

TOWN OF HORIZON CITY

ORDINANCE NO. R-202__ - ____

AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ADOPTING AN EXISTING BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE INTERNATIONAL EXISTING BUILDING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING; CREATING A MISDEMEANOR PUNISHIBLE BY A FINE NOT TO EXCEED \$2,000

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 adopt codes of technical regulations; and

WHEREAS, the City Council has determined that the adoption of the 2021 International Existing Building Code ("IEBC") 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 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 adoption of an existing building code.

Section 2. ADOPTION OF THE EXISTING BUILDING CODE

The City Council hereby enacts and adopts the 2021 edition of the International Existing Building Code ("IEBC") regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02 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"**DIVISION 9**

Section 3.02.251 Adoption.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Existing Building Code ("IEBC") is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all preexisting property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such preexisting structures 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 existing building 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 3.02.252 Amendments.

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

Section A 105.2 – Work Exempt From Permit:

- Building (1)
- Electrical: no changes
- Gas: no changes
- Mechanical (4), (7)
- Plumbing: no changes

Section 3.02.255 Penalty.

Any person, firm, corporation or agent who shall violate a provision of the International Existing Building Code or this division, or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, or install any electrical system, or has erected, constructed, altered or repaired any electrical system in violation of a detailed statement or drawing submitted and permitted thereunder, or of a permit or certificate issued pursuant to the provisions of this division or section 103 of Ordinance No. 0102 of the city (the zoning ordinance), shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.