

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF TALTY, TEXAS, ADOPTING THE PROVISIONS OF THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 INTERNATIONAL BUILDING CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2021 INTERNATIONAL PLUMBING CODE, THE 2021 INTERNATIONAL MECHANICAL CODE, THE 2021 INTERNATIONAL FUEL GAS CODE, THE 2021 INTERNATIONAL EXISTING BUILDING CODE AND THE 2021 INTERNATIONAL FIRE CODE, PROVIDING FOR THE AMENDMENTS TO EACH OF THE AFORESAID CODES; PROVIDING FOR THE ADOPTION OF A FEE SCHEDULE; PROVIDING A REPEALING CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS:

SECTION 1. That the City of Talty hereby adopts the provisions of the 2021 International Residential Code; the 2021 International Building Code, the 2021 International Energy Conservation Code, the 2021 International Plumbing Code, the 2018 International Mechanical Code, the 2021 International Fuel Gas Code, the 2021 International Existing Building Code and the 2021 International Fire Code with all Code appendices and incorporating all regional amendments recommended within each Code by the North Central Texas Council of Governments as the codes for:

(1) Regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City or, when authorized, its extra-territorial jurisdiction; and

(2) Providing for issuance of permits and collection of fees for such permits. All the regulations, provisions, conditions and terms of such publications referenced in this

section, all of which are on file in the offices of the City of Talty, managed by the City Secretary and Building Official, are referred to, adopted and made a part of the Ordinance of the City of Talty, as if fully set forth herein.

(3) Where applicable, the City adopts each Option B within the North Central Texas Council of Governments' International Fire Code recommendations..

SECTION 2. All references in all such codes to boards of appeal shall refer to the City Council of the City of Talty, Texas.

SECTION 3. It is unlawful for any person to erect construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause to permit such work to be done in violation of the codes adopted by this Ordinance. Any person violating any of the provisions of these codes shall be deemed guilty of a separate offense for each day, or portion during which any violation of any of the provisions of such codes is committed, continued or permitted and each violation shall be punishable by a fine not to exceed two thousand dollars (\$2,000.00).

SECTION 4. In the event that any provision of the comprehensive zoning ordinance of the City of Talty contains regulations more restrictive than the regulations contained in the codes adopted by this Ordinance, the provisions of the Comprehensive Zoning Ordinance shall control.

SECTION 5. The fee schedule adopted as the master fee schedule shall apply for inspections, permits, and other chargeable activities under the codes adopted herein.

This master fee schedule may be changed or amended as the City Council may deem necessary or appropriate.

SECTION 6. That all ordinances of the City of Talty in conflict with the provisions of this ordinance be and the same is hereby, repealed and all other ordinances of the City of Talty not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 7. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. If any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof, other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the ordinances of the City of Talty.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance, or the codes adopted herein, as amended hereby, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punishable by a fine not to exceed the sum of

Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue to constitute as a separate offense.

SECTION 10. That this Ordinance shall take effect immediately from, and after its passage, and the publication of the caption as the law in such cases provides.

DULY ADOPTED by the City Council, on behalf of the governing body of the City of Talty, Texas, on this the 18th day of January 2022.

APPROVED:

Mayor Frank Garrison

ATTEST:

Sherry Bagby, Town Secretary