

ORDINANCE NO. 2014-16-09C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALLSVILLE, TEXAS, ADOPTING A BUILDING, PLUMBING, GAS, MECHANICAL, AND FIRE CODE, PROVIDING A PENALTY BY FINE FOR VIOLATION, PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hallsville, Texas, a Type A General Law municipality, has the authority to adopt ordinances, acts, laws, and/or regulations, not inconsistent with Texas state law, which are found to be necessary for the government, interest, welfare, and/or good order of the municipality as a body politic pursuant to *Texas Local Government Code* § 51.012 and other applicable provisions of Texas law; and

WHEREAS, the City Council finds and determines that the public interest, welfare, and good order of the municipality as a body politic is served, in part by avoiding improper construction and repairs of buildings, structures, swimming pools, and sprinkler systems creating a hazard to the health of City citizens, and by prescribing regulations for the construction, alteration, removal, location, and maintenance of all buildings, structures, swimming pools, and sprinkler systems within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLSVILLE, TEXAS, THAT:

- (a) **Building Code.** The City hereby adopts by reference for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, structures, swimming pools, and sprinkler systems, including permits and penalties, that certain building code known as the International Building Code,

2012 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

(b) **Plumbing Code.** The City hereby adopts by reference for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, structures, swimming pools, and sprinkler systems, including permits and penalties, as the plumbing code of the City, the International Plumbing Code 2012 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

(c) **Mechanical Code.** The City hereby adopts by reference for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, structures, swimming pools, and sprinkler systems, including permits and penalties, as the mechanical code of the City, the International Mechanical Code 2012 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of

this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

- (d) **Gas Code.** The City hereby adopts by reference for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, structures, swimming pools, and sprinkler systems, including permits and penalties, as the gas code of the City, the International Gas Code 2012 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

- (e) **Fire Code.** The City hereby adopts by reference for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, structures, swimming pools, and sprinkler systems, including permits and penalties, as the fire code of the City, the International Fire Code 2012 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

(f) **Specific Requirements.**

(1) Elevation. The elevation of all water and/or sewer mains and lines, and the location of existing line taps, if any, must be determined prior to the start of lot clearing and earthwork on any construction project. And must be submitted to the City for approval along with the building permit application as part of or in conjunction with project plans. The floor elevation of any structure included as part of a project must be at least twelve (12) inches higher than the nearest upstream manhole, cleanout, or overflow point of the sanitary sewer main to which the sewer service for such construction is to be connected.

(2) Driveways. The location of any driveway, roadway, or other impermeable surface included as part of a project must be determined prior to the start of lot clearing and earthwork on any project, and must be submitted to the City for approval along with the building permit application as part of or in conjunction with project plans, in order to avoid conflicts with any utility lines or rights of way.

(3) Front Setback. Any structures to be constructed or located as part of a project shall have a set back of a minimum of 30 feet from the nearest right of way as measured from the back of the curb or center of the bar ditch of said right of way.

(4) Side Setback. Any structures to be constructed or located as part of a project shall have a set back of a minimum of 10 feet from the nearest side property line.

(5) Silt Fence. A silt fence must be erected around the perimeter of the lot or on the property line by the property owner or holder of the building permit allowing commencement of a project before any dirt work shall be commenced on a project.

(6) Clearing. No brush, vegetation, stumps, limbs, or other similar debris may at

any time be burned or buried on the site of a permitted project, unless otherwise allowed by ordinance. All brush, vegetation, stumps, limbs, or other similar debris must be either chipped on site or removed off site to a location where disposal of such materials is allowed by applicable law.

(7) Markers. The property owner or holder of the building permit allowing commencement of a project, and their agents, shall be responsible for protection of existing stakes and markers during lot clearing or dirt work.

(8) Footings. Any structures to be constructed or located as part of a project which includes foundation footings are required to utilize footings which are a full twelve (12) inches below the bottom of the slab where support of a load bearing wall occurs, and must be dug down to undisturbed ground.

(10) Fill Material. It is recommended but not required where a project requires significant fill material on a given site, that the services of a Geotechnical Engineer be retained.

(11) Inspections. Inspections of a project for compliance with the provisions of this ordinance shall be upon completion of such project by a Third Party Inspector retained by the property owner or building permit holder. The City may but is not required to retain its own Third Party Inspector, whose report may be relied upon by City in replacement of a report provided by an inspector retained by the property owner or building permit holder. An inspection shall evaluate the compliance of all aspects of a project with applicable codes and ordinance, and shall meet the minimum requirements set by the Texas Residential Construction Commission if applicable. Upon completion of an inspection as required by this section, a written

inspection report shall be provided to the City. No permanent water or sewer service will be established until an inspection report as required by this section is provided to the City and found acceptable, in addition to a Customer Service Inspection (“CSI”) as required in section 13 below.

(12) Temporary Water Service. If the property owner or holder of the building permit allowing commencement of a project requests temporary water or sewer service, and such service is available, then a temporary water and sewer service account created in the name of the holder of the building permit allowing commencement of a project which may be opened and shall be maintained until completion of the project. Any such temporary account shall be subject to the same rules and regulations as other City water and sewer accounts. Upon completion of the project, the permit holder is responsible for notifying the City of completion and arranging for the closing of the temporary account and termination, if desired, of service. Before tying into any water or sewer line or tap, a property owner or permit holder shall contact the City Water Superintendent and arrange for an inspection without charge to ensure compliance with applicable rules and regulations.

(13) Inspection of Water Service. Upon completion of a project, the property owner must request that a permanent water and sewer service account be established. Before permanent water and sewer service can be established, a Customer Service Inspection (“CSI”) must be conducted by the City’s CSI Inspector in the presence of the property owner, to ensure compliance with applicable rules and regulations. Upon completion of the inspection, an inspection

report will be issued and a copy furnished to the property owner. Such report shall indicate whether or not the applicable rules and regulations are met. No permanent water and sewer service can be established until such rules and regulations are met. The Cost for a CSI is \$50.00, and shall be paid before or at the time a CSI is commenced.

(14) Natural Gas Pressure Test. Any structures to be constructed or located as part of a project which are to be supplied by natural gas must pass a gas pressure test in the presence of an authorized City employee. Upon successful completion of such test, the City will (if supplied with such form by the property owner or building permit holder) fax any reasonably required test forms to the applicable gas utility so a work order may be issued for installing a gas meter.

(15) Lead Pipe Content. Any project including plumbing must use pipe or fittings complying with Texas standards such that the maximum lead content is no greater than 8%, and no solder or flux may be used with containing greater than 0.2% lead content.

(16) Expansion Tank Required. All water piping must be in a closed loop condition in the structure with thermal expansion controlled by the installation of an expansion tank on each water heater, if any, installed or replaced.

(17) Culverts. All culverts installed, when needed, are to be constructed of Reinforced Concrete Pipe.

(18) Sidewalks. Sidewalks, if any, must terminate at the front property line where a project is located.

(19) Above Ground Pipe. All above ground hot water piping shall be insulated

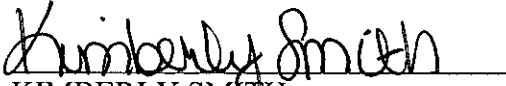
in FSK, Armaflex, or similar jacket.

- (g) **Mobile Homes and Manufactured Housing.** The provisions of this ordinance apply to the moving, location, installation, re-location, or removal of any manufactured home, new manufactured home, manufactured housing, or mobile home, as those terms are defined in Tex. Occ. Code § 1201.003 (Lexis 2014).
- (h) **Violation.** Any violation of this ordinance shall subject a person, firm, corporation, or other entity, excluding the city, violating the terms hereof, to a penalty of \$500.00 per violation. Each day that work is begun or continued in violation of the provisions of this ordinance, shall constitute a separate violation hereof.
- (i) **General Provisions.** If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is hereafter determined to be invalid or violative of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Council of the City of Hallsville that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.
- (j) **Effective Date.** The provisions of this ordinance are effective as of the date of adoption of this ordinance, or upon the date that the publication requirements of Tex. Local Govt. Code § 52.011 are met, whichever is later.
- (k) **Amend Prior Ordinance.** This ordinance is intended to and hereby does amend prior Ordinance No. 0-79-05 of the City Council of the City of Hallsville, Texas.

PASSED AND APPROVED by an affirmative vote of the members of the City Council is
the 16th day of September, 2014.


JERRIL L. MEDRANO
MAYOR

ATTEST:


KIMBERLY SMITH
CITY SECRETARY