

**ORDINANCE NUMBER 2022 - 08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAGUNA VISTA, TEXAS, REPEALING ORDINANCE NUMBER 2017-31 AND ADOPTING VARIOUS STANDARD CODES AS LISTED HEREIN RELATING TO THE CONSTRUCTION AND INSPECTION ACTIVITIES OF THE TOWN OF LAGUNA VISTA, TEXAS, AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; CONTAINING A SEVERABILITY CLAUSE, PROVIDING FOR A PENALTY FOR VIOLATION OF THIS ORDINANCE AND PROVIDING FOR PUBLICATION AND FOR AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance 2017-31 was adopted by the Town Council in 2017; and

**WHEREAS**, the Town Council desires to provide for a uniform and up-to-date building codes; and,

**WHEREAS**, Texas Local Government Code Chapter 214 formally adopts the International Residence Code as it existed on May 1, 2012, as the municipal residential building code in this state; and,

**WHEREAS**, Chapter 214 permits a Texas municipality to adopt local amendments to said codes; and,

**WHEREAS**, the aforesaid bills authorize Texas cities to establish administrative and enforcement procedures for the aforesaid codes and to establishing procedures for adopting local amendments to said codes; and,

**WHEREAS**, the Town Council wishes to continue to follow the same administrative and enforcement procedures for the aforesaid codes as the Town has heretofore followed for its previous codes; and,

**WHEREAS**, the Town Council wishes to reserve the right to adopt future additions, amendments and updates to said codes; and,

**WHEREAS**, as a result of the passage of time and the updating and standardizing of the various construction codes by the International Code Council, the standard construction codes currently used by the Town of Laguna Vista are no longer the best codes for regulating standards; and

**WHEREAS**, the Town Council finds and determines that certain amendments to the aforesaid International Code are necessary in order to better protect the public health, safety and welfare and to make said codes consistent with local custom and conditions; and,

**WHEREAS**, as a result of all of the foregoing, the Town Council finds and determines that the adoption of the family of construction codes promulgated by the International Code Council is in the best interest of the citizens of the Town of Laguna Vista, Texas; and,

**WHEREAS**, it is the desire of the Town Council of the Town of Laguna Vista, Texas to update and adopt in all respects, the various Standard Codes relating to building, electrical, fire prevention, mechanical and plumbing; and

**WHEREAS**, based on state law, including without limitation the statutes above mentioned, Chapters 54 and 214 of the Texas Local Government Code, the Town of Laguna Vista has the authority to regulate the standards of construction within the Town and to adopt and amend the aforesaid family of construction codes promulgated by the International Code Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAGUNA VISTA, TEXAS:**

**SECTION 1:** That the following Codes, together with existing amendments and amendments hereinafter, are incorporated by reference and are hereby adopted by reference as though they were copied herein fully:

2021 International Building Code shall be adopted in its entirety as published.

2021 International Residential Code shall be adopted with the omission of Section 313 it its entirety.

2021 International Fire Code shall be adopted in its entirety as published.

2021 International Plumbing Code shall be adopted in its entirety as published.

2021 International Mechanical Code shall be adopted in its entirety as published.

2023 National Electrical Code NFPA 70 shall be adopted in its entirety, except that the Town of Laguna Vista requires the installation of the main disconnect to be outside of a building, next to the main service entrance.

2021 International Energy Conservation Code shall be adopted in its entirety as published.

**SECTION 2:** That any matters in said Codes which are contrary to existing ordinances of the Town of Laguna Vista, except for Ordinance 2022-07, shall prevail and that any such ordinances that now exist are hereby repealed and, to that extent, any existing

Ordinances to the contrary are hereby repealed in that respect only. To the extent that anything in this ordinance is contrary to Ordinance 2022-07, Ordinance 2022-07 shall control.

**SECTION 3:** That within said Codes, when reference is made to the duties of a certain official named, the Building Official (or the City Manager designee) of the Town of Laguna Vista, Texas, who has duties corresponding to those of the named official in said Code, shall be deemed to be the responsible official insofar as enforcing the provisions of said Code are concerned.

**SECTION 4:** That should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the Town of Laguna Vista, Texas as a whole or any part thereof.

**SECTION 5:** The Town reversed the ability to provide for a departure from any requirement in the codes adopted by this Ordinance if the Council determines that it is in the best interest of the Town.

**FIRST READING - PASSED, APPROVED, AND ADOPTED** by the Town Council of the Town of Laguna Vista, Texas at the regular meeting on the **13th day of December 2022**.

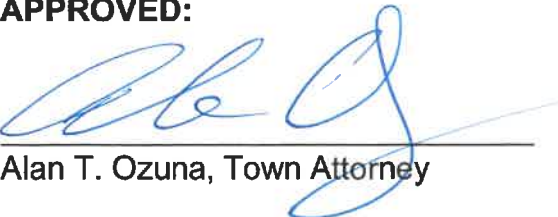
**SECOND READING – PASSED, APPROVED, AND ADOPTED** by the Town Council of the Town of Laguna Vista, Texas at the regular meeting on the **10th day of January 2023**.

  
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Michael Carter, Mayor

**ATTEST:**

  
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Crystal Chapa, City Secretary

**APPROVED:**

  
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Alan T. Ozuna, Town Attorney