

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS ADOPTING CERTAIN 2015 INTERNATIONAL CODES AND STANDARDS, AND 2014 NATIONAL ELECTRIC CODE, AND LOCAL AMENDMENTS THERETO; PROVIDING FOR A VARIANCE PROCESS, REPEALER, SEVERABILITY, CUMULATIVE; AND SAVINGS CLAUSES AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the state of Texas has adopted certain international codes as building codes in all municipalities in the state and authorizes the City of Leon Valley 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 Leon Valley deems it necessary to update its local commercial and building code regulations; and

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

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

**I - AMENDMENTS**

The following sections of Chapter 3, Article 3.02, of the City of Leon Valley Code of Ordinances are hereby enacted along with the following local amendments and shall read as follows:

**Section 3.02.051.01 International Building Code Adopted**

The International Building Code, 2015 Edition, together with all appendices, as published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully, with the exception to Section 113.3 which calls for a Board of Appeals, and all references to such in the IBC. Refer to Section 3.02.053 for appeals and variance processes.

**Section 3.02.051.02 International Residential Code Adopted**

The International Residential Code, 2015 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 3.02.051.03 International Existing Building Code Adopted**

The International Existing Building Code, 2015 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 3.02.053 Appeals and Variances**

- 1) An appeal of the decision of the Building Official will be considered by Development

Director, Fire Chief, and City Engineer and based on the joint recommendation of said individuals; the appeal may be granted or denied with final discretion by the City Manager.

- 2) A variance from the provisions of certain sections of the currently adopted code may be granted administratively by the Development Director on the joint recommendation of the Building Inspector, Fire Chief, and Public Works Director, if alternative requirements are made which will give an equivalent amount of protection. The variance shall specify the alternative measures.

### **Section 3.02.054 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.

### **Section 3.02.131 International Mechanical Code Adopted**

The International Mechanical Code, 2015 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 3.02.221 National Electric Code Adopted**

The National Electric Code, 2014 Edition, as published by the National Fire Protection Association, is hereby adopted and incorporated by reference as though it was copied herein fully.

### **Section 3.02.222 International Commercial Energy Code Adopted**

The International Commercial Energy Code, 2015 Edition, as published by the International Code Council, is hereby adopted and incorporated by reference as though it was copied herein fully.

### **Section 3.02.321 International Plumbing Code Adopted**

The International Plumbing Code, 2015 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.

## **II - CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Leon Valley, 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 Leon Valley 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 Leon Valley 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

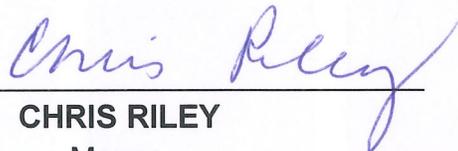
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

### VI - EFFECTIVE DATE

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

**ADOPTED AND APPROVED** on this 8<sup>th</sup> day of December, 2014 by a vote of the City Council of the City of Leon Valley, Texas.

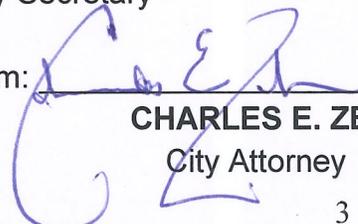
Approved:

  
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**CHRIS RILEY**  
Mayor

Attest:   
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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:   
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**CHARLES E. ZECH**  
City Attorney

