

AN ORDINANCE OF THE CITY OF TIOGA ADOPTING THE 2003 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL ENERGY CONSERVATION CODE AND THE 2002 NATIONAL ELECTRICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; REGULATING AND GOVERNING THE MECHANICAL, PLUMBING AND ELECTRICAL SYSTEMS; AND, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF TIOGA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Tioga, Texas (the, "City") is a Type A General Law City; and

**WHEREAS**, the City Council has investigated and determined that it will be advantageous, beneficial, and in the best interest of the citizens of Tioga for the City Council to adopt the 2003 International Building Code, 2003 International Residential Code, 2003 International Mechanical Code, 2003 International Plumbing Code, 2003 International Energy Conservation Code and the 2002 National Electrical Code; and

**WHEREAS**, the City Council of the City of Tioga recognizes the need to regulate and control the quality of construction, repair renovation, replacement and maintenance of the building envelope.

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

Section 1. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas being marked and designated as the International Building Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Tioga, in the State of 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 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 Building Code on file in the office of the City of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance

Section 2. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas being marked and designated as the International Residential Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Tioga, in the State of 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 stories in height with separate means of egress 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 Residential Code on file in the office of the City of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 3. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas 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 Tioga, in the State of Texas 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 of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 4. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas being marked and designated as the International Plumbing Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Tioga, in the State of 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 of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 5. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas being marked and designated as the International Energy Conservation Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Tioga, in the State of Texas for 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 of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 6. That a certain document, a copy of which is on file in the office of the City Secretary of Tioga, Texas being marked and designated as the 2002 National Electrical Code is hereby adopted as the Electrical Code of the City of Tioga, in the State of Texas for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical 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 Electrical Code on file in the office of the City of Tioga are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 7. That Ordinance No. 200 (Section 1 and 2 only) of City of Tioga and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 9. That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 7 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 10. It shall be unlawful for any person, organization, firm, association or corporation to violate any of the provisions of this Ordinance. Any person, organization, firm association or corporation who violates any of the provisions of the Ordinance shall, upon conviction, be fined not less than one hundred dollars (\$100.00), nor more than two thousand dollars (\$2,000.00) and each and every day that the violation continues constitutes a separate offense and is punishable as such.

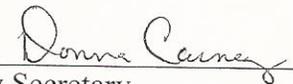
Section 11. That the City Secretary is hereby ordered and directed to cause this ordinance to be published by publishing the caption in a newspaper of general circulation.

Section 12. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

PASSED AND APPROVED this the 12<sup>th</sup> day of December, 2005.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Secretary