

ORDINANCE NO. 2006-004

AN ORDINANCE OF THE TOWN OF TALTY, TEXAS, ADOPTING THE PROVISIONS OF THE INTERNATIONAL RESIDENTIAL CODE, 2003 EDITION, THE INTERNATIONAL BUILDING CODE, 2003 EDITION, THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003 EDITION, THE INTERNATIONAL PLUMBING CODE, 2003 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2003 EDITION, THE INTERNATIONAL FUEL GAS CODE, 2003 EDITION, THE NATIONAL ELECTRICAL CODE, 2002 EDITION, AND THE INTERNATIONAL FIRE CODE, 2003 EDITION; PROVIDING FOR AMENDMENTS TO EACH OF THE AFORESAID CODES; PROVIDING FOR THE ADOPTION OF A FEE SCHEDULE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; 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 FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TALTY, TEXAS:

SECTION 1. That the Town of Talty hereby adopts the provisions of the International Residential Code for One and Two-Family Dwellings, (2003) Edition, the International Building Code, (2003) Edition, the International Energy Conservation Code, (2003) Edition, the International Plumbing Code, (2003) Edition, the International Mechanical Code, (2003) Edition, the International Fuel Gas Code, (2003) Edition, the National Electrical Code, (2002) Edition, and the International Fire Code, (2003) Edition as the codes for: (1) regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the Town; and (2) providing for issuance of permits and collection of fees for such permits. All the regulations, provisions, conditions and terms of such publications referenced in this section, all of

which are on file in the offices of the Town Secretary and Building Official, are referred to, adopted and made a part of the Ordinance of the Town of Talty, as if fully set forth herein.

SECTION 2. The codes adopted herein are adopted with certain amendments, copies of which are attached hereto as Exhibits A, B, C, D, E, F, G, and H, which amendments are incorporated as a part of each of the codes adopted by this section. The amendments adopted herein shall be maintained on file in the offices of the Town Secretary and Building Official and shall be attached to each of the codes adopted by this Ordinance.

SECTION 3. All references in all such codes to boards of appeal shall refer to the Board of Adjustment of the Town of Talty.

SECTION 4. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit such work to be done in violation of the codes adopted by this Ordinance. Any person violating any of the provisions of these codes shall be deemed guilty of a separate offense for each day or portion during which any violation of any of the provisions of such codes is committed, continued or permitted, and each violation shall be punishable by a fine not to exceed \$2,000.00.

SECTION 5. In the event that any provision of the comprehensive zoning ordinance of the Town contains regulations that are more restrictive

than the regulations contained in the codes adopted by this Ordinance, the provisions of the comprehensive zoning ordinance shall control.

SECTION 6. The fee schedule adopted as the master fee schedule shall apply for inspections, permits and other chargeable activities under the codes adopted herein. This master fee schedule may be changed or amended as the Town Council may deem necessary or appropriate.

SECTION 7. That all ordinances of the Town of Talty in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the town of Talty not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 8. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the Town, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 9. If any section, paragraph, sentence, subdivision, clause, phrase or provision 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 hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the ordinances of the Town of Talty.

SECTION 10. That any person, firm or corporation violating any of the provisions or terms of this ordinance, or the codes adopted herein, as

amended hereby, shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue to constitute a separate offense.

SECTION 11. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY ADOPTED by the Town Council of Talty, Texas on the _____ day of _____ 2006.

APPROVED:

Mayor Earl Carter

ATTEST:

Sherry Bagby, Town Secretary

APPROVED AS TO FORM:

TOWN ATTORNEY

ORDINANCE NO. _____

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DULY ADOPTED by the Town Council of Talty, Texas on the _____ day of _____, 2006.

APPROVED:

Earl Carter, Mayor

ATTEST:

Sherry Bagby, Town Secretary