

**ORDINANCE NO. 1012**

**AN ORDINANCE ADOPTING CERTAIN INTERNATIONAL CODES AND NATIONAL ELECTRICAL CODES FOR THE REGULATION OF BUILDINGS; PROVIDING FOR THE ENFORCEMENT OF THE CODES; PROVIDING FOR FEES; PROVIDING FOR SEVERABILITY; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FOR OTHER PROVISIONS.**

**WHEREAS**, the City Council of the City of Plum Grove, Texas has studied the present provisions of Ordinances of the City relating to the regulation of the buildings; and

**WHEREAS**, the City Council is continually reviewing the provisions of Ordinances relating to the elimination of hazards and other circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants;

**WHEREAS**, the City of Plum Grove ("City") is empowered to adopt an ordinance, act, law, or regulation that is necessary for the government, interest, welfare, or good order of the municipality as a body politic;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLUM GROVE, TEXAS:**

**ARTICLE I**

**SECTION 1. Findings.**

The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact and conclusions of law by the City Council and made a part hereof for all purposes

**SECTION 2. International Building Code Adopted.**

The International Building Code, 2015 Edition, as amended, including appendices as published by the International Code Council, Inc., an authentic copy of which will be kept on file as an official record of the City with the City Secretary, is hereby adopted and made a part of this Ordinance.

- (1) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the building code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

**SECTION 3.**

The following codes, each of which are published by the International Code Council, Inc., are related and supporting codes to the above-described International Building Code, and authentic copies of which have been filed with the City Secretary, including appendices as published by the International Code Council, Inc. are hereby adopted, as amended and made a part of this Ordinance:

- (1) International Mechanical Code, 2015 Edition.

- (a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the mechanical code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

- (2) International Plumbing Code, 2015 Edition.

- (a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the plumbing code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(3) International Property Maintenance Code, 2015 Edition.

(a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the property maintenance code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(4) International Residential Code, 2015 Edition.

(a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the International Residential Code for One- and Two-Family Dwellings of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(5) International Energy Conservation Code, 2015 Edition.

(a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the energy conservation code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(6) International Fire Code, 2015 Edition.

(a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the fire code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(7) International Fuel Gas Code, 2015 Edition.

(a) Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the fuel gas code of the City of Plum Grove, Texas, hereinafter referred to as "this code".

(8) International Private Sewage Code, 2012 Edition.

The City Council will cause an annual review of the above codes and may adopt any amendments made by the International Code Council.

The City Council will cause an annual review made of the International Residential Code and the International Building Code and may adopt local amendments thereto as provided by Sections 214.212(c) and 214.216(c) of the Local Government Code.

**SECTION 4. Electrical Code Adopted.**

The 2014 edition of the National Electrical Code, as amended, an authentic copy of which will be kept on file as an official record of the City with the City Secretary, is hereby adopted and made a part of this Ordinance and shall govern and be observed and followed in all electrical work in the city, unless specifically provided otherwise in this section.

The City Council shall cause an annual review of the National Electrical Code and may adopt local amendments thereto as provided by Section 214.214(c) of the Local Government Code.

#### **SECTION 5. Enforcement.**

(a) The building official or his designee shall be charged with enforcing the provisions of this chapter.

(b) When the terms "building official" or "code official" are used in this chapter or any technical code as adopted and amended herein, such terms shall mean the building official.

#### **SECTION 6. Appointment.**

The building official shall be designated by the City Council of the City of Plum Grove, Texas.

#### **SECTION 7. Fees.**

The fee schedule for permits required under any of the Codes adopted in this Article shall be the fees prescribed or recommended in the Code adopted, as amended, and if no fees are prescribed or recommended, then the fees shall be in accordance with the schedule of fees as established from time to time by the city council of the City of Plum Grove Village. If there is a conflict between fees prescribed or recommended in the Code with those set by the city council, then in such instance the fees set by city council will prevail. If there is a conflict between fees prescribed or recommended in the adopted Code or set by city council and any fees set by state law, then fees set by state law will prevail.

All permit applications shall be made upon forms provided by the City.

Once a permit application has been determined by the building official to be complete, the building official will inform the applicant of the amount of the permit fee. An application will not be considered to be filed with the building official until such verification and until the full amount of the permit fee is paid. A permit fee may be wholly or partially waived in a written development incentive agreement with the City.

The building official may require that a plan review fee be paid by a permit applicant at the time an application is submitted. The payment of the plan review fee will not be deemed to constitute the filing of the application, and the application will not be considered to be filed with the building official unless and until the application is verified to be complete and the full amount of the permit fee is paid. The plan review fee shall be sixty-five percent (65%) of the building permit fee as set time to time by City Council. The plan review fees specified in this Section are separate fees from the permit fees and are in addition to the permit fees.

If the scope of work is increased during the construction period relative to the work authorized to be done under the permit, the permit holder shall file an amended permit application and pay additional fees that are assessed based on the increase in scope prior to beginning any work not covered by the original permit.

**Permit fees** – The fee for each permit shall be as adopted by Ordinance or Resolution from time to time by the City council and the schedule shall be kept in the City Secretary's office.

**Plan Review Fees** – When submittal documents are required, a plan review fee shall be paid at the time of submitting the submittal document for plan review. Said plan review fee shall be 65 percent of the building permit fee as set time to time by the City Council.



The plan review fees specified in this section are separate fees from the permit fees, and are in addition to the permit fees.

#### **SECTION 8. Penalty.**

Any person, firm, corporation or agent who shall violate or cause to be violated any provision of this Ordinance, or who shall fail to comply herewith, with any of the requirements of the Codes adopted in this ordinance, or who fails to comply with any order, decision or determination of the building official, the code official or the construction board of adjustments and appeals, or any person who owns or operates any real or personal property, or improvement, fixture or appurtenance thereto in or on which a violation of this chapter exists shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense for each day during which any violation of any provision of this Ordinance is committed or continued.

#### **SECTION 9. Stop work orders.**

If the building official determines that any work regulated by this chapter is performed in violation of the provisions of this Code or in a dangerous or unsafe manner, the building official may issue a stop work order. Any such stop work order shall be in writing and shall state the conditions under which work is authorized to resume. Where an emergency exists, the building official may issue a verbal stop work order. Upon delivery of a stop work order to the owner of the property subject to the stop work order, to such owner's agent or to a person performing work subject to the stop work order, work covered by the order shall immediately cease. No person shall perform any work subject to a stop work order, except as such performance cures a violation or an unsafe condition.

#### **SECTION 10. Severability.**

It is the intention of the City Council of the City of Plum Grove <sup>20</sup>~~Village~~ that if any phrase, sentence, section, or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by final judgment or a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remainder of this Ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

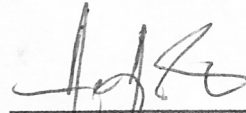
#### **SECTION 11. Repealing Clause.**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

#### **SECTION 12. Compliance Clause and Effective Date.**

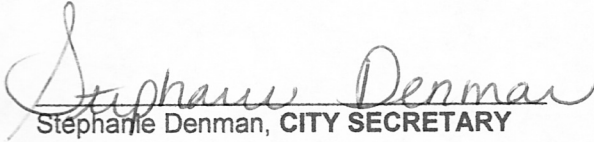
The City Council finds, determines and declares that a sufficient written notice was posted and this Ordinance was passed in accordance with the Open Meetings Act. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Plum Grove <sup>20</sup>~~Village~~ in the manner provided and for the time required by the Local Government Code, at which time this Ordinance takes effect.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Plum Grove,  
Liberty County, Texas on this, the 04 day of October, 2015.



Acie Penton, **MAYOR**

ATTEST:



Stephanie Denman, **CITY SECRETARY**