

AN ORDINANCE OF THE CITY OF NATALIA, TEXAS ADOPTING CERTAIN 2009 AND 2011 INTERNATIONAL CODES AND STANDARDS AND LOCAL AMENDMENTS THERETO; PROVIDING FOR REPEALER, SEVERABILITY, CUMULATIVE; AND SAVINGS CLAUSES AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the state of Texas has adopted certain international codes as building codes in all municipalities in the state and authorizes the City of Natalia to adopt subsequent versions of those codes as well as local amendments thereto and provide for their administration and enforcement; and

WHEREAS, the City of Natalia deems it necessary to update its local commercial and building code regulations; and

WHEREAS, the regulation of building construction by the City of Natalia is necessary to protect the public health and welfare.

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

I - AMENDMENTS

The following sections of Chapter 6, Article I, of the City of Natalia Code of Ordinances are hereby enacted along with the following local amendments and shall read as follows:

Section 6-1. International Building Code Adopted

The *International Building Code*, 2009 Edition, together with all appendices, except D, E, H, I and J, Section 101.4.1 of Chapter I and Chapter Eleven (11) (Accessibility), as published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully, except as amended as follows:

Section 903, add paragraph 903.6 to read as follows:

Any building over two (2) stories, twenty-five (25) feet in height, shall be defined as a high-rise building and shall have automatic sprinkler protection, fully electrically supervised and designed in accordance with the Standard for Installation of Sprinklers (NFPA-13). The determination of the above said twenty-five (25) feet shall be from the finished grade level to the eave of the roof.

Section 903, add paragraph 903.7 to read as follows:

All buildings of more than two (2) stories shall have automatic sprinklers that meet specifications of NFPA-13 on all floors.

Section 6-2. International Residential Code Adopted

The *International Residential Code*, 2009 Edition, as adopted and published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully, with the exception of Part VIII – Electrical, Chapters 33-42.

Section 6-3. International Existing Building Code Adopted

The *International Existing Building Code*, 2009 Edition, as adopted and published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully.

Section 6-4. International Mechanical Code Adopted

The *International Mechanical Code*, 2009 Edition, as adopted and published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully with the following amendment:

Section 507.1.1 is hereby appended to read:

Any commercial, industrial or institutional exhaust hood installed shall be an approved and listed prefabricated hood that has been tested and certified or shall have been designed and certified by a professional engineer.

Section 6-5. International Fuel Gas Code Adopted

The *International Fuel Gas Code*, 2009 Edition, as published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully.

Section 6-6. International Commercial Energy Code Adopted

The *International Commercial Energy Code*, 2009 Edition, as published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully.

Section 6-7. National Electric Code Adopted

The *National Electric Code*, 2011 Edition, as published by the National Fire Protection Association, is hereby adopted and incorporated by reference as though it was copied herein fully with the following amendments:

Copper wiring required – Any conductor, whether it may be current carrying, non-current carrying, or grounded conductor with applications enclosed in any structure,

conduit body, or enclosure shall be copper.

Conduit required – All new wiring in buildings not having an occupancy classification of R-3 shall be in conduit. Non-metallic conduits may be used in other than hazardous areas.

Transformer location – For safety, fire hazard, and maintenance purposes, high voltage transformers installed indoors or in enclosed spaces shall not be stored in an attic space.

Fire warning devices – Each residence and occupied building shall be equipped with an approved fire warning device or devices so located as to provide an audible warning to occupants in the event of fire.

Section 6-8. International Plumbing Code Adopted

The *International Plumbing Code*, 2009 Edition, together with all appendices, except A (permit schedule), B (rates of rainfall) and D (degree day & design temperatures), as published by the International Code Council, is hereby adopted and incorporated, by reference as though it was copied herein fully, with the following amendments:

- (1) Any new construction or remodel involving a water softener or water heater will be required to have a walk-through doorway measuring no less than 30 inches wide and 60 inches high and be approved by the Building Official.
- (2) In new construction or a remodel it is prohibited to install new water heaters in an attic. Attics containing existing water heaters shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall not be less than 30 inches high and 22 inches wide and not more than 20 feet in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches wide. A level service space at least 30 inches deep and 30 inches wide shall be present at the front or service side of the water heater. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches where such dimensions are large enough to allow removal of the water heater.
 - (a) Exception: Same-level direct access through a walk thru door minimum of 30 inches wide and 60 inches in height and to be lighted.
- (3) Vents. Buildings in which plumbing is installed shall have at least one 3-inch stack. Such stack shall run undiminished in size and as directly as possible from the building drain through to the open air or to a vent header that extends to the open air.

Section 6-11. Conflicts between Adopted Codes and other Regulations

To the extent of a conflict between any Codes adopted herein and any locally adopted regulations regarding construction requirements, permitting, variances, and appeals from any code requirements and local administrative decisions, the locally adopted regulations shall apply.

II - CUMULATIVE CLAUSE

That this ordinance shall be cumulative of all provisions of the City of Natalia, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

III - SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Natalia that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

IV - SAVINGS

That all rights and privileges of the City of Natalia are expressly saved as to any and all violations of the provision of any Ordinances affecting the subject matter, which have accrued at the time of the effective date of this Ordinances; and, as to such accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

V - PROPER NOTICE AND MEETING


It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.


VI - EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by State law.

ADOPTED AND APPROVED on this 17th day of March, 2014 by a vote of the City Council of the City of Natalia, Texas.

APPROVED


RUBERTA C. VERA
MAYOR

Attest: 
SAUNDRA PASSAILAIGUE, TRMC
City Administrator/City Secretary

Approved as to Form: 
City Attorney

