

ORDINANCE NO. 22-13

AN ORDINANCE OF THE CITY OF LYTLE AMENDING CHAPTER 8 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE III – TECHNICAL CODES AND STANDARDS TO ADOPT CURRENT EDITIONS OF THE NATIONAL ELECTRICAL CODE AND THE FOLLOWING INTERNATIONAL CODE COUNCIL PUBLICATIONS: THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, AND THE INTERNATIONAL FUEL GAS CODE; CREATING NEW CODE SECTIONS TO ADOPT THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE; MAKING CERTAIN LOCAL AMENDMENTS TO SUCH CODES; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING CUMULATIVE, CONTINUATION, AND SEVERABILITY CLAUSES.

WHEREAS, the City of Lytle, Texas is a Texas municipality located in Atascosa County, Texas, established in accordance with the Texas Constitution and applicable law, including the Texas Local Government Code; and

WHEREAS, Chapter 54.001 of the Texas Local Government Code provides the general authority for the City of Lytle to enforce each rule, ordinance, or police regulation of the City of Lytle and to punish a violation of a rule, ordinance, or police regulation; and

WHEREAS, Chapter 214, Subchapter G of the Texas Local Government Code provides the general authority for the City of Lytle to adopt certain Building and Rehabilitation Codes and to enact local amendments to same; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens of the City of Lytle, the City Council has determined that the City Code shall be amended as described herein to adopt current versions of all national and international model codes heretofore adopted by the City of Lytle;

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

Section 1. Amendments. Chapter 8 – Buildings and Building Regulations, Article III – Technical Codes and Standards, of the City’s code of ordinances shall hereinafter be amended at Sections 8-

98, 8-99, 8-100, 8-129, 8-159, 8-187, 8-213, and 8-237 to read as follows [deletions marked with strike-through and additions underlined]:

CHAPTER 8 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE III – TECHNICAL CODES AND STANDARDS

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DIVISION 2. – BUILDING CODES

Sec. 8-98. – Building code adopted.

There is hereby adopted as the building code of the city the ~~2009~~ 2021 Edition of the International Building Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

Sec. 8-99. – Residential building code adopted.

There is hereby adopted as the residential building code of the city the ~~2009~~ 2021 Edition of the International Residential Building Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

Sec. 8-100. – Existing building code adopted.

There is hereby adopted as the existing building code of the city the ~~2009~~ 2021 Edition of the International Existing Building Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

DIVISION 3. – ELECTRICAL CODE

Sec. 8-129. – Electrical code adopted.

There is hereby adopted as the electrical code of the city the ~~2009~~ 2023 Edition of the National Electrical Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

DIVISION 4. – GAS CODE

Sec. 8-159. – Fuel gas code adopted.

There is hereby adopted as the gas code of the city the 2009 2021 Edition of the International Fuel Gas Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

DIVISION 5. – MECHANICAL CODE

Sec. 8-187. – Mechanical code adopted.

There is hereby adopted as the mechanical code of the city the 2009 2021 Edition of the International Mechanical Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

DIVISION 6. – PLUMBING CODE

Sec. 8-213. – Plumbing code adopted.

There is hereby adopted as the plumbing code of the city the 2009 2021 Edition of the International Plumbing Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

DIVISION 7. – ENERGY CONSERVATION CODE

Sec. 8-237. – Energy conservation code adopted.

There is hereby adopted as the energy conservation code of the city the 2009 2021 Edition of the International Energy Conservation Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

Sec. 8-238 – 8-24467. – Reserved.

[All other provisions of city code shall remain unchanged.]

Section 2. Additions. Chapter 8 – Buildings and Building Regulations, Article III – Technical Codes and Standards, of the City’s code of ordinances shall hereinafter be amended to add a Section 8-78, Section 8-101 and Section 8-245 to read as follows [deletions marked with strike-through and additions underlined]:

CHAPTER 8 – BUILDINGS AND BUILDING REGULATIONS

ARTICLE III – TECHNICAL CODES AND STANDARDS

DIVISION 1. – GENERALLY

Sec. 8-78. – In general. The provisions of this Article, including all published model codes which are herein adopted and incorporated fully by reference as if restated fully herein, and any local amendments to such model codes, may be referred to collectively as the building code of the city.

Sec. 8-78~~9~~ – 8-97. – Reserved.

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Sec. 8-101. – Property maintenance code adopted.

There is hereby adopted as the property maintenance code of the city the 2021 Edition of the International Property Maintenance Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

Sec. 8-101~~2~~ – 8-128. – Reserved.

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DIVISION 8. – SWIMMING POOL AND SPA CODE

Sec. 8-245. – Swimming pool and spa code adopted.

There is hereby adopted as the swimming pool and spa code of the city the 2021 Edition of the International Swimming Pool and Spa Code, save and except such portions as may be inconsistent with or in conflict with any other provision of this Code, or any state statute. A copy of such code is on file in the office of the city secretary. Such code is hereby adopted and incorporated herein as fully as if set out at length.

Sec. 8-246 – 8-267. – Reserved.

Section 3. Incorporating Recitals. The City Council approves the recitals hereto and incorporates them herein as findings of fact.

Section 4. Cumulative. This ordinance shall be cumulative of all provisions of the City of Lytle, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

Section 5. Repealer. All preceding versions of the building code applicable throughout the City of Lytle are hereby repealed and replaced hereby.

Section 6. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 7. Continuation of Existing Regulations. Nothing in this ordinance or in any model building code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 5 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 8. Penalty. Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be subject to the penalties set forth herein.

Section 9. Effective Date. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effective immediately upon the passage and approval of the City Council and publication as required by law. Prior to the effective date of this ordinance, the City Secretary shall purchase a copy of each model code herein adopted, which shall be made available to the public for inspection.

PASSED AND APPROVED this, the 14th day of November 2022.


Ruben Gonzalez
Mayor

ATTEST:


Paola L. Rios, City Secretary

