

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER CODE OF ORDINANCES, SECTION 4 - BUILDINGS, ARTICLE I – TECHNICAL CODES, SECTION 4-120, SPECIFIC AMENDMENTS TO THE 2021 INTERNATIONAL BUILDING CODE AND SECTION 4-135, SPECIFIC AMENDMENTS TO THE 2021 INTERNATIONAL FIRE CODE RELATED TO INCONSISTENCIES IN REFERENCES TO FIRE AREA FOR STRUCTURES OVER 6,000 SQUARE-FEET; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Keller, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution, and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Keller recognizes the importance of establishing the minimum standards for construction to protect the life, health and property of the citizens and businesses of the City of Keller; and

WHEREAS, the City Council of the City of Keller supports and encourages healthy development by providing for the issuance of building construction permits, the inspection of construction activities, and compliance with applicable building codes; and

WHEREAS, the ISO (Insurance Services Office) rates fire departments and their surrounding communities based on several factors including what version of the international building codes that particular community has adopted; and

WHEREAS, the City Council of the City of Keller, Texas, deems it necessary to adopt certain amendments to Section 4-120, Specific Amendments to the 2021 International Building Code and Section 4-135, Specific Amendments to the 2021 International Fire Code; and

WHEREAS, it is in the best interests of the City and its citizens that the proposed amendments to Section 4-120, Specific Amendments to the 2021 International Building Code and Section 4-135, Specific Amendments to the 2021 International Fire Code be approved and adopted.

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

- SECTION 1. THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.
- SECTION 2. THAT, the City of Keller is hereby amending the City of Keller Code of Ordinances, Section 4 - Buildings, Article I – Technical Codes, Section 4-120, Specific Amendments to the 2021 International Building Code and Section 4-135, Specific Amendments to the 2021 International Fire Code to read as Shown in Exhibit “A”.
- SECTION 3. Except as provided in this Ordinance, all ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Keller, Texas, are hereby repealed to the extent that said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.
- SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or word of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held invalid, void or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
- SECTION 5. Any person, firm, partnership, corporation or association violating any provision of this Ordinance or of any code adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of not more than \$2,000.00, and each day such violation continues shall constitute a separate and distinct violation.
- SECTION 6. This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the City of Keller, Texas.

AND IT IS SO ORDAINED.

Passed and approved by a vote of _ to _ on this the 20th day of June, 2023.

CITY OF KELLER, TEXAS

By: _____
Armin Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney