

ORDINANCE NO. 239

AN ORDINANCE OF THE CITY OF BEVIL OAKS ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL BUILDING CODE*, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF BEVIL OAKS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE No. 210 OF THE CITY OF BEVIL OAKS AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.

The CITY COUNCIL of the CITY OF BEVIL OAKS does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the CLERK OF THE CITY OF BEVIL OAKS, being marked and designated as the *International Building Code*, 2012 edition, including Appendix Chapters “G-FLOOD RESISTANT CONSTRUCTION”, “H-SIGNS” AND “J-GRADING”(see *International Building Code* Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the CITY OF BEVIL OAKS, in the State of TEXAS for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the CITY OF BEVIL OAKS are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: CITY OF BEVIL OAKS

Section 1612.3. Insert: CITY OF BEVIL OAKS

Section 1612.3. Insert: SEPTEMBER 4, 1987 (OR MOST RECENT, FINAL APPLICABLE ISSUED VERSION)

Section 3412.2. Insert: MAY 15, 2014

Section 3. That redundant sections of coverage contained in ORDINANCE No. 210 of CITY OF BEVIL OAKS and in conflict herewith are hereby repealed. Should any portion of ORDINANCE No. 210 of CITY OF BEVIL OAKS pertain to an activity, structure, mechanism or condition of real or personal property which is not specifically regulated in *International Building Code*, 2012 edition, including Appendix Chapters “G-FLOOD RESISTANT CONSTRUCTION”, “H-SIGNS” AND

“J-GRADING”, then such section of Ordinance 210 shall remain in full effect and is NOT repealed.

Section 4. ADMINISTRATION:

A. Building Permit Application

1. Applicant for a building permit shall submit the following documentation To the city for review and approval:
 - i. Plans and specifications
 - ii. Survey including elevation certification (elevation of proposed construction must meet the flood plain minimum requirements as set forth in Ordinance 207)
 - iii. Flood Plain Permit is also applicable and must be obtained by the applicant/contractor prior to beginning of site preparation, Ie; timber removal, landfill, etc.

B. Contractor requirements

1. All prime/general contractors or sub-contractors must obtain individual permits to work inside the city limits of Bevil Oaks. Contractors must be bonded and certified and must provide Certificate of Liability, with Certificate Holder as City of Bevil Oaks, before permit can be granted.
2. City must have on record the following for each contractor or sub-contractor:
 - i. Name, Address, Telephone Number of Contractor(s)
 - ii. Name, Address, Telephone Number of Insurance and Bond provider
3. A building permit will not be issued until the above-listed requirements have been met
4. Temporary utilities will not be authorized until such time as the building permit has been approved.

C. Inspections

1. All work performed must be inspected All work performed must be inspected in accordance with the International Code Council's Menu of Code Ordinance requirements and all inspections must be performed by State licensed inspectors. Cost of inspections is the expense of the contractor/permit applicant. The City must be furnished with a copy of all inspections.
2. A fee schedule is attached hereto as Appendix A.

D. Certificate of Occupancy/Completion Certificate

1. The City of Bevil Oaks will not issue a certificate of occupancy for new construction or a completion certificate for remodeling of an existing structure until all inspections have been completed and the City has received proof that all work performed has been done in accordance with the International Code Council of Ordinances adopted by the City of Bevil Oaks.

E. Maintenance of Construction Site

1. During the construction period, it is the obligation of the applicant/ contractor(s) to maintain the construction site appropriately so as to not violate Ordinance # 192 of the City of Bevil Oaks and or any other requirements of the International Code Council of Ordinances adopted by the City of Bevil Oaks.

Section 5. That if any section, subsection, sentence, clause or phrase of this legislation 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 law, 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 6. That nothing in this legislation or in the 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 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 7. This ordinance shall be published and become effective in accordance with state law.

READ, CONSIDERED, PASSED, AND APPROVED ON FIRST READING by the City Council at a regular meeting the 15th day of May, 2014, at which a quorum was present.

READ, CONSIDERED, PASSED, AND APPROVED ON SECOND AND FINAL READING by the City Council at a regular meeting the 19th day of June, 2014, at which a quorum was present.

Attest: City of Bevil Oaks, Texas.

Sherry Adams
City Secretary

Rebecca M. Ford
Mayor