

ORDINANCE NO. 2002-31

AN ORDINANCE OF THE TOWN OF TALTY, TEXAS, EXTENDING THE APPLICATION OF ALL BUILDING AND CONSTRUCTION CODES AND OUTDOOR SIGN REGULATIONS TO ALL AREAS OUTSIDE THE CORPORATE LIMITS OF THE TOWN WITHIN THE TOWN'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Aldermen of the Town of Talty finds and determines that significant property development has been and will continue to occur within the extraterritorial jurisdiction of the Town and that there is a likelihood that these areas may in the future be annexed by the Town; and

WHEREAS, it is critical to insure that the nature, quality and character of construction and development be accomplished in a safe and effective manner, the Board of Aldermen finds and determines that it is necessary to extend the application of the Town's building codes and outdoor sign regulation for the protection and preservation of the health, safety, morals and general welfare of the current residents and citizens of the Town as well as the future residents and citizens thereof; Now, Therefore

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS:

SECTION 1. That the provisions of the International Residential Code for One- and Two-Family Dwellings, 2000 Edition, the International Building Code, 2000 Edition, the International Energy Conservation Code, 2000 Edition, the International Plumbing Code, 2000 Edition, the International Mechanical Code, 2000 Edition, the International Fuel Gas Code, 2000 Edition, the National Electrical Code, 1999 Edition, and the International Fire Code, 2000 Edition, all of which have previously been adopted by the Town by Ordinance No. 2002-27, effective on the 17th day of September, 2002, together with all amendments and schedules

thereto adopted by said Ordinance, shall be and are hereby made applicable to all properties and land within the extraterritorial jurisdiction of the Town in addition to the corporate and territorial limits of the Town. Such codes shall, within the Town's extraterritorial jurisdiction, regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, and maintenance of all buildings or structures in the Town's extraterritorial jurisdiction, and provide for the inspection, the issuance of permits and the collection of fees for such permits. All such inspections and permits shall be in accordance with the Town's schedule of fees on file in the offices of the Town Secretary.

SECTION 2. That Ordinance No. 1999-08, effective the 23rd day of October, 1999, providing for the issuance of certificates of occupancy shall be and is hereby made applicable to all properties and land within the extraterritorial jurisdiction of the Town in addition to the corporate and territorial limits of the Town.

SECTION 3. That the Town's sign regulations, adopted by Ordinance No. 1999-08, effective the 23rd day of October, 1999, shall be and is hereby made applicable to all properties and land within the extraterritorial jurisdiction of the Town in addition to the corporate and territorial limits of the Town to the extent that such regulations are applicable to outdoor signs, and the Town does hereby extend the provisions of said outdoor sign regulatory ordinance to the Town's area of extraterritorial jurisdiction.

SECTION 4. That should any word, phrase, paragraph, section or portion of this Ordinance be held to be invalid, unenforceable, void or unconstitutional, the same shall not affect the validity of the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 5. That any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the Town of Talty, Texas, shall be subject to a fine not to exceed the sum of Two Thousand

(\$2,000.00) Dollars for each offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the Board of Aldermen of the Town of Talty, Texas, on the 12th day of November, 2002.

APPROVED:

Allison Weaver, MAYOR

ATTEST:

Carla Milligan, TOWN SECRETARY

APPROVED AS TO FORM:

David Berman, TOWN ATTORNEY

(51917)

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