

ORDINANCE NO. 1065-04-15

AN ORDINANCE OF THE CITY OF HONDO, TEXAS, AMENDING CHAPTER 3, "BUILDING REGULATIONS" OF THE CITY'S CODE OF ORDINANCES BY ADOPTING THE MOST CURRENT VERSIONS OF NATIONAL MODEL CODES; PROVIDING LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE TO REMOVE THE REQUIREMENT THAT NEW SINGLE-FAMILY AND TWO-FAMILY CONSTRUCTION INCLUDES INSTALLATION OF FIRE SUPPRESSION SPRINKLER SYSTEMS; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hondo (the "City"), a home-rule city, is by State law and Charter permitted to establish ordinances to protect the health, safety and general welfare of its residents;

WHEREAS, the City of Hondo City Council, by passage and approval of Ordinance No. 886-11-06, on November 6, 2006, adopted the then most current version of the International Building Code; International Residential Code; International Energy Conservation Code; International Plumbing Code; International Mechanical Code; National Electric Code; International Property Maintenance Code; and International Private Sewage Disposal Code (collectively referred to herein as "national codes") to the City's Building Regulations Ordinance;

WHEREAS, Ordinance No. 886-11-06, codified the adoption of the national codes in Chapter 3 of the City of Hondo Code of Ordinances;

WHEREAS, the City's Code Enforcement Division has recommended that the codification of the adoption of the national codes be updated;

WHEREAS, the Texas Legislature in 2009 passed S.B. 1410, now codified as *Tex. Occ. Code §1301.551 (i)* and provides that after January 1, 2009, a city may not enact an ordinance or building code that requires the installation of a fire sprinkler system in a new or existing one- or two-family dwellings;

WHEREAS, sections R313.1 and R313.2 of the 2012 International Residential Code provides for mandatory installation of fire sprinkler systems in townhouses and one-and two family dwellings which is in conflict with state law.

WHEREAS, in order to comply with state law, the City's Code Enforcement Division recommends that City Council adopt a local amendment to the International Residential Code to make the installation of automatic residential fire sprinkler systems optional instead of mandatory for single-family and two-family housing units, which includes a Townhouse as defined by City Ordinance 25.301.205;

WHEREAS, the Hondo City Council finds that for the preservation of the public health, safety and welfare of the citizens of the City, the adoption of the most current above-referenced national codes to Chapter 3 of the City's Code of Ordinances are necessary.

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

Section 1. The following sections of the City of Hondo Code of Ordinances, Chapter 3, "Building Regulations" are hereby amended as follows:

Sec. 3.04.051 Adopted

The 2012 edition of the International Building Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.101 Adopted

The 2012 edition of the International Residential Code is hereby adopted, except as provided for in section 3.04.102 herein, by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.151 Adopted

The 2012 edition of the International Energy Conservation Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.251 Adopted

The 2012 edition of the International Plumbing Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.451 Adopted

The 2012 edition of the International Mechanical Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.551 Adopted

The 2011 edition of the National Electrical Code of the National Fire Protection Association, NFPA No. 70, is hereby adopted by reference as though copied fully in this section as minimum standards for the city. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.651 Adopted

The 2012 edition of the International Property Maintenance Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Sec. 3.04.701 Adopted

The 2012 edition of the International Private Sewage Disposal Code is hereby adopted by reference as though copied fully in this section. One (1) copy of the code shall at all times remain in the office of code compliance and be open to inspection.

Section 2. Amendment to Chapter 3, "Building Regulations" Division 3. "Residential Code" to add the following section:

3.04.101 Amendments

- (1) International Residential Code R313.1 entitled, "Townhouse automatic fire sprinkler systems" is amended to read: An automatic residential fire sprinkler system may be installed in townhouses.
- (2) International Residential Code R313.2 entitled, "One- and two-family dwellings automatic fire systems" is amended to read: An automatic residential fire sprinkler system may be installed in one- and two-family dwellings.

Section 3. CUMULATIVE AND CONFLICTS.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Hondo, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section 4. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

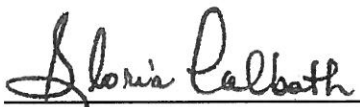
Section 5. EFFECTIVE DATE

This ordinance shall take effect on April 27, 2015.

PASSED AND APPROVED THIS 27th DAY OF April, 2015.


JAMES W. DANNER, MAYOR

ATTEST:


Gloria Colbath, City Secretary

