

**CITY OF HORSESHOE BAY**

**ORDINANCE NO. ORD 09-08-25E**

**BUILDING CODE ORDINANCE AMENDMENT ADOPTING THE  
2006 EDITIONS OF INTERNATIONAL CODE COUNCIL'S  
INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL  
BUILDING CODE, INTERNATIONAL PLUMBING CODE,  
INTERNATIONAL MECHANICAL CODE, AND INTERNATIONAL  
ENERGY CONSERVATION CODE**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS  
AMENDING BUILDING CODE ORDINANCE NO. 06-04-18E BY  
ADOPTING THE 2006 EDITION OF THE INTERNATIONAL  
RESIDENTIAL CODE REGULATING AND GOVERNING  
DETACHED ONE AND TWO FAMILY DWELLINGS AND  
MULTIPLE SINGLE FAMILY DWELLINGS NOT MORE THAN  
THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF  
EGRESS; ADOPTING THE 2006 EDITION OF THE  
INTERNATIONAL BUILDING CODE REGULATING AND  
GOVERNING ALL BUILDINGS OR STRUCTURES NOT  
GOVERNED BY THE RESIDENTIAL CODE; ADOPTING THE 2006  
EDITION OF THE INTERNATIONAL PLUMBING CODE  
REGULATING AND GOVERNING ALL CONSTRUCTION  
APPLICATIONS; ADOPTING THE 2006 EDITION OF THE  
INTERNATIONAL MECHANICAL CODE REGULATING AND  
GOVERNING ALL MECHANICAL CONSTRUCTION  
APPLICATIONS; ADOPTING THE 2006 EDITION OF THE  
INTERNATIONAL ENERGY CONSERVATION CODE  
REGULATING AND GOVERNING ALL RESIDENTIAL AND  
COMMERCIAL APPLICATIONS; AND PROVIDING FOR  
SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER  
NOTICE AND MEETING**

**WHEREAS**, the City Council of the City of Horseshoe Bay seeks to provide for the safe and orderly development of property within its corporate limits and extraterritorial jurisdiction; and

**WHEREAS**, the City Council finds that poorly constructed or maintained buildings constitute a nuisance and threat to the public health, safety and welfare; and

**WHEREAS**, the City Council seeks to protect the citizens of Horseshoe Bay from conditions hazardous to life or property in the occupancy of buildings and premises; and

**WHEREAS**, the City Council finds it to be in the best interest of the public to provide building codes governing and regulating residential and nonresidential buildings and structures within the City of Horseshoe Bay, and adopted Ordinance No. 06-04-18E to establish Building Codes within the City; and

**WHEREAS**, the City Council is authorized to regulate construction and prohibit nuisances pursuant to the City's general police powers and Texas Local Government Code Chapters 51, 54 and 217; and

**WHEREAS**, pursuant to Texas Local Government Code Chapter 214 the City Council is authorized to establish procedures to adopt certain building codes, establish local amendments to such codes, and provide for the administration and enforcement of the codes; and

**WHEREAS**, The International Code Council has issued 2006 editions of all of the codes that the City has previously been administering under the 2003 editions;

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

#### **I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

#### **II. AMENDMENT OF EXISTING BUILDING CODE EDITIONS**

##### **(a) Amendment of Existing Residential Building Code Edition**

Section 6.1 of Ordinance No. 06-04-18E is hereby amended to read as follows:

##### **6.1. Code Adopted**

The City Council hereby adopts the "International Residential Code," 2006 edition, 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 dwelling (townhouses) not more than three stories in heights with separate means of egress in the City, as may be amended. Such document, as may be amended, is hereby adopted as the "Residential Building Code" of the City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to and use or maintenance of one- and two-

family dwellings and townhouses not more than three stories in height in the City, and providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, conditions and terms of such “International Residential Code”, which is adopted and made a part hereof as if fully set out in this Ordinance. The Residential Building Code shall also include the certain Appendix Chapters as may be designated by the City Council.

**(b) Amendment of Existing Commercial Building Code Edition**

Section 7.1 of Ordinance No. 06-04-18E is hereby amended to read as follows:

7.1. Code Adopted

The City hereby adopts a certain document, one (1) copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the “International Building Code,” published by the International Code Council, Inc., as may be amended. Such document, as may be amended, is hereby adopted as the “Commercial Building Code” of the City for control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Commercial Building Code, which is adopted and made a part hereof as if fully set out in this Ordinance. The Commercial Building Code shall also include the certain Appendix Chapters as may be designated by the City Council.

**(c) Amendment of Existing International Plumbing Code Edition**

Section 9.1 of Ordinance No. 06-04-18E is hereby amended to read as follows:

9.1. Code Adopted

The City hereby adopts a certain document, one copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of “The International Plumbing Code,” published by the International Code Council, as may be amended. Such document, as may be amended, is hereby adopted as the “Plumbing Code” of the City, and as such shall apply to all plumbing construction applications. The City Council may establish procedures for the administration and enforcement of the Plumbing Code, and may adopt local amendments to the International Plumbing Code.

**(e) Amendment of Existing International Mechanical Code Edition**

Section 10.1 of Ordinance No. 06-04-18E is hereby amended to read as follows:

10.1. Code Adopted

The City hereby adopts a certain document, one (1) copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the “The

International Mechanical Code,” as developed by the International Code Council, as may be amended. Such document, as may be amended, is hereby adopted as the “Mechanical Code” of the City, and as such shall apply to all mechanical construction applications. The City Council may establish procedures for the administration and enforcement of the Mechanical Code, and may adopt local amendments to the International Mechanical Code.

**(f) Amendment of Existing International Energy Conservation Code Edition**

Section 11 of Ordinance No. 06-04-18E is hereby amended to read as follows:

**11. International Energy Conservation Code**

The City hereby adopts a certain document, one (1) copy of which is on file in the office of the City Secretary, being marked and designated as the 2006 edition of the “The International Energy Conservation Code.” Such document, as may be amended, is hereby adopted as the “Energy Conservation Code” of the City, and as such shall apply to all residential and commercial construction applications. The City Council may establish procedures for the administration and enforcement of the Energy Conservation Code, and may adopt local amendments to the International Energy Conservation.

**III. EFFECTIVE DATE**

This Ordinance shall be and become effective for Building Permits issued on and after October 1, 2009, after its passage and publication as may be required by governing law, in order to provide proper notice to building contractors.

**IV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

**V. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

**VI. 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 Code.

**ADOPTED AND APPROVED** on this 25<sup>th</sup> day of August, 2009 by a vote of the City Council of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**Robert W. Lambert, Mayor**

**Attest:**

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**Teresa L. Moore, City Secretary**