

**ORDINANCE NO. 2019-006**

**AN ORDINANCE OF THE CITY OF SANTA CLARA, TEXAS; REPEALING ORDINANCE 99-4; REPEALING ORDINANCE 04-3; CREATING A MUNICIPAL BUILDING CODE; ADOPTING THE INTERNATIONAL RESIDENTIAL CODE; ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE; ADOPTING THE INTERNATIONAL BUILDING CODE; ADOPTING LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE; ADOPTING THE NATIONAL ELECTRICAL CODE; ADOPTING LOCAL AMENDMENTS TO THE NATIONAL ELECTRICAL CODE.**

**WHEREAS**, under the provisions of Chapter 214, section 212 and section 213, of the Texas Local Government Code, as herefore or hereafter amended, the State of Texas adopted the International Residential Code, as defined therein, to apply to all construction, alterations, remodeling, enlargements, and repairs of residential structures, except for the installation and maintenance of electrical wiring and components; and

**WHEREAS**, a municipality may adopt local amendments to the International Residential Code; and

**WHEREAS**, under the provisions of Chapter 214, section 216, of the Texas local government code, as herefore or hereafter amended, the State of Texas adopted the International Building Code, as defined therein, to apply to all construction, alterations, remodeling, enlargement, or repair of commercial structures; and

**WHEREAS**, a municipality may adopt local amendments to the International Building Code; and

**WHEREAS**, under the provisions of chapter 214, section 214, of the Texas Local Government Code, as herefore or hereafter amended, the State of Texas adopted the National Electrical Code, as defined respectively therein, to apply to all residential and commercial electrical construction; and

**WHEREAS**, a municipality may adopt local amendments to the National Electrical Code; and

**WHEREAS**, on October 13, 1999 the City Council of the City of Santa Clara, Texas passed and approved Ordinance No. 99-04 adopting the southern standard building code as the building code of the City of a Santa Clara; and

**WHEREAS**, on December 13, 2004 the City Council of the City of Santa Clara, Texas passed and approved Ordinance 04-3 adopting the City of San Antonio standard construction specifications; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Santa Clara, TEXAS:**

**Article A. GENERAL PROVISIONS**

**Section 1. Short Title.**

This ordinance shall be known as the "Municipal Building Code."

**Section 2. Repeal of Prior Ordinances and parts of conflicting ordinances.**

Ordinance 99-4 and Ordinance 04-3 are hereby expressly repealed. Any provisions or parts of provisions of Ordinances in conflict with the provisions contained herein are hereby expressly repealed to the extent of such conflict.

**Section 3. Severability.**

If for any reason any one or more sections, sentences, clauses or parts of this ordinance are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but it shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance held invalid, the invalidity of any section, sentence, clause or part of this ordinance in one or more instances shall not affect or prejudice in any way the validity of this ordinance in other instances.

**Section 4. Savings Clause.**

This Ordinance shall remain in full force and effect, save and except as amended.

**Section 5. Meeting Open to Public.**

It is hereby found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that the public notice of the time, place and purpose of said meeting was given as required.

**Section 6. Effective Date.**

This ordinance shall be effective immediately following its passage and approval by majority vote of the City Council of the City of Santa Clara, Texas. Thereafter, the requirements contained herein shall apply within the City of Santa Clara, Texas.

**Article B. DEFINITIONS**

Terms not defined herein shall be construed in accordance with, and in the following order, the Laws of the State of Texas, other City of Santa Clara codes and ordinances, or the customary usage and meaning of the term. The word "shall" is mandatory and not permissive. The word "may" is permissive and not mandatory. The words "may not" are prohibitive. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this ordinance.

- (1) "International Residential Code" means the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council.
- (2) "National Electrical Code" means the electrical code published by the National Fire Protection Association.
- (3) "Residential" means having the character of a detached one-family or two-family dwelling or a multiple single-family dwelling that is not more than three stories high with separate means of egress, including the accessory structures of the dwelling, and that does not have the character of a facility used for the accommodation of transient guests or a structure in which medical, rehabilitative, or assisted living services are provided in connection with the occupancy of the structure.
- (4) "International Building Code" means the International Building Code promulgated by the International Code Council.

(5) "Commercial" means a building for the use or occupation of people for:

(A) a public purpose or economic gain; or

(B) a residence if the building is a multifamily residence that is not defined as residential by this section.

#### **Article C. INTERNATIONAL RESIDENTIAL CODE**

##### **Section 1. Applicability.**

This Article applies to the construction, alteration, remodeling, enlargement, and repair of all residential structures, except the installation and maintenance of electrical wiring and related components.

##### **Section 2. Adoption of the International Residential Code.**

The International Residential Code, 2015 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the residential building code of the city, to prescribe regulations to provide minimum residential construction, alteration, remodeling, enlargement, and repair standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all residential buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

##### **Section 3. Adoption of Local Amendments to the International Residential Code.**

Reserved.

#### **Article D. INTERNATIONAL BUILDING CODE**

##### **Section 1. Applicability.**

This Article applies to the construction, alteration, remodeling, enlargement, and repair of all commercial structures, except the installation and maintenance of electrical wiring and related components.

##### **Section 2. Adoption of the International Building Code.**

The International Building Code, 2015 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the commercial building code of the city, to prescribe regulations to provide minimum commercial construction, alteration, remodeling, enlargement, and repair standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

##### **Section 3. Adoption of Local Amendments to the International Building Code.**

Reserved.

#### **Article E. INTERNATIONAL MECHANICAL CODE**

##### **Section 1. Applicability.**



This Article applies to the construction, alteration, remodeling, enlargement, and repair of all commercial structures.

**Section 2. Adoption of the International Building Code.**

The International Mechanical Code, 2015 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the commercial mechanical building code of the city, to prescribe regulations to provide minimum commercial mechanical construction, alteration, remodeling, enlargement, and repair standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

**Section 3. Adoption of Local Amendments to the International Mechanical Code.**

Reserved.

**Article F. INTERNATIONAL PLUMBING CODE**

**Section 1. Applicability.**

This Article applies to the construction, alteration, remodeling, enlargement, and repair of all commercial structures.

**Section 2. Adoption of the International Plumbing Code.**

The International Plumbing Code, 2015 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the commercial plumbing code of the city, to prescribe regulations to provide minimum commercial plumbing construction, alteration, remodeling, enlargement, and repair standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

**Section 3. Adoption of Local Amendments to the International Plumbing Code.**

Reserved.

**Article G. INTERNATIONAL FUEL GAS CODE**

**Section 1. Applicability.**

This Article applies to the construction, alteration, remodeling, enlargement, and repair of all commercial structures, except the installation and maintenance of electrical wiring and related components.

**Section 2. Adoption of the International Fuel Gas Code.**

The International Fuel Gas Code, 2015 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the commercial fuel gas code of the city, to prescribe regulations to provide minimum commercial fuel gas construction, alteration, remodeling, enlargement, and repair standards to safeguard life, health, property and public

welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

**Section 3. Adoption of Local Amendments to the International Fuel Gas Code.**

Reserved.

**Article H. NATIONAL ELECTRICAL CODE**

**Section 1. Applicability.**

This Article applies to the installation and maintenance of electrical wiring and related components of all residential and commercial structures.

**Section 2. Adoption of the National Electrical Code.**

The National Electrical Code, 2014 edition, is hereby adopted in its entirety, as may be amended from time to time and as such amendments are not in conflict with state or federal law, as the electrical code of the city, to prescribe regulations to provide minimum electrical installation standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city, and within its extraterritorial jurisdiction, as applicable.

**Section 3. Adoption of Local Amendments to the National Electrical Code.**

Reserved

**PASSED AND APPROVED this 23rd day of August, 2019.**



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**Jeff Hunt, Mayor**



**ATTEST:**



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**Donna White, City Secretary**