

ORDINANCE 2011-02-08-001

(Rev.2008-10-28-001)

AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS, AMENDING ORDINANCE NUMBER 2008-10-28-001, SECTION 2, TO EXCLUDE FIRE SPRINKLER REGULATIONS FROM THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS; PROVIDING AN EFFECTIVE DATE, SAVINGS, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, on or about September 21, 2008, the International Code Council voted to amend to International Residential Code for One- and Two- Family Dwellings (the "Code") to include residential fire sprinkler regulations;

WHEREAS, the City of Kempner, Texas (the "City") is authorized under Section 214.212, Texas Local Government Code, to adopt local amendments to the Code and to review and consider amendments made by the International Code Council to the Code after May 1, 2001; and

WHEREAS, the City Council wishes to exclude from the City's Code the fire sprinkler regulations for residential structures;

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

Section 1. Finding. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the city Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Amendment of Section 2, Ordinance No. 2008-10-28-001. Section 2, Ordinance No. 2008-10-28-001 is hereby amended in its entirety to read as follows:

Section 2. Adoption of International Residential Code for One- and Two-Family Dwellings, Latest Edition. (a) The adoption of that certain document, one copy of which is on file in the office of the city secretary, being marked and designated as the "International Residential Code for One- and Two-Family Dwellings," the latest edition applies, including all Appendix Chapters, published by the International Code Council, as the residential building code of the city regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings; multiple single-family dwellings not more than three stories high with separate means of egress, including the accessory structures of the dwelling; and townhouses in the City; providing for the issuance of permits and collection of fees is hereby ratified, confirmed, and readopted; and each and all of the regulations, provisions, conditions and terms of

such "International Residential Code for One- and Two-Family Dwellings," latest edition, published by the International Code Council, on file in the office of the city secretary are hereby referred to, adopted and made a part of this section as if fully set out in this ordinance.

(b) Amendments. The International Residential Code for One- and Two-Family Dwellings, (the "Code"), is hereby amended as follows:

- (1) Each reference to "Jurisdiction" or location for insertion of name of jurisdiction shall mean the City of Kempner, Texas.
- (2) Table R301.2(1) shall include the following design criteria:
 - (1) Ground Snow Load
 - (2) Wind – 80 mph
 - (3) Seismic Design – B
 - (4) Subject to Drainage from:
 - (A) Weathering – Negligible
 - (B) Frost Line 6"
 - (C) Termite – Heavy
 - (D) Decay – Moderate
 - (E) Winter Design Temp. – 10 degrees Fahrenheit
 - (F) Flood Hazards – Reference Current FEMA Maps
- (3) Any requirement within the Code that a one- or two- family dwellings be equipped with a fire sprinkler system and any regulations within the Code related to fire sprinklers for one- and two-family dwellings shall not apply within the City of Kempner, Texas.

Section 3. Savings. All rights and remedies of the City of Kempner are expressly saved as to any and all violations of the provisions of any ordinances affecting building construction, building codes, or permit issuance within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 4. Amendment of Ordinances. Section 2, Ordinance No. 2008-10-28-001 is hereby amended as provided in this Ordinance. All portions of ordinances in conflict herewith are hereby amended to the extent of conflict with this ordinance. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.


Section 5. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 6. Open Meetings. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by law and that the date, time and location of said meeting was posted as required by law.


PASSED AND APPROVED on this 8th day of February, 2011.

Attest:

THE CITY OF KEMPNER, TEXAS



Frances Spinney, City Secretary



Gene Isenhour, Mayor