

ORDINANCE NO. 16-2116

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE JACKSON, TEXAS, BY ADOPTING THE COMMERCIAL ENERGY CHAPTERS OF THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE AND MANDATING THAT REQUIRED THIRD PARTY INSPECTIONS ARE THE FINANCIAL RESPONSIBILITY OF THE PROPERTY OWNER; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH SHALL BE REPEALED TO THE EXTENT OF THE CONFLICT ONLY; PROVIDING FOR A PENALTY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAKE JACKSON, TEXAS:

Section 1: That Section 14-1 shall be amended to read as follows:

Sec. 14-1. Adoption of technical codes.

(a) The following codes and the standards contained therein, are hereby adopted as the Minimum Building Standard Codes of the city, save and except those sections added, deleted or amended in this chapter:

(1) *Building code.* The 2012 International Building Code, including all appendixes except A (Employee Qualifications), B (Board of Appeals), H (Signs), and K (Administrative Provisions)

(2) *Fire code.* The 2012 International Fire Code, including all appendixes except A (Board of Appeals).

(3) *Electrical code.* The 2014 National Electrical Code, including the annexes.

(4) *Plumbing code.* The 2012 International Plumbing Code including all appendixes except A (Plumbing Permit Fee Schedule).

(5) *Swimming pool code.* The Texas Department of State Health Services, Standards for Swimming Pools and Spas.

(6) *Property maintenance code.* The 2012 International Property Maintenance Code, including the appendix.

(7) *Mechanical code.* The 2012 International Mechanical Code, including all appendixes except B (Permit Fee Schedule).

(8) *Residential code.* The 2012 International Residential Code (IRC), including all appendixes except G (Swimming Pools, Spas, and Hot Tubs), I (Private Sewage Disposal), L (Permit Fees),

and excluding Ch. 11. Ch. 11 of the 2015 International Residential Code is adopted. Any requirement that one- or two- family dwellings be protected by fire sprinkler systems shall not become effective until mandated by the State of Texas.

(9) *Fuel gas code.* The 2012 International Fuel Gas Code including the appendixes.

(10) *Life safety code.* The 2012 Life Safety Code, including supplements.

(11) *Energy code.* The 2015 International Energy Conservation Code.

(12) *Accessibility code for multi-family residences.* The 2009 ICC/ANSI A117.1 Accessible and Usable Buildings and Facilities Code.

(b) If there is a conflict between a state law and an adopted code or this chapter, then the state law will take precedence. In cases of conflicts between a provision of this chapter and these adopted codes, the provision of this chapter will take precedence. Otherwise, all structures shall be designed, built, and maintained in accordance with these adopted codes.

Section 2: That Section 14-9 shall be amended to read as follows:

Sec. 14-9. Inspections.

(a) The building official or his designee may enter a building to perform any inspection under this chapter with the express consent of a person in control of the property or if a building is unsecured to the extent that it could be entered by vagrants or other uninvited persons as a place of harborage or could be entered or used by children.

(b) If entry is refused, the building official is authorized to pursue recourse as provided by law, including all rights and authority granted under the Texas Code of Criminal Procedure, Article 18.05.

(c) All medical gas piping inspections and required third party inspections are the financial responsibility of the property owner or the property owner's designee. Prior to the issuance of the Certificate of Occupancy, reports for medical gas piping inspections and required third party inspections shall be submitted to the City of Lake Jackson Building Official.

Section 3: Unless otherwise specified in the ordinance, a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-5 of the Code of Ordinances of the City of Lake Jackson. Each day that a violation of this ordinance shall be considered a separate violation.

Section 4: All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 5: If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of the ordinance.

PASSED AND APPROVED on first reading on the 17th of October, 2016.

PASSED AND ADOPTED on second and final reading this 7th day of November, 2016.

Joe Rinehart, Mayor
City of Lake Jackson

ATTEST:

Alice Rodgers
City Secretary

APPROVED AS TO FORM:

Sherri Russell
City Attorney