

## ORDINANCE NO. 1-30-20

**AN ORDINANCE OF THE CITY OF YORKTOWN, TEXAS, AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, DIVISION 2 BUILDING CODE, OF THE CODE OF ORDINANCES OF THE CITY OF YORKTOWN, TEXAS; ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING 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 Existing Building Code* 2018 Edition and local amendments to said *International Existing Building 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 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Division 2 Building Code, of the Code of Ordinances of the City of Yorktown, Texas is hereby amended in its entirety to read as follows:

#### **Division 2. International Existing Building Code**

##### **Sec. 3.02.051 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 Existing Building Code*, 2018 edition, including appendix chapters A - C 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 3.02.052 of this division.

### **Sec. 3.02.052 Amendments**

The following sections are hereby revised:

Section 101.1. Insert: City of Yorktown.

Section 112 Delete in its entirety.

Section 113.2 Delete Section Item

Section 113.3 Delete Section Item

Section R113.4. 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 115 Delete in its entirety.

Section 117 Delete in its entirety.

### **Sec. 3.02.053 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. 3.02.054 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. 3.02.055 Article Control**

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

3.02.056-3.02.100 Reserved

**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.

  
\_\_\_\_\_  
Hon. Bill Baker, Mayor  
City of Yorktown, Texas

ATTEST:

  
\_\_\_\_\_  
John Barth, City Secretary