are attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes. Additions to the Ordinance text are underlined and highlighted and deletions are struck-through.

### **3. REPEALER**

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### **5. CODIFICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

### **6. EFFECTIVE DATE**

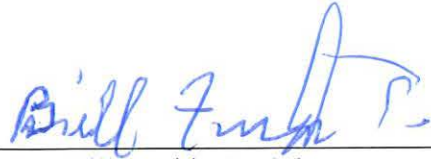
This Ordinance shall be effective immediately upon passage and publication.

## 7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

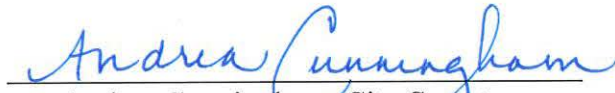
**PASSED & APPROVED** this, the 15th day of November 2022, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**



Bill Foulds, Jr., Mayor

**ATTEST:**

  
Andrea Cunningham, City Secretary



## ATTACHMENT "A" CHAPTER 24:

### BUILDING REGULATIONS

#### ARTICLE 24.02. – TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

##### DIVISION 2. RESIDENTIAL BUILDING CODE

###### Sec. 24.02.064. Permit exemptions.

A building permit is not required for the following:

- (1) Painting, wallpapering, tiling, carpeting, installing cabinets or countertops, or similar work;
- (2) Constructing one-story detached accessory structures used as storage sheds, playhouses, or similar uses, provided the floor area does not exceed 200 square feet but such structures shall not be placed in the setback and can only be placed in compliance with all city codes including the Zoning Code; ~~(such structures are not subject to building code standards but must receive a building permit in order to confirm placement regarding setbacks and zoning; or~~
- (3) Performing ordinary maintenance.
- (4) Nothing in this section waives the requirements related to other permits, including but not limited to, electrical, plumbing, or mechanical permits if required.