

TOWN OF HORIZON CITY

ORDINANCE NO. 202__ - __

AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE MECHANICAL CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED MECHANICAL CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.

WHEREAS, the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

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

WHEREAS, pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

WHEREAS, the City Council has determined that the adoption of the updated 2021 edition of the International Mechanical Code (“IMC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

WHEREAS, the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:

Section 1. FINDINGS OF FACT

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the mechanical code.

Section 2. AMENDMENT OF THE MECHANICAL CODE

The City Council hereby enacts and adopts the 2021 edition of the International Mechanical Code (“IMC”) regulating and governing mechanical systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 6 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

Section 3. PUBLICATION OF ORDINANCE

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

Section 4. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, 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.

Section 5. 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.

Section 6. PROPER NOTICE & MEETING

The meeting at which this Resolution 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 Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,
on this, the ____ day of ____ 2024.**

APPROVED:

Andres Renteria, Mayor

ATTEST:

Elvia Schuller, City Clerk

APPROVED AS TO FORM:

Sylvia B. Firth, City Attorney

Attachment “A”

Section 3.02.181 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Mechanical Code, 2021 edition, as published by the International Code Council, is hereby adopted as the mechanical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

Section 3.02.182 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IMC are hereby deleted in their entirety or as stated below, as follows:

Section A 106.2 –Permits not Required (4) (7)