

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER CODE OF ORDINANCES TO ADOPT THE 2018 INTERNATIONAL CODE COUNCIL (ICC) CODES AND THE 2017 NATIONAL ELECTRIC CODE BY CONSOLIDATING AND DELETING CHAPTER 4 - BUILDINGS, ARTICLE I - BUILDING CODE, ARTICLE II - SWIMMING POOLS, AND ARTICLE IV - SUBSTANDARD BUILDINGS, CHAPTER 5 - ELECTRIC CODE, AND CHAPTER 14 - PLUMBING AND MECHANICAL CODES, IN THEIR ENTIRETY; AND BY ADOPTING A NEW CHAPTER 4 - BUILDINGS, ARTICLE I - TECHNICAL CODES, ARTICLE II - RESERVED, ARTICLE IV - RESERVED, CHAPTER 5 - RESERVED, CHAPTER 14 - RESERVED; AND BY AMENDING CHAPTER 6 FIRE PREVENTION, ARTICLE I FIRE PREVENTION CODE; AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, HAZARDOUS MATERIALS, AND EXPLOSION PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO; PROVIDING A PENALTY; 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 the 2018 Edition of the International Building Code, International

Residential Code, International Fire Code, International Fuel Gas Code, International Plumbing Code, International Mechanical Code, International Energy Conservation Code, International Swimming Pool and Spa Code, International Property Maintenance Code, and the 2017 National Electric Code; and

WHEREAS, the North Central Texas Council of Governments reviews and develops proposed amendments to the building codes based on region-specific factors; and

WHEREAS, it is in the best interests of the City and its citizens that the 2018 International Codes, the 2017 National Electric Code, and the proposed amendments to those codes be approved and adopted;

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

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 Code Of Ordinances is hereby amended to adopt The 2018 International Code Council (ICC) Codes and The 2017 National Electric Code by consolidating and deleting Chapter 4 - Buildings, Article I - Building Code, Article II - Swimming Pools, and Article IV - Substandard Buildings, Chapter 5 - Electric Code, and Chapter 14 - Plumbing and Mechanical Codes, in their entirety; and by adopting a new Chapter 4 - Buildings, Article I - Technical Codes, Article II - Reserved, Article IV - Reserved, Chapter 5 - Reserved, Chapter 14 - Reserved; and by amending Chapter 6 Fire Prevention, Article I Fire Prevention 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 15th day of October, 2019.

CITY OF KELLER, TEXAS

By: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney