

City of Cottonwood Shores

**ORDINANCE 3017**

**AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE, INCLUDING THE APPENDIX A THROUGH K, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, INCLUDING THE APPENDIX A THROUGH Q, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PLUMBING CODE, INCLUDING THE APPENDIX A THROUGH G; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE, INCLUDING THE APPENDIX A AND B; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FUEL GAS CODE, INCLUDING THE APPENDIX A THROUGH D; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE; ADOPTING THE 2015 INTERNATIONAL FIRE CODE, INCLUDING THE APPENDIX A THROUGH G, PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO; ADOPTING THE 2015 EXISTING BUILDING CODE; ADOPTION OF THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE; PROVIDING FOR ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES, INCLUDING ORDINANCE 3001, AND PARTS OF ANY ORDINANCES IN CONFLICT THEREWITH.**

**WHEREAS**, the City Council of the City of Cottonwood Shores, has determined the need to update to the most current standardized building, electrical, energy, fire protection, plumbing, mechanical, residential and fuel gas codes for the community.

**WHEREAS**, the adoption of these Codes is done to facilitate proper plan reviews and inspection activities by the City of Cottonwood Shores relating to construction and maintenance of buildings within the incorporated limits of said City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Cottonwood Shores and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION I: ADOPTION OF CODES**

**ARTICLE I - Adoption of the 2015 International Building Code**

Includes 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 Cottonwood Shores; providing for the issuance of permits and collection of fees therefor

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the *International Building Code, 2015 edition*, as published by the International Code Council, be and is hereby adopted as the Building Code of the of the City of Cottonwood Shores, 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City Secretary are hereby referred to, adopted, and made a part here-of, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Article I of this ordinance.
- B. The following sections are hereby revised:
  - 1. Section 101.1. Insert: City of Cottonwood Shores
  - 2. Section 1612.3. Insert: City of Cottonwood Shores
- C. Fees:
  - 1. The permit fees under the Standard Building Code shall be as adopted from time to time by Ordinance of the City Council.
  - 2. City Staff os hereby authorized to assess fees in an amount not to exceed two hundred (200) percent of the normal fees for the various permits issued from his office in the event that work requiring permits has been initiated without first obtaining a permit to perform said work, or if work is proceeded in defiance of a posted stop work order as placed by City staff; this pertains to all permits that are now and may be hereafter issued by City Staff.
  - 3. It shall be unlawful for any person firm or entity to proceed; or order any other person, firm or entity to proceed to work, without obtaining a permit from the City, or in defiance of a posted stop work order. Each day of such occurrence shall constitute a separate offense.

**ARTICLE II - Adoption of the 2015 International Residential Code**

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores being marked and designated as the International Residential Code, 2015 edition, including Appendix Chapters A-E, M-O, and R, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Cottonwood Shores, in the State of Texas for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of

permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the City Secretary are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Article II of this ordinance.

B. The following sections are hereby revised:

1. Section R101.1. Insert: City of Cottonwood Shores
2. Table R301.2(1) Insert: See Technical Construction Standard Specifications (TCSS)
3. Section P2603.5.1 Insert: Building Sewers shall not be less than 6” from the top of the pipe below grade (where applicable)

**Article III – Adoption of the 2015 International Plumbing Code**

A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the *International Plumbing Code, 2015 edition*, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Cottonwood Shores, in the State of Texas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the City Secretary 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 Article III of this ordinance.

B. The following sections are hereby revised:

- a. Section 101.1. Insert: City of Cottonwood Shores
- b. Section 106.6.2. Insert: As published in Ordinance 3003
- c. Section 106.6.3. Insert: (106.6.3(2) = 0%) (106.6.3(3) = 75%)
- d. Section 108.4. Insert: See Section IV – Enforcement of this Ordinance
- e. Section 108.5. Insert: See Section IV – Enforcement of this Ordinance
- f. Section 305.4.1. Insert: Building sewers shall be installed no less than 6” from the top of the pipe below grade (when applicable)
- g. Section 903.1. Insert: 6”

C. Fees: The permit and inspections fees under the Standard Plumbing Code shall be as determined by Ordinance of the City Council from time to time.

D. Cross-connection control program:

1. General -- No water service connection shall be made to any establishment where a potential or actual contamination hazard exists unless the water supply is protected in accordance with

the Texas Commission on Environmental Quality for Public Water Systems (T.C.E.Q. Rules) and this article. The City may discontinue water service if a required backflow prevention assembly is not installed, maintained and tested in accordance with the T.C.E.Q. Rules and this article.

**2. Backflow prevention assembly installation, testing and maintenance:**

- 2.1.** All backflow prevention assemblies shall be tested upon installations by a recognized backflow prevention assembly tester and certified to be operation within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.
- 2.2.** All backflow prevention assemblies shall be installed and tested in accordance with the manufacturer's instructions, and American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual-M14) or the University of Southern California Manual of Cross-Connection Control.
- 2.3.** Assemblies shall be repaired, overhauled, or replaced at the expense of the customer whenever said assemblies are found to be defective. Original forms of such test, repairs, and overhaul shall be kept and submitted to the City within five (5) working days for the test, repair or overhaul of each backflow prevention assembly.
- 2.4.** No backflow prevention assembly or device shall be removed from use, relocated, or other assembly or device substituted without the approval of the City. Whenever the existing assembly or device is moved from the present location or cannot be repaired, the backflow assembly or device shall be replaced with a backflow prevention assembly or device that complies with this section. The American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual--M14), current addition, University of Southern California Manual of Cross-Connection Control, current addition, or the current plumbing Code of the City, whichever is more stringent.
- 2.5.** Any installed backflow prevention assemblies must be certified in accordance with the American Water Works Association's Recommended Practice for Backflow Prevention and Cross-Connection Control (Manual--M14), current addition, or the University of Southern California Manual of Cross-Connection Control, current addition.
- 2.6.** A recognized backflow prevention assembly tester must hold a current endorsement from the Texas Natural Resource Conversation Commission.

**3. Customer service inspections:**

- 3.1.** A customer service inspection shall be completed prior to providing continuous water service to all new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities.

- 3.2. Only individuals with the following credentials shall be recognized as capable of conducting a customer service inspection.
- a. Plumbing inspectors and water supply protection specialists that have been licensed by the Texas State Board of Plumbing Examiners.
  - b. Certified waterworks operators, and members of other water related professionals' groups who have completed a training course, passed an examination administered by the commission or its designated agent, and hold a current endorsement issued by the commission.

3.3. The customer service inspection must certify that:

- a. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by a properly installed air gap or an appropriate backflow prevention assembly.
  - b. No cross-connection between the public water supply and a private water source exists. Where an actual properly installed air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by recognized backflow prevention assembly tester.
  - c. No connection exists which allows water to be returned to the public drinking water supply.
  - d. No pipe or pipe fitting which contains more than eight (8) percent lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
  - e. No solder or flux contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection that provides water for human use. A minimum of one (1) lead test shall be performed for each inspection.
4. License and registration required: It shall be unlawful for any person, firm, or corporation to make any installation, alteration, repair, replacement, or remodel of any plumbing system regulated by this Code without having registered a valid Texas Master Plumber's License, or other applicable license. An exception is the installation by the homeowner of common plumbing system components including, but not limited to, toilets, sinks, simple pipe replacement, garbage disposals, and/or valves.

**ARTICLE IV – Adoption of the 2015 International Mechanical Code**

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the *International Mechanical Code, 2015 edition*, including Appendix A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Cottonwood Shores in the State of Texas,

regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the City Secretary 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 Article IV of this ordinance.

1. The following sections are hereby revised:
  - a. Section 101.1. Insert: City of Cottonwood Shores
  - b. Section 106.5.2. Insert: Ordinance 3003
  - c. Section 106.5.3. Insert: 50% in both locations
  - d. Section 108.4. Insert: Class C Misdemeanor, \$2,000.00, zero (0) days
  - e. Section 108.5. Insert: \$500.00 or \$2,000.00
- B. Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such Code shall be fully applicable and binding. In the event a conflict is determined to exist between said International Mechanical Code as adopted and the other provisions of this Ordinance, the latter provisions shall be construed as controlling and taking precedence over the former.
- C. Fees: The permit and inspection fees under the Standard Mechanical Code shall be as determined by Ordinance of the City Council from time to time.
- D. License and registration required: It shall be unlawful for any person, firm, or corporation to make or perform any installation, alteration, repair, replacement, or remodel of any mechanical system regulated by this Code without having registered a valid Texas Mechanical License. An exception is the installation by the homeowner of small mechanical parts that do not in themselves represent a possible hazard during installation or through the operation of the mechanical system.

#### **ARTICLE V – Adoption of the 2015 International Fuel Gas Code**

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the *International Fuel Gas Code, 2015 edition*, including Appendix Chapters A through D, as published by the International Code Council, be and is hereby adopted as the 2015 Fuel Gas Code of the City of Cottonwood Shores in the State of Texas for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said 2015 Fuel Gas Code on file in the office of the City Secretary 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 Article V of this ordinance.

B. The following sections are hereby revised:

1. Section 101.1. Insert: City of Cottonwood Shores
2. Section 106.6.2. Insert: Ordinance 3003
3. Section 106.6.3. Insert: 50% in two locations
4. Section 108.4. Insert: Class C Misdemeanor, \$2,000.00, Zero (0) days
5. Section 108.5. Insert: \$500.00, \$\$2,000.00

**ARTICLE VI – Adoption of the 2015 International Property Maintenance Code**

A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores being marked and designated as the *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Cottonwood Shores, 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 existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Secretary 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 Article VI of this ordinance.

B. The following sections are hereby revised:

1. Section 101.1. Insert: City of Cottonwood Shores
2. Section 103.5. Insert: N/A
3. Section 112.4. Insert: \$500.00, \$\$2,000.00
4. Section 302.4. Insert: at the height determined in Ordinance 5005, Wildfires.
5. Section 304.14. Insert: March 1 through October 31
6. Section 602.3. Insert: November 1 through February 28
7. Section 602.4. Insert: November 1 through February 28

**ARTICLE VII – Adoption of the 2015 Energy Conservation Code**

A. That a certain document, one (1) copy of which are on file in the office of the City Secretary of the City of Cottonwood Shores being marked and designated as the *International Energy Conservation Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Cottonwood Shores, in the State of Texas for regulating and governing energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties,

conditions and terms of said Energy Conservation Code on file in the office of the City Secretary 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 Article VI of this ordinance.

B. The following sections are hereby revised:

1. Sections C101.1 and R101.1. Insert: City of Cottonwood Shores.

**ARTICLE VIII – Adoption of the International Fire Code**

A. That a certain document, one (1) copy of which are on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the International Fire Code, 2012 edition, including Appendix Chapters A through G, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Cottonwood Shores, in the State of Texas regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Secretary 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 Article VIII of this ordinance.

B. That the following sections are hereby revised:

1. Section 101.1. Insert: City of Cottonwood Shores
2. Section 109.4. Insert: Class C Class C Misdemeanor, \$2,000.00, Zero (0) days
3. Section 111.4. Insert: \$500.00, \$2,000.00
4. Section 1103.5.3. Insert: Sprinkler System must be installed before a Certificate of Occupancy can be obtained

C. That the geographic limits referred to in certain sections of the 2015 International Fire Code are hereby established as follows:

1. Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): Corporate City Limits or such greater area as shall be authorized by law.
2. Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Corporate City Limits or such greater area as shall be authorized by law.
3. Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Corporate City Limits or such greater area as shall be authorized by law.
4. Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Corporate City Limits or such greater area as shall be authorized by law.



**ARTICLE IX – Adoption of the 2015 International Existing Building Code**

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the International Existing Building Code, 2015 edition, including Appendix Chapters A and B), as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Cottonwood Shores in the State of Texas for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the City Secretary 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 Article IX of this ordinance.
- B. The following sections are hereby revised:
1. Section 101.1 Insert: City of Cottonwood Shores
  2. Section 1401.2 Insert: August 8, 1987

**ARTICLE X – Adoption of the 2017 National Electric Code**

- A. That a certain document, one (1) copy of which is on file in the office of the City Secretary of the City of Cottonwood Shores, being marked and designated as the National Electrical Code, 2017 edition as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the City of Cottonwood Shores in the State of Texas for regulating and governing the safeguarding of persons and property from hazards arising from the use, installation and maintenance of electricity; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the City Secretary 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 Article X of this ordinance.
1. Unless deleted, amended, expanded, or otherwise changed herein, all provisions of such Code shall be fully applicable and binding. In the event a conflict is determined to exist between said National Electric Code as adopted and the other provisions of this Ordinance, the latter provisions shall be construed as controlling and taking precedence over the former.
  2. The Building Inspector shall have the duty and is hereby authorized, empowered and directed to regulate and determine the placing of electric wires or other appliances for electric lights, heat or power in the City and to cause all such wires, appliances or apparatus to be placed, constructed and guarded as not to cause fires or accidents, endangering life or property and to be constructed as to keep to a minimum the loss or waste of electric current.
  3. It shall be the duty of the Building Inspector to enforce all provisions of this article and he is hereby granted the authority to enter all buildings in the City in the performance of his duties between the hours of 8:00 a.m. and 5:00 p.m. daily, except that in emergency and within the limits of reason, the Building Inspector may enter buildings for such purposes at other than the designated hours.

4. It shall be the duty of the Building Inspector to inspect and test all electrical work and equipment or apparatus for compliance with the Code. Whenever electric wiring, appliances or apparatus are determined to be defective or hazardous through improper manufacture, improper/insufficient insulation, or for any other reason, he shall at once cause the correction of such defect, at the expense of the owners of such wiring, appliance or apparatus.
- B. Permits:** No installation, alteration or removal shall be made in or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment. No building or structure shall be wired for electric lights, appliances, motors, apparatus or heating devices nor alterations made thereto without a written permit therefore being first obtained from the City license issuing clerk by the person having direct charge of such installation.
- C. Inspection:** Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance or apparatus, it shall be the duty of the person having direct charge of such to notify the Code enforcement officer who shall, as early as possible, inspect such wiring, installation, appliance and apparatus. If installed, altered and constructed in compliance with the permit and in accordance with the requirements of this article, he shall execute a certificate of satisfactory inspection which shall contain the date of such inspection and the result of his examination. No such certificate shall be issued unless such electric wiring, motors, heating devices, appliances and apparatus be in strict accord with the rules and requirements and the spirit of this article, nor shall current be turned on such installation, equipment, appliance, motors, heating device and apparatus until such certificate is issued. The amount of fee or charge to be made for such inspection and certificate shall be fixed and determined by Ordinance of the City Council from time to time.
- D. Standards:** All electrical construction, materials, appliances, motors, heating devices and apparatus used in connection with electrical work and the operation of all electrical apparatus within the City shall conform to the rules and requirements of the National Electrical Code current when work is performed or equipment and apparatus installed; however, necessity, good service and results often require larger sizes of wire, more branch circuits and better types of equipment than the minimum which is specified in the National Electrical Code. Therefore, the Code enforcement officer will have the responsibility and authority for making interpretations of the rules, for deciding upon the approval of equipment, materials, construction and for granting the special permission contemplated in a number of the rules and the Code enforcement officer, where necessary, shall follow the Code procedure for securing official interpretations of the Code.
- E. License requirements:** It shall be unlawful for any person, firm, or corporation to make any installation, alteration, repair, replacement, or remodel of any electrical system regulated by this Code without having registered a valid Texas Master Electrical License. The supervising master or journeyman electrician shall be on the job site at all times while electrical work is being performed. The ratio of helpers, apprentice electricians, or otherwise unlicensed electricians shall not exceed three unlicensed electricians to one supervising master or journeyman electrician. A master electrician shall only register his license with one electrical company within the town. To the extent as allowed by State Law, homeowners may install, alter, repair, replace, or remodel any electrical system. City permits must still be obtained and inspections must be made. The owner must have a homestead exemption for this section to apply. The owner must perform the work in its entirety and may not hire anyone else to perform the electrical work.

- F. **License exemption:** Any individual desiring to perform his electrical work personally shall not be required to make the required bond or to obtain the required license but shall be required to obtain the regular permit for that particular job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally.

## **SECTION II: REPEALER**

- A. That Ordinance 3001 of the City of Cottonwood Shores entitled Adoption of the 2006 International Building Codes and all other ordinances or parts of laws in conflict herewith are hereby repealed.

## **SECTION III: PROVIDING FOR SEVERABILITY**

- A. 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 of the City of Cottonwood Shores 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.
- B. That nothing in this legislation or in the 2017 Building Codes 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 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.
- C. That the City of Cottonwood Shores' City Secretary is hereby ordered and directed to cause this legislation to be published.
- D. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

## **SECTION IV – ENFORCEMENT**

This Ordinance shall be enforced by all Law Enforcement Officers, Code Enforcement Officers, Building Inspectors, Plan Reviewers or their duly authorized representative of the City of Cottonwood Shores.

Any individual who fails to comply with any provision of this Ordinance commits an offense punishable as a City Ordinance violation – a Class C Misdemeanor.

An offense under this section shall be filed with the Municipal Court of Cottonwood Shores by complaint or citation issued by any peace officer of the State of Texas and is punishable by the assessment of a fine not to exceed two thousand dollars (\$2,000.00) or as otherwise punishable by State law. Each day of such violation constitutes a separate offense.

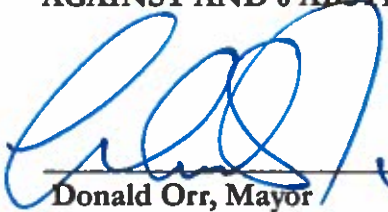
**SECTION V – EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after the passage and publication in the manner set forth with the provisions of the Local Government Code.

**SECTION VI – PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**ORDINANCE PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, AT A MEETING ON THE 4<sup>TH</sup> DAY OF OCTOBER, 2018, WITH 5 VOTES IN FAVOR, 0 VOTES AGAINST AND 0 ABSTENTIONS.**

  
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Donald Orr, Mayor

Attest:

  
\_\_\_\_\_  
Sheila C. Moore  
City Administrator/City Secretary

