



City of Rowlett

Official Copy

Ordinance: ORD-008-14

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF ROWLETT, BY AMENDING CHAPTER 78 ("BUILDINGS AND BUILDING REGULATIONS") TO AMEND SECTIONS 78-51 AND 78-52 OF DIVISION 2 ("INTERNATIONAL BUILDING CODE") AND SECTIONS 78-71 AND 78-72 OF DIVISION 3 ("RESIDENTIAL CODE") OF ARTICLE II ("BUILDING REGULATIONS"), TO AMEND SECTION 78-141 AND SUBSECTION (f) OF SECTION 78-142 OF ARTICLE III ("ELECTRICAL CODE"), TO AMEND SECTIONS 78-171 AND 78-172 OF ARTICLE IV ("MECHANICAL CODE"), TO AMEND SECTIONS 78-201 AND 78-202 OF ARTICLE V ("PLUMBING CODE"), TO AMEND SECTIONS 78-211 AND 78-212 OF ARTICLE VI ("ENERGY CONSERVATION CODE"), AND TO AMEND SECTIONS 78-221 AND 78-222 OF ARTICLE VII (INTERNATIONAL FUEL GAS CODE; PROVIDING FOR THE ADOPTION OF THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, AND THE INTERNATIONAL FUEL GAS CODE, THE 2009 EDITION OF INTERNATIONAL ENERGY CONSERVATION CODE, AND THE 2011 EDITION OF THE NATIONAL ELECTRICAL CODE; AMENDING ARTICLE III ("CODES AND STANDARDS") OF CHAPTER 26 ("FIRE PREVENTION AND PROTECTION") TO AMEND SECTIONS 26-101 AND 26-102, PROVIDING FOR THE ADOPTION OF THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE; PROVIDING FOR AMENDMENTS TO EACH OF THE CODES ADOPTED HEREBY; PROVIDING A REPEALING CLAUSE; PROVIDING SAVINGS CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the Council has previously adopted the provisions of various international codes to serve as the building codes and fire code applicable in the City, as well as certain amendments to the codes recommended by the North Central Texas Council of Governments; and

WHEREAS, the building codes and fire code currently in effect in the City are the 2006 editions of each of the international codes and the 2005 edition of the National Electrical Code; and

WHEREAS, the International Code Council has recommended more recent editions of the building codes and fire code, and the adoption of these more recent editions will provide greater uniformity in the enforcement of and compliance with the codes, will provide more effective safety and structural integrity for habitable structures and related equipment and systems, and will protect and preserve the City's ISO rating, and;

WHEREAS, the City Council of the City of Rowlett, Texas, finds and determines that the adoption of the 2012 editions of the international codes, the 2009 edition of the International Energy Conservation Code, and the 2011 edition of the National Electrical Code provided for herein is in the best interest of the public health, safety and welfare of the citizens of the City.

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

SECTION 1. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-51 and 78-52 of Division 2 (“International Building Code”) of Article II (“Building Regulations”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-51 and 78-52 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE II. BUILDING REGULATIONS

...

DIVISION 2. INTERNATIONAL BUILDING CODE

Sec. 78-51. Adopted.

There is hereby adopted the International Building Code, 2012 Edition, and made a part of this division for all purposes, the same as if copied in full in this division, with the exception of such sections listed in this article, which are hereby deleted, modified or amended, to regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the city.

Sec. 78-52. Amendments to the International Building Code.

Certain amendments to the International Building Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Building Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-53—78-70. Reserved.”

SECTION 2. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-71 and 78-72 of Division 3 ("Residential Code") of Article II ("Building Regulations") of Chapter 78 ("Buildings And Building Regulations") to replace said sections, such that Sections 78-71 and 78-72 shall henceforth read in their entirety as follows:

...
**"CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...
ARTICLE II. BUILDING REGULATIONS

DIVISION 3. RESIDENTIAL CODE

Sec. 78-71. Adopted.

There is hereby adopted the International Residential Code, 2012 Edition, and made a part of this division and article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this division, which are hereby deleted, modified or amended.

Sec. 78-72. Amendments to the Residential Code.

Certain amendments to the International Residential Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Residential Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-73—78-90. Reserved."

SECTION 3. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending section 78-141 and subsection (f) of section 78-142 of Article III ("Electrical Code") of Chapter 78 ("Buildings And Building Regulations") to replace section 78-141 in its entirety and to replace only subsection (f) of section 78-142, such that section 78-141 and subsection (f) of section 78-142 shall henceforth read in their entirety as follows:

...
**"CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...
ARTICLE III. ELECTRICAL CODE

Sec. 78-141. Adopted.

The National Electrical Code, 2011 Edition, is hereby adopted and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereby deleted, modified or amended.

Sec. 78-142. Amendments to the National Electrical Code.

...

(f) Certain amendments to the National Electrical Code adopted herein, are adopted as a part of said code and shall be maintained, together with the National Electrical Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-143—78-170. Reserved.”

SECTION 4. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-171 and 78-172 of Article IV (“Mechanical Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-171 and 78-172 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE IV. MECHANICAL CODE

Sec. 78-171. Adopted.

There is hereby adopted the International Mechanical Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in this section, with the exception of such sections listed in this article, which are hereafter deleted, amended, or modified.

Sec. 78-172. Amendments to the International Mechanical Code.

Certain amendments to the International Mechanical Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Mechanical Code, in the office of the city secretary and building official. All references in

said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-173—78-200. Reserved.”

SECTION 5. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-201 and 78-202 of Article V (“Plumbing Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-201 and 78-202 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE V. PLUMBING CODE

Sec. 78-201. Adopted.

There is hereby adopted the International Plumbing Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereafter deleted, modified or amended.

Sec. 78-202. Amendments and deletions.

Certain amendments to the International Plumbing Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Plumbing Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-203—78-210. Reserved.”

SECTION 6. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-211 and 78-212 of Article VI (“Energy Conservation Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-211 and 78-212 shall henceforth read in their entirety as follows:

**“CHAPTER 78
BUILDINGS AND BUILDING REGULATIONS**

...

ARTICLE VI. ENERGY CONSERVATION CODE

Sec. 78-211. Adopted.

There is hereby adopted the International Energy Conservation Code, 2009 Edition, and made a part of this article for all purposes, the same as if fully copied in full in this section, with the exception of such sections listed in this article, which are hereafter deleted, modified or amended.

Sec. 78-212. Amendments to the Energy Conservation Code.

Certain amendments to the International Energy Conservation Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Energy Conservation Code, in the office of the city secretary and building official. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-213—78-220. Reserved.”

SECTION 7. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending sections 78-221 and 78-222 of Article VII (“International Fuel Gas Code”) of Chapter 78 (“Buildings And Building Regulations”) to replace said sections, such that Sections 78-221 and 78-222 shall henceforth read in their entirety as follows:

“CHAPTER 78 BUILDINGS AND BUILDING REGULATIONS

...

ARTICLE VII. INTERNATIONAL FUEL GAS CODE

Sec. 78-221. Adopted.

There is hereby adopted the International Fuel Gas Code, 2012 Edition, and made a part of this article for all purposes, the same as if fully copied in this section, with the exception of such sections listed in this article, which are hereafter deleted, amended, or modified.

Sec. 78-222. Amendments to the International Fuel Gas Code.

Certain amendments to the International Fuel Gas Code adopted herein, are adopted as a part of said code and shall be maintained, together with the International Fuel Gas Code, in the office of the city secretary and building official. All references in

said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 78-223—78-230. Reserved.”

SECTION 8. That the Code of Ordinances of the City of Rowlett, Texas, be and is hereby amended by amending Article III (“Codes and Standards”) of Chapter 26 (“Fire Prevention and Protection”) to amend sections 26-101 and 26-102, to replace said sections, such that Sections 26-101 and 26-102 shall henceforth read in their entirety as follows:

**“CHAPTER 26
FIRE PREVENTION AND PROTECTION**

...

ARTICLE III. CODES AND STANDARDS

...

Sec. 26-101. International Fire Code adopted.

There is hereby adopted by the City of Rowlett, Texas for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain code known as the International Fire Code, 2012 Edition, including all Appendices, and the latest edition of the National Fire Protection Association Standard 1, save and except such portions as are deleted, modified or amended by this article. The International Fire Code as adopted and amended herein is applicable within the limits of the city, within 5,000 feet thereof, and within the city's extraterritorial jurisdiction.

Sec. 26-102. Amendments to the International Fire Code.

Certain amendments to the International Fire Code, adopted herein, are adopted as a part of said code and shall be maintained, together with the International Fire Code, in the office of the city secretary and the Fire Marshal. All references in said code to a board of appeal shall refer to the board of adjustment of the City of Rowlett.

Secs. 26-103—26-140. Reserved.”

SECTION 9. That the codes adopted herein are adopted with certain amendments, true and correct copies of which are identified as Exhibit “A” attached hereto and incorporated herein, and which amendments are incorporated as a part of each of the codes adopted by this ordinance. The amendments adopted herein shall be maintained on file in the offices of the city

secretary and building official (and fire marshal in the case of the International Fire Code amendments) and shall be attached to each of the codes adopted by this ordinance.

SECTION 10. That all references in all of the codes adopted by this ordinance to boards of appeal shall refer to the board of adjustment of the City of Rowlett, Texas, which shall be and is hereby authorized to act and preside as a board of appeals under each of the codes adopted by this ordinance.

SECTION 11. That all ordinances of the City of Rowlett, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 12. That all provisions of the ordinances of the City of Rowlett, Texas, heretofore adopted prior to January 1, 2009, pertaining to or requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in new or existing one- or two-family dwellings are not repealed or otherwise amended by this ordinance, and said ordinances be and are hereby declared to remain in full force and effect. It is the express intent of the City Council that it is not enacting an ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose residential fire protection sprinkler system or any other fire sprinkler protection system in a new or existing one- or two-family dwelling, but is, instead, preserving and retaining the City's regulations and requirements as they existed prior to January 1, 2009.

SECTION 13. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances and ordinances of the City, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 14. That should any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City.

SECTION 15. That any person, firm or corporation violating any of the provisions or terms of this ordinance or the codes adopted hereby, as same may be amended, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 16. That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

At a meeting of the City Council on April 1, 2014 this Ordinance be adopted. The motion carried by the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Kilgore, Deputy Mayor Pro Tem Gallops, Councilmember Phillips, Councilmember Dana-Bashian, Councilmember Pankratz and Councilmember Bobbitt

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Approved by *A. D.*
Mayor

Date April 1, 2014

Approved to form by *[Signature]*
City Attorney

Date April 1, 2014

Certified by *Saura Hallmark*
City Secretary

Date April 1, 2014

