

ORDINANCE NO. 55-08-22

AN ORDINANCE UPDATING TITLE 9 BUILDING REGULATIONS, CHAPTER 1 BUILDING CODES, SECTION 9-1-1-1 'BUILDING CODE', SECTION 9-1-1-2 'RESIDENTIAL CODE', SECTION 9-1-1-3 'FIRE CODE', SECTION 9-1-1-4 'MECHANICAL CODE', SECTION 9-1-1-5 'PLUMBING CODE', SECTION 9-1-1-6 'FUEL GAS CODE', SECTION 9-1-1-7 'ENERGY CONSERVATION CODE', SECTION 9-1-1-8 'ELECTRICAL CODE', SECTION 9-1-1-9 'PROPERTY MAINTENANCE CODE', SECTION 9-1-3 (N) 'CONTRACTOR FEE'; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY PROVISION; PROVIDING FOR AN ENABLING DATE OF ENFORCEMENT; PROVIDING FOR THE CITY SECRETARY TO HAVE THE CONTENTS OF THIS ORDINANCE PUBLISHED AND POSTED IN THE CITY OF ALAMO'S CODE OF ORDINANCES; AND INSTRUCTING THE CITY SECRETARY TO PUBLISH THE CAPTION OF THIS ORDINANCE IN A NEWSPAPER OF LOCAL CIRCULATION IN ACCORDANCE TO PROTOCOL

WHEREAS, The City of Alamo, Texas adopted technical building codes and associated regulations that will provide guidance as to the minimum requirements of buildings and other associated structures within the city limits; and,

WHEREAS, The City of Alamo, Texas understands that, from time to time, such building related codes and regulations will need to be updated to have its resulting structures comply with the most current building code requirements; thus, being a continual improvement of the structural stock in Alamo, Texas; and,

WHEREAS, The City's current Code of Ordinances require that the City Secretary's office be equipped with 3 copies of five (5) of the Codes desired to be updated and one (1) copy of the others; but since such Codes are now commonly available on the internet, paying and keeping so many sets of said Codes is deemed redundant and financially un-necessary; and,

WHEREAS, It has also been brought to the City's attention that there has been State legislation that needs to be logically assimilated into the City's codes as it relates to registration fees of certain contractors; and,

WHEREAS, The City of Alamo, Texas has discerned that it is indeed in the City's best interests to update the code requirements as specifically outlined herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, COUNTY OF HIDALGO, STATE OF TEXAS, THAT:

1. *(NOTE to Codifier: the scratched-out verbiage is deleted, and the bold/underlined verbiage shall be now be inserted as new codifying language.)* Section 9-1-1-1 (A) **'Building Code'** be amended as follows: ~~"Adoption: That a certain document, three (3) copies of which are on file in the office of the city secretary of the city of Alamo, being marked and designated as the international building code, 2012 edition, including as published by the International Code Council, be and is hereby adopted as the building code of the City of Alamo, Texas, for the regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as therein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions penalties, conditions, and terms of said building code on file in the office of the city secretary re hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section.~~ The International Building Code 2021 edition is hereby adopted for the purposes expressed in said Code, with consideration given to any amendments specified in (B) below.
2. Section 9-1-1-2 (A) **'Residential Code'** be amended as follows: ~~"Adoption: That a certain document, three (3) copies of which are on file in the office of the city secretary of the city of Alamo, being marked and designated as the international residential code, 2012 edition, including appendix E manufactured housing used as dwellings; appendix F radon control methods; appendix G swimming pools, spas and hot tubs; appendix H patio covers; appendix J existing buildings and structures; appendix K sound transmission as published by the International Code Council be and is hereby adopted as the residential code of the city of Alamo, Texas, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress and herein provided; providing for the issuance of permits and collection of fees therefore;; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file~~

in the office of the city secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The International Residential Code 2018 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.

3. Section 9-1-1-3 (A) **'Fire Code'** be amended as follows: ~~Adoption: That a certain document, three (3) copies of which are on file in the office of the city secretary of the city of Alamo, being marked and designated as the international fire code, 2012 edition, including appendix B fire-flow requirements for buildings; appendix C fire hydrant locations and distribution; appendix D fire apparatus access roads; appendix E hazard categories; appendix F hazard ranking; appendix G cryogenic fluids — weight and volume equivalents; appendix H hazardous materials management plan (HMMP) and hazardous materials inventory statement (HMIS) instructions; appendix I fire protection systems — noncompliant conditions; appendix J building information sign; as published by the International Code Council, be and is hereby adopted as the fire code of the city of Alamo, Texas, regulating and governing the safeguarding of the life and property from fire and explosions hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code on file in the office of the city secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The International Fire Code 2018 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.~~

4. Section 9-1-1-4 (A) **'Mechanical Code'** be amended as follows: ~~Adoption: That a certain document, one original of which is on file in the office of the city secretary of the city of Alamo, being marked and designated as the international mechanical code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the mechanical code of the city of Alamo, Texas, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the city secretary~~

are hereby referred to, adopted, and made a part hereof, as if fully set out in this section. The International Mechanical Code 2021 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.

5. Section 9-1-1-5 (A) 'Plumbing Code' be amended as follows: ~~Adoption: That a certain document, three (3) copies of which are on file in the office of the city secretary of the city of Alamo, being marked and designated as the international plumbing code, 2012 edition, including appendix A system layout illustrations; appendix B tables for pressure distribution systems; as published by the International Code Council, be and is hereby adopted as the plumbing code of the City of Alamo, Texas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code on file in the office of the city secretary are hereby referred to, adopted, and made a part thereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The International Plumbing Code 2021 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.~~

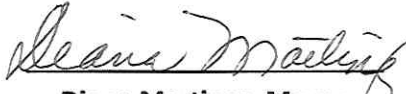
6. Section 9-1-1-6 (A) 'Fuel Gas Code' be amended as follows: ~~Adoption: That a certain document, three (3) copies of which are on file in the Office of the City Secretary of the City of Alamo, being marked and designated as the International Fuel Gas Code, 2012 edition, including appendix A, Sizing and Capacities of Gas Piping; appendix B, Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I, Appliances and Appliances Listed for Use With Type B Vents; as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Alamo, Texas, for regulating and governing fuel gas systems and gas fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions penalties, conditions and terms of said Fuel Gas code on file in th Office of the City Secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The International Fuel Gas Code 2018 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.~~

7. Section 9-1-1-7 (A) 'Energy Conservation Code' be amended as follows: ~~Adoption: That a certain document, one copy of which is on file in the office of the City Inspector for the City of Alamo, being marked and designated as the International Energy Conservation Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Alamo, Texas,, regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the City Inspector are hereby referred to, adopted, and made a part hereof;, as if fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed in this section. The International Energy Conservation Code 2021 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.~~
8. Section 9-1-1-8 (A) 'Electrical Code' be amended as follows: Adoption: The ~~2017~~ 2020 edition of the National Electrical Code is hereby adopted by reference.
9. Section 9-1-1-9 (A) 'Property Maintenance Code' be amended as follows: ~~Adoption: That a certain document, three (3) copies of which are on file in the Office of the City Secretary of the City of Alamo, being marked and designated as the International Property Maintenance Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Alamo, Texas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the city secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in this section. The International Property Maintenance Code 2018 edition is hereby adopted for the purposes expressed in said Code with consideration given to any amendments specified in (B) below.~~

10. Section 9-1-3 'Building Code Permit Fees' (N) (1) and (N)(2) requiring a *registration fee* and *renewal fee* from contractors, e.g., plumbers, AC contractors, master electricians) is hereby deleted in its entirety due to State legislation; and shall be replaced by the following: Due to State legislation as it relates to Texas' Occupation Code's references to prohibit or inhibit registration fees to plumbers, AC contractors, and master electricians, the City of Alamo will not levy registration fees to such identified occupations; however, should future legislation be adopted to once again allow for such registration fees, the City of Alamo reserves its right for such re-consideration.
11. Should there be any regulation, provision, phrase, section or similar measure be determined to be unconstitutional or deemed invalid by a court of competent jurisdiction, it is declared that all other remaining portions shall remain in full force and effect.
12. Should there be a regulation, provision, section or similar measure that may be in conflict with any provision, policy, or regulation as set forth by this ordinance, then the provisions of this ordinance shall supersede all others.
13. This ordinance and its ordained provisions, regulations, and measures shall be effective on October 1, 2022 (12:01 a.m.), as enabled upon the signature by the Mayor of the City of Alamo, Texas.
14. The City Secretary of the City of Alamo, Texas is hereby instructed to forward the signed ordinance to the City's Codifying firm so that the contents may be promptly published in the City of Alamo's Code of Ordinances.
15. The City Secretary of the City of Alamo, Texas is hereby instructed to publish the caption of this ordinance in a newspaper of local circulation in accordance to policy and protocol.

READ, DISCUSSED, AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF ALAMO, TEXAS, in accordance with the provisions of Chapter 551 of the Texas Government Code, at a Regular Meeting called and publicly held at the City of Alamo's City Hall, on this the 16 day of August, In The Year of Our Lord, 2022.

CITY OF ALAMO, TEXAS

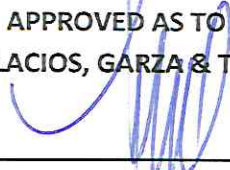

Diana Martinez, Mayor

ATTEST:


Alexandra Rangel
City Secretary



APPROVED AS TO FORM
PALACIOS, GARZA & THOMPSON



CITY ATTORNEY