

ORDINANCE 2014/02-01

AN ORDINANCE OF THE CITY OF HARDIN, TEXAS, ADOPTING WITH AMENDMENTS THE 2012 INTERNATIONAL PLUMBING CODE; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Hardin, Texas, ("City") desires to adopt regulations for the health, safety, and general welfare of the City; and

WHEREAS, to achieve that end, the City Council has adopted the International Plumbing Code; and

WHEREAS, a 2012 version of the International Plumbing Code has been published; and

WHEREAS, the City Council finds that adopting the 2012 International Plumbing Code will promote the health, safety, and general welfare of the City;

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

Section 1. That the facts found in the preamble are true and correct and incorporated herein for all purposes.

Section 2. The City adopts the 2012 International Plumbing Code, published by the International Code Council, with the exception of such sections and subsection thereof as are hereinafter deleted, modified, or amended and the same are hereby adopted and incorporated herein as if the same were copied in full herein, and the provisions thereof shall be building regulations within the corporate limits of the city.

(A) A copy of the 2012 International Plumbing Code shall be maintained by the city. If a subsection of this section is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or any regulation adopted pursuant thereto or any other ordinance or code or regulation of the city, the provision which establishes the higher standard for the promotion of health and safety shall control.

(B) Amendments. The 2012 International Plumbing Code shall be amended to read as follows:

“(1) Subsection 101.1 is amended to read as follows: Subsection 101.1 Title. These regulations shall be known as the

International Plumbing Code of the City of Hardin, Texas, hereinafter referred to as "this code."

(2) Section 103 is deleted.

(3) Subsection 105.1 is deleted.

(4) Subsection 106.6.2 is amended as follows:

The fees for all plumbing work shall be as indicated in a Schedule of Fees adopted by the City Council.

(5) Subsection 106.6.3 is deleted.

(6) Subsections 108.2, 108.3, 108.4 are deleted.

(7) Section 109 is deleted and new Section 109 is added to provide as follows:

109.1 Appeals. Any person shall have the right to appeal a decision of the code official to the city council. Such appeal shall be in writing and submitted to the city secretary. The city council shall hear such appeal within fifteen (15) business days. City council shall affirm the decision of the code official, reverse the decision of the code official, or modify the decision of the code official. Such decision by the city council shall be delivered to the person filing the appeal no later than fifteen (15) business days after the date of the hearing."

Section 3. *Penalty.* Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) unless such violation implicates fire safety, zoning, or public health and sanitation including dumping of refuse in which case the fine amount shall not be more than two thousand dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

Section 4. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hardin, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Repeal. All ordinances or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

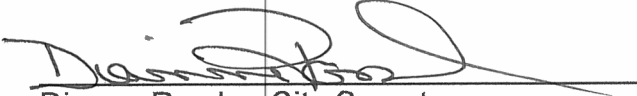
Section 6. Effective date. This Ordinance shall become effective when published as required by law.

PASSED, APPROVED, and ADOPTED this the 10th day of February, 2014.



Julie Terry, Mayor

ATTEST:



Dianne Rombs, City Secretary