

**AN ORDINANCE OF THE CITY OF GARRETT, TEXAS**

**ORDINANCE NO. 12-143**

AN ORDINANCE OF THE CITY OF GARRETT, TEXAS, ADOPTING THE NATIONAL ELECTRICAL CODE, 2011 EDITION; THE INTERNATIONAL FIRE CODE, 2009 EDITION; THE INTERNATIONAL BUILDING CODE, 2009 EDITION; AND THE INTERNATIONAL FUEL GAS CODE, 2009 EDITION; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM THE USE OF ELECTRICITY; FIRE, BUILDINGS, AND FUEL GAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE THE PENALTY SHALL BE THAT FIXED BY STATE LAW, AND FOR ANY OFFENSE WHICH IS A VIOLATION OF ANY PROVISION OF LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is deemed necessary to provide minimum standards to regulate conditions hazardous to life and property, and to protect public safety, health and welfare; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARRETT, TEXAS:

**SECTION 1: ADOPTION OF NATIONAL ELECTRICAL CODE**

Subject to any exceptions or amendments herein made, or as may hereinafter be made, **there is hereby adopted as the Electrical Code for the City of Garrett, Texas**, that certain document known as the **National Electrical Code, 2011 Edition** for the purpose of regulating conditions hazardous to life and property from the use of electricity within the city; and providing for the issuance of permits and collection of fees therefore. This document is incorporated by reference the same as if fully copied herein, and shall be known as the City Of Garrett Electrical Code.

**SECTION 2: ADOPTION OF THE INTERNATIONAL FIRE CODE**

Subject to any exceptions or amendments herein made or as may hereinafter be made, **there is hereby adopted as the Fire Code for the City of Garrett, Texas,** that certain document known as the **International Fire Code, 2009 Edition** for the purpose of regulating conditions hazardous to life and property from fire within the city; and providing for the issuance of permits and collection of fees therefore. This document is incorporated by reference the same as if fully copied herein, and shall be known as the City Of Garrett Fire Code.

**SECTION 3: ADOPTION OF THE INTERNATIONAL BUILDING CODE**

Subject to any exceptions or amendments herein made or as may hereinafter be made, **there is hereby adopted as the Building Code for the City of Garrett, Texas,** that certain document known as the **International Building Code, 2009 Edition** for the purpose of regulating conditions hazardous to life and property from use of buildings and other structures within the city; and providing for the issuance of permits and collection of fees therefore. This document is incorporated by reference the same as if fully copied herein, and shall be known as the City Of Garrett Building Code.

**SECTION 4: ADOPTION OF THE INTERNATIONAL FUEL GAS CODE**

Subject to any exceptions or amendments herein made or as may hereinafter be made, **there is hereby adopted as the Fuel Gas Code for the City of Garrett, Texas,** that certain document known as the **International Fuel Gas Code, 2009 Edition** for the purpose of regulating conditions hazardous to life and property from use of Fuel Gas within the city; and providing for the issuance of permits and collection of fees therefore. This document is incorporated by reference the same as if fully copied herein, and shall be known as the City Of Garrett Fuel Gas Code.

**SECTION 5. SEVERABILITY CLAUSE**

Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6. REPEALING CLAUSE**

Except as hereinafter provided, all parts of ordinances of the city in conflict with the provisions of this ordinance are hereby, repealed. Provided, however, this provision not withstanding, where in any specific case, the general sections of this code and the more specific sections of another code or ordinance of the city specify different materials, methods of construction, or other requirements, the specific requirements shall be applicable and the specific provisions of such codes and ordinances shall not be repealed as in conflict with this ordinance, and shall remain in full force and effect.

**SECTION 7: SAVINGS CLAUSE**

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 8: PENALTY CLAUSE**


That any person, firm or corporation violating any of the provisions of this ordinance or of the Code of Ordinances, as amended, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Garrett, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2000.00) for each offense. Each and every day said violation is continued shall constitute a separate offense.

**SECTION 9: EFFECTIVE DATE**

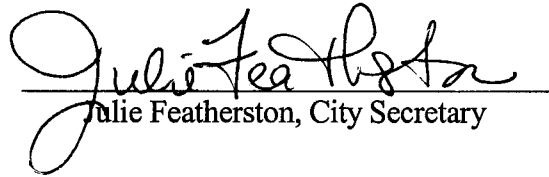
This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

DULY ADOPTED by the City Council of the City of Garrett, Texas, on the 10 day of January, 2013.

APPROVED:

  
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Matt Newsom, Mayor

ATTEST:

  
Julie Featherston, City Secretary

APPROVED AS TO FORM:

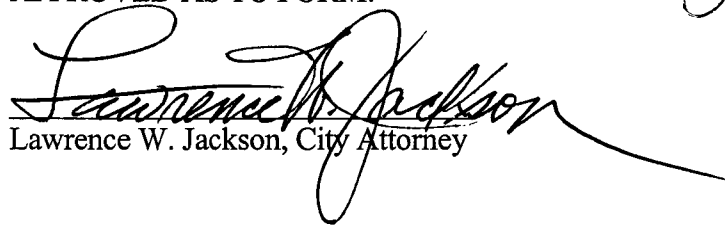
  
Lawrence W. Jackson, City Attorney

Exhibit "A"

Amendments to the Code, herein adopted.

I.

Any penalties set out in the codes hereinabove adopted are amended to reflect the penal provisions set out in Section 8 of this ordinance.

II.

Reserved For Future Use