

ORDINANCE NO. #308-BUILDING CODES

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SHEPHERD, TEXAS, TO ADOPT VARIOUS BUILDING, MECHANICAL AND PLUMBING CODES RELATED TO ALL RESIDENTIAL AND COMMERCIAL BUILDINGS AND STRUCTURES, INCLUDING FIRE, PLUMBING, FUEL GAS, ELECTRIC, MECHANICAL, ENERGY CONSERVATION, PROPERTY MAINTENANCE, SWIMMING POOLS AND SPAS, EXISTING BUILDINGS, AND PERFORMANCE CODES, SUBJECT TO CERTAIN AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL PLUMBING CODE, AND THE NATIONAL ELECTRIC CODE; REPEALING ARTICLES II THROUGH XI OF CHAPTER 4 OF THE CITY CODE OF ORDINANCES; ADDING ARTICLE II, ENTITLED "BUILDING CODES;" DESIGNATING A CITY BUILDING OFFICIAL; PROVIDING FOR INSPECTION ACTIVITIES BY THE BUILDING OFFICIAL; PROVIDING PENALTIES NOT TO EXCEED A \$500 FINE FOR ANY VIOLATION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE ON OR AFTER PUBLICATION AS PROVIDED BY LAW.

WHEREAS, it is the desire of the City Council of the City of Shepherd, Texas, to adopt, in all respects, certain codes published by the International Code Council, relating to all applicable building, mechanical and plumbing codes for both commercial and residential structures; and

WHEREAS, the adoption of these 2018 International Code Series as published by the International Code Council, as herein amended, is done to facilitate proper inspection activities by the City of Shepherd, San Jacinto County, Texas, relating to construction and to maintenance of all buildings and structures within the corporate limits of said City of Shepherd, Texas, and relating to public safety, health, and general welfare; and

WHEREAS, the adoption of the current edition of the National Electric Code as published by the National Fire Protection Association (NFPA), as herein amended, is done to facilitate proper inspection activities by the City of Shepherd, San Jacinto County, Texas, relating to electrical installation of all buildings and structures within the corporate limits of said City of Shepherd, Texas, and relating to public safety, health, and general welfare; and

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

SECTION I.

AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES. Articles II through XI of Chapter 4, "Buildings and Building Regulations," of the City Code of Ordinances are hereby

repleaded, and a new Article II, entitled “Building Codes is hereby added to Chapter 4 of the City Code of Ordinances such that it reads:

Article II. Building Codes

Section 4-26. Building Codes Adopted. The following International Code Council Editions including Appendix Chapters (“the Codes”) are hereby adopted by reference as though they were copied herein fully:

- 2018 International Residential Code ® (for 1 & 2 Family Dwellings only)
- 2018 International Building Code ® (for all other residential and commercial construction)
- 2018 International Mechanical Code ®
- 2018 International Plumbing Code ® and Appendixes C, D, and E
- 2018 International Fuel Gas Code ®
- 2018 International Energy Conservation Code ®
- 2018 International Existing Building Code ®
- 2018 International Performance Code ® and Appendixes A, B, C, D, and E
- 2018 International Property Maintenance Code ®
- 2018 International Swimming Pool & Spa Code ®
- 2018 International Fire Code ®

Section 4-27. Amendments to International Residential Code. The following amendments to the International Code Council Editions, including Appendix Chapters are adopted here by reference as though they were copied herein fully:

1. **Plumbing: Water Supply and Distribution - Materials, Joints and Connections.**

Sections 2906.4, 2906.5 and 2906.06 of the International Residential Code is amended by the addition of the following:

- a. The use of ABS plastic piping and fittings is prohibited.
- b. All PVC or CPVC plastic shall be schedule 40 or better.

2. **Sanitary Drainage: Materials**

Section 3002.1 of the International Residential Code is amended by the addition of the following:

- a. All PVC plastic pipe shall be Schedule 40.
- b. No-hub pipe (also known as hubless pipe) shall not be allowed under ground.
- c. All plastic pipe underground covered by concrete shall be schedule 40 or better.
- d. Outside building sewer schedule shall be schedule 40 or SDR 26 only.

Section 4-28. Amendments to Plumbing Code. The following amendments to the International Code Council Editions, including Appendix Chapters are adopted here by reference as though they were copied herein fully:

1. **PLUMBING: Water Supply and Distribution - Materials, Joints and Connections**

Sections 605.3, 605.04 and 605.05 of the International Plumbing Code is amended by the addition of the following:

- a. The use of ABS plastic piping and fittings is prohibited.
- b. All PVC or CPVC plastic shall be schedule 40 or better.

2. **SANITARY DRAINAGE: Materials**

Section 702 of the International Plumbing Code is amended by the addition of the following:

All PVC plastic pipe shall be Schedule 40.

- a. The use of ABS plastic piping and fittings is prohibited.
- b. No-hub pipe (also known as hubless pipe) shall not be allowed underground.
- c. All plastic pipe underground covered by concrete shall be Schedule 40 or better.
- d. Outside building sewer shall be Schedule 40 or SDR 26 only.

Section 4-29. National Electric Code Adopted. The NFPA 70® National Electric Code® is hereby adopted by reference as though it were copied herein fully, subject to the following amendments to the wiring methods and materials found therein:

1. **General requirements:**

- a. No conductor smaller than #12 AWG Copper shall be permitted within the city limits with the exception of control wiring. All receptacles shall be the grounding type.
- b. Requirements applying to all overhead service conductors: All service conductors shall be installed in galvanized metal conduit.
- c. Aluminum or copper clad aluminum is permissible for use only on 120/240-volt, single phase, four-wire systems limited to 50 amps or less for temporary illumination lighting on wooden poles with a minimum clearance of 12 feet at its lowest point.

d. All underground service conductors shall be encased in conduit, including where they extend up the pole, and shall be placed on the face of the pole designated by the power company, and to the height designated by them.

Section 4-30. Building Official. When reference is made to the duties of a certain official named within said Codes, that designated official of the City of Shepherd, San Jacinto County, Texas, who has duties corresponding to those of the named official in the Codes shall be deemed the ***Building Official*** or his/her designee. The Building Official shall periodically review amendments to the International Codes and other building codes and may recommend adoption of such amendments to the City Council. The Building Official may also recommend other local amendments to the International Codes. Local amendments to the International Codes shall be adopted by ordinance and shall control over any conflicting provisions of the International Codes.

Section 4-31. Building Permit Procedures and Instructions. The City Council hereby authorizes the Building Official to implement Building Permit procedures and instructions for construction of all buildings and structures in the City of Shepherd which are consistent with the Codes and this Ordinance.

Section 4-32. Permit Application Forms. The City Council hereby authorizes the Building Official to issue permits for all buildings and structures, electrical, mechanical, and plumbing which are consistent with the Codes and this Ordinance.

SECTION II.

CRIMINAL PENALTIES.

- A. A person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500 for each act of violation, and each day of violation shall be considered a separate violation.
- B. In addition to proceeding under authority of this Ordinance, the City is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or ordinances against a person continuing to violate this Ordinance.

SECTION III.

REPEALING CLAUSE. Any matters in said Codes and Appendixes which are contrary to existing Ordinances and Codes of the City of Shepherd, San Jacinto County, Texas, shall prevail; and all other Ordinances in conflict are hereby repealed to the extent of any conflict.

SECTION IV.

SEVERABILITY. If any section, subsection, sentence, clause, provision or part of this

Ordinance shall be held invalid for any reason, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION V

TEXAS OPEN MEETINGS ACT. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code.

SECTION VI.

EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication as provided by law.

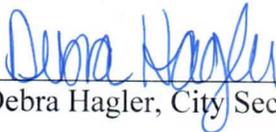
PASSED AND APPROVED by the City Council of the City of Shepherd, Texas, on the 14th day of May 2018.

THE CITY OF SHEPHERD, TEXAS



Earl Brown, Mayor

ATTEST:



Debra Hagler, City Secretary