

ORDINANCE NO. 2002 - 15

AN ORDINANCE AMENDING CHAPTER 5 OF THE VICTORIA CITY CODE BY MODIFYING (1) ARTICLE V TO AMEND SECTIONS 5-60 THROUGH 5-63 TO ADOPT THE INTERNATIONAL BUILDING CODE, 2000 EDITION, AND MAKE MODIFICATIONS THERETO, AND (2) ARTICLE XII TO AMEND SECTIONS 5-130 THROUGH 5-145 TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2000 EDITION; PROVIDING FOR A PENALTIES NOT TO EXCEED \$2,000 AND \$500, RESPECTIVELY, UPON CONVICTION; PROVIDING FOR ENFORCEMENT , PROVIDING FOR REPEAL OF CONFLICT ING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA:

1.

Sections 5-60 through 5-63 of Chapter 5 of the Victoria City Code are amended to read as follows:

Sec. 5-60. Adoption of published code.

The City hereby adopts, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, the International Building Code, 2000 Edition, published by the International Code Council, Inc., save and except such portions as are hereinafter deleted, modified, or amended, of which a copy is on file with the City Secretary and the City's Department of Building Inspections. Said code is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this article shall take effect, the provisions thereof shall be controlling in the construction of all buildings and other structures therein regulated within the limits of the city.

Sec. 5-61. Building Official.

Wherever the term "Building Official" is used in the International Building Code, it shall be held to mean the person designated as the "Building Official" by the director, as defined in section 2 -80 of the Victoria City Code.

Sec. 5-62. Deletions to published code.

The following portions of the building code are hereby deleted:

- (1) Section 101.4.1, Electrical
- (2) Section 112, Board of Appeals
- (3) Chapter 11, Accessibility
- (4) Section 714.3.1 Testing under positive pressure.

Sec. 5-63. Amendments to published code.

(1) Sec. 108.1 Payment of fees. Sec. 108.1 shall be amended to read as follows:

108.1 Payment of fees. A permit shall not be issued until the fees prescribed in the City of Victoria Fee Ordinance have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical or gas systems, has been paid.

(2) Sec. 108.4, Work commencing Before Permit Issuance. Sec. 108.4 shall be amended to read as follows:

108.4, Work Commencing Before Permit Issuance. Any person who commences any work on a building,

structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty as provided for in the City of Victoria Fee Ordinance.

(3) Sec. 714.2.3 Doors in corridors and smoke barriers. Sec. 714.2.3 shall be amended to read as follows:

714.2.3 Fire doors required to have a minimum fire -protection rating of 20 minutes where located in corridor walls or smoke barrier walls having a fire -resistance rating in accordance with Table 714.2 shall be tested in accordance with NFPA 252 or UL 10C without the hose stream test. If a 20 -minute fire door or fire door assembly contains glazing material, the glazing material in the door itself shall have a minimum fire-protection rating of 20 minutes and be exempt from the hose stream test. Glazing material in any other part of the door assembly, including transom lites and sidelites, shall be tested in accordance with NFPA 257. Louvers shall be prohibited.

(4) Chapter 27 Electrical. All sections in Chapter 27 referencing ICC Electrical Code shall be amended to reference the City of Victoria's latest adopted National Electrical Code.

2.

Article XII of Chapter 5, "Buildings, Construction, and Related Activities," of the Victoria City Code is amended to read as follows:

Article XII. Energy Conservation Code.

Sec. 5-130. Adoption of published code.

There is hereby adopted by the city, for the purpose of establishing rules and regulations for the safe installation and maintenance of all energy conservation equipment and systems, that certain code known as the International Energy Conservation Code, 2000 edition, published by the International Code Council Inc., of which a copy is on file with the City Secretary and a copy is on file with the Building and Environmental Inspection Department and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling in the installation of energy conservation systems therein contained within the corporate limits of the city.

Sec. 5-131. Definition.

Wherever the term "Code Official" is used in the energy code, it shall be held to mean director, as defined in section 2-80.

Sec. 5-132 to 5-145 Reserved.

2.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not to exceed \$2,000 for violations of the Building Code and \$500 for violations of the Energy Code as provided in Section 1-8 of the Victoria City Code.

3.

In addition to any other remedy provided by law, the city and its officers shall have the right to enjoin any violation of this article by injunction issued by a court of competent jurisdiction.

4.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

5.

If any portion of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the same remaining provisions hereof shall nevertheless be valid just as if the unconstitutional portion had not been adopted.

6.

The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

7.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly.

8.

The City Secretary shall publish the caption or a descriptive title of this ordinance one time within 10 days after passage of the ordinance in a newspaper of general circulation in the City of Victoria in accordance with the provisions of Article II, Section 10 of the Charter of the City of Victoria.

9.

The provisions of this ordinance shall become effective immediately after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 26 day of September 2002.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

PASSED SECOND READING, this the 1 day of October, 2002.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

PASSED THIRD READING, this the 1 day of October, 2002.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 1 day of October, 2002.



ATTEST:

Searlet Swaboda
Searlet Swaboda, City Secretary

Distribution: Legal Department
 Planning Department
 Department of Inspections

Gary Middleton
GARY MIDDLETON, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM.
David Atmar Smith
DAVID ATMAR SMITH, City Attorney

Copies Sent: October 2, 2002