

**ORDINANCE NO. 1-34-20**

**AN ORDINANCE OF THE CITY OF YORKTOWN, TEXAS, AMENDING CHAPTER 5 FIRE PREVENTION AND PROTECTION, ARTICLE 5.03 FIRE CODE, OF THE CODE OF ORDINANCES OF THE CITY OF YORKTOWN, TEXAS; ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL FIRE CODE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Yorktown (hereinafter “City”) is a Type A General Law municipality; and

**WHEREAS**, pursuant to the laws of the State of Texas, including Texas Local Government Code section 51.001, the City Council has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

**WHEREAS**, the City Council is of the opinion and finds that adoption of the *International Fire Code* 2018 Edition and local amendments to said *International Fire Code* will promote the public health, safety, and general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City, and as well, the owners and occupants thereof, and the City generally;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Yorktown, Texas that:

**I. AMENDMENTS**

Chapter 5 Fire Prevention and Protection, Article 5.03 Fire Code, of the Code of Ordinances of the City of Yorktown, Texas is hereby amended in its entirety to read as follows:

**ARTICLE 5.03 FIRE CODE**

**Sec. 5.03.001 Adopted**

A certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the *International Fire Code*, 2018 edition, including appendix chapters B – N (excluding A) and any amendments that become an official part of said code, as published by the International Code Council, be and is hereby adopted as the building code of the City, 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 are hereby referred to, adopted, and

made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and charges, if any, prescribed in section 5.03.002 of this division.

**Sec. 5.03.002 Amendments**

The following sections are hereby revised:

Section 101.1. Insert: City of Yorktown.

Section 103.2. Substitute: Appointment; The fire code official shall be appointed by the chief appointing authority of the jurisdiction.

Section 106.2.2 Substitute: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority and on file in the office of the city secretary of the City of Yorktown.

Section 109 Delete in its entirety.

Section 110.3.3 Delete section item.

Section 110.4. Substitute: Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not less than \$25.00 nor more than \$1,000.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 112.4. Substitute: Failure to comply; Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$25.00 dollars or more than \$1,000.00 dollars.

Section 5704.2.9.6.1. Insert City of Yorktown.

Section 5706.2.4.4. Insert City of Yorktown

Section 5806.2. Insert City of Yorktown

Section 6104.2. Insert City of Yorktown

Appendix A not adopted.

**Sec. 5.03.003 Payment of permit fees**

A permit shall not be issued until the fees which are on file in the city secretary's office have been paid. No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the estimated cost of the installation, shall have been paid.

**Sec. 5.03.004 Failure to obtain permit**

If any person commences any work for which a permit is required before obtaining the necessary permit from the City, he shall be subject to the penalty prescribed in section 1.01.009.

**Sec. 5.03.005 Article Control**

The requirements of this article shall control should they conflict with the *International Fire Code* as adopted by the City.

**II. REPEALER**

All provisions of the ordinances of the City of Yorktown in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Yorktown, not in conflict with the provisions of this Ordinance, shall remain in full force and effect. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

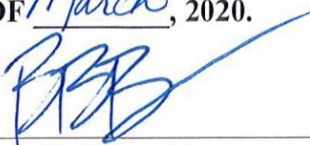
**III. SEVERABILITY**

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

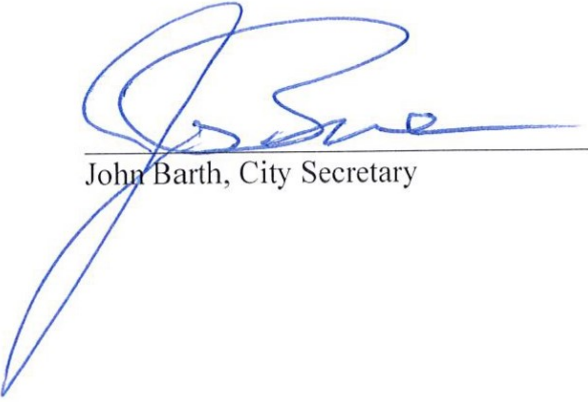
**IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 30<sup>th</sup> DAY OF March, 2020.

  
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Hon. Bill Baker, Mayor  
City of Yorktown, Texas

ATTEST:

A handwritten signature in blue ink, appearing to read 'John Barth', is written over a horizontal line. A long, sweeping flourish extends from the bottom left of the signature.

John Barth, City Secretary