

ORDINANCE NO. 24-01-04-05

AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 3.106, SECTION 3.107, SECTION 3.108, AND SECTION 3.109 OF CHAPTER 3 OF THE LAGO VISTA CODE OF ORDINANCES TO UPDATE VARIOUS MODEL BUILDING AND FIRE CODES TO A MORE RECENT VERSION; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, the City Council of the City of Lago Vista has previously established provisions within Chapter 3 of the Lago Vista Code of Ordinances that adopt various specific model building and fire code editions with amendments, exclusions, or clarifications; and

WHEREAS, most recently those provisions adopt with amendments, exclusions, and clarifications the 2015 editions of the model building and fire codes published by the International Code Congress and the National Fire Protection Association together with the 2014 edition of the National Electrical Code (NEC) published by the National Fire Protection Association as NFPA Chapter 70; and

WHEREAS, updating those same model building and fire codes to the 2021 editions and the National Electrical Code to the 2020 edition with amendments, exclusions, or clarifications will undoubtedly result in more favorable property hazards insurance premiums for our residents and business owners; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has undertaken an extensive review of those regulations at their regular meeting of December 6, 2023; and

WHEREAS, the Building and Standards Commission of the City of Lago Vista has forwarded a recommendation to the City Council to amend the requirements contained in Section 3.106, Section 3.107, Section 3.108, and Section 3.109 of Chapter 3 of the Lago Vista Code of Ordinances as described below; and

WHEREAS, the City Council desires to amend the Lago Vista Code of Ordinances as described below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS OF FACT. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. The City Council of the City of Lago Vista, Texas does hereby amend Section 3.106, Section 3.107, Section 3.108, and Section 3.109 of Chapter 3 of the Lago Vista Code of Ordinances as shown in **Exhibit "A."**

SECTION 3. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. CODIFICATION AND PUBLICATION. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.013 of the *Texas Local Government Code*.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Texas Local Government Code*.

SECTION 7. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is 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*.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 4th day of January 2024.



Kevin Sullivan, Mayor

ATTEST:



Lucy Aldrich, City Secretary



On a motion by Councilor Roberts, seconded by Councilor Durbin, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

CHAPTER 3

BUILDING REGULATIONS

Sec 3.106 Building and Fire Codes

This section contains the building code for the city. The 2021 International Building Code, the 2021 International Residential Code, the 2021 International Fire Code, the 2021 Existing Building Code, and the 2021 National Fire Protection Association's Life Safety Code (NFPA 101) are hereby adopted and made part of this article with the following requirements, amendments, and clarifications:

- (a) Excluded Appendices. All appendices of the above referenced building codes are hereby adopted except for the following which are excluded in their entirety:
 - (1) Appendix A "Employee Qualifications," Appendix B "Board of Appeals," Appendix D "Fire Districts," Appendix H "Signs," Appendix J "Grading," and Appendix K "Administrative Provisions" of the 2021 International Building Code;
 - (2) Appendix L "Permit Fees" of the 2021 International Residential Code; and
 - (3) Appendix A "Board of Appeals" of the 2021 International Fire Code.
- (b) Excluded Provisions. All provisions of the above referenced building codes are hereby adopted except for the following sections of the 2021 International Residential Code which are excluded in their entirety:
 - (1) Section R105.2 Work Exempt from Permit (Chapter 1 Scope and Administration, Section R105 Permits);
 - (2) Section R313.2 One and two family dwelling automatic fire systems (Chapter 3 Building Planning, Section R313 Automatic Fire Sprinkler Systems); and
 - (3) Section P2503.8.2 Testing (Chapter 25 Plumbing Administration; Section P2503 Inspection and Tests).
- (c) Exterior. No building or structure shall be placed or maintained on any lot in the city with outside walls which are not finished with a protected coating or covering sufficient to protect said building or structure from deterioration and the action of the elements. The exterior of all residential and nonresidential structures shall be as provided elsewhere in Chapter 3 herein.

- (d) Building Materials and Construction Equipment. Except during construction, no building materials or construction equipment of any kind shall be placed or stored upon any lot; and then such material shall be placed within the property lines of the lot on which the improvements are to be made unless there is on file in the city office a letter for permission from the adjoining lot owner authorizing temporary use of such lot. Such a letter is also required where an adjoining lot is used for ingress/egress by vehicles and/or equipment.
- (e) Address. All principal buildings shall have address numbers at least four inches (4") tall displayed in a prominent place on the front of such building or on a sign in the building's front yard, and able to be clearly seen from a street adjoining the property on which the building is located to identify the address to police, emergency medical service and firefighting personnel.

Sec 3.107 Plumbing Code

- (a) This section contains the plumbing code for the city.
 - (1) The purpose and intent of this section is to regulate the construction, erection, and enlargement, alteration or repair of all fittings, fixtures, etc., used for conduction of water and wastewater in, on, or about any premises.
 - (2) The 2021 International Plumbing Code, and the 2021 International Private Sewage Disposal Code, including all appendices, except Appendix A "Plumbing Permit Fee Schedule" of the 2021 International Plumbing Code, are hereby adopted as part of this article, except as amended by this section.
 - (3) All connections to the city's water supply system shall meet the requirements of the city's ordinance for the control of backflow and cross connections, as amended from time to time. Required testing of all systems or devices shall be documented on a form approved by the city.
 - (4) Effective, March 1, 2013, all new structures utilized for human habitation or occupancy that are not utilizing a water well at the time of permitting shall connect to a city water supply if such supply is within 300 feet as measured within street ROW or a utility easement from the water supply to the nearest property line on which the structure is to be located. Afterwards, the use of any other water supply source, except for non-domestic use of harvested rainwater, shall be prohibited for any purpose.
 - (5) Once a structure is occupied for human habitation and is connected to a city water supply, it shall not be disconnected.
- (b) Amendments to the 2021 International Plumbing Code. The following provisions shall be included as cumulative and additional local requirements.
 - (1) All exterior cleanout caps installed at grade in both commercial and residential applications shall be of the threaded type (Chapter 7 Sanitary Drainage, Section 708.1.6 Cleanout plugs).

- (2) Grinder pumps shall be in accordance with the city standard drawings for grinder pumps (Chapter 7 Sanitary Drainage, Section 712.4 Sewage pumps and sewage ejectors).
- (3) Public water supply shall be determined to be available if the city water supply is within 300 feet as measured within a street ROW or a utility easement from the water supply to the nearest property line on which the structure is to be located (Chapter 6 Water Supply and Distribution, Section 602.3 Individual water supply).

Sec 3.108 Electrical Code

This section contains the electrical code for the city.

- (a) The 2020 National Electrical Code (NFPA 70), including all appendices, is hereby adopted as part of this article, except as specifically amended in this section.

Sec 3.109 Mechanical, Fuel Gas Code, and Energy Efficiency

- (a) This subsection contains the mechanical code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, and requirements for safe and suitable design, material and methods of installation, construction, alteration, movement, maintenance, or repair of heating, air-conditioning and refrigeration units in the city.
 - (2) The 2021 International Mechanical Code and all appendices, except Appendix B "Recommended Permit Fee Schedule," are hereby adopted as part of this section.
- (b) This subsection contains the fuel gas code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, requirements and methods of fuel and gas infrastructure in the city.
 - (2) The 2021 International Fuel Gas Code and all appendices are hereby adopted except for the following sections which are excluded in their entirety:
 - (A) Section 106.5.3 Expiration (Chapter 1 Scope and Administration, Section 106 Permits);
 - (B) Section 106.5.4 Extensions (Chapter 1 Scope and Administration, Section 106 Permits); and
 - (C) Section 109 Means of Appeal (Chapter 1 Scope and Administration).
- (c) This subsection contains the energy conservation code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, requirements, and methods to reduce energy consumption in the city.

- (2) The 2021 International Energy Conservation Code and all appendices are hereby adopted except for Section R402.4.1.2 Testing (Chapter 4 Residential Energy Efficiency, Section R402 Building Thermal Envelope) which is excluded in its entirety.

CHAPTER 3

BUILDING REGULATIONS

Sec 3.106 Building ~~And~~ and Fire Codes

This section contains the building code for the city. The ~~2015~~ 2021 International Building Code, the ~~2015~~ 2021 International Residential Code, the ~~2015~~ 2021 International Fire Code, the ~~2015~~ 2021 Existing Building Code, and the ~~2015~~ 2021 National Fire Protection Association's Life Safety Code (NFPA 101) are hereby adopted and made part of this article with the following requirements, amendments, and clarifications:

- (a) Excluded Appendices. All appendices of the above referenced building codes are hereby adopted except for the following which are excluded in their entirety:
 - (1) Appendix A "Employee Qualifications," Appendix B "Board of Appeals," Appendix D "Fire Districts," Appendix H "Signs," Appendix J "Grading," and Appendix K "Administrative Provisions" of the ~~2015~~ 2021 International Building Code;
 - (2) Appendix L "Permit Fees" of the ~~2015~~ 2021 International Residential Code; and
 - (3) Appendix A "Board of Appeals" of the ~~2015~~ 2021 International Fire Code.
- (b) Excluded Provisions. All provisions of the above referenced building codes are hereby adopted except for the following sections of the ~~2015~~ 2021 International Residential Code which are excluded in their entirety:
 - (1) Section R105.2 Work Exempt from Permit (Chapter 1 Scope and Administration, Section R105 Permits);
 - (2) Section R313.2 One and two family dwelling automatic fire systems (Chapter 3 Building Planning, Section R313 Automatic Fire Sprinkler Systems); and
 - (3) Section P2503.8.2 Testing (Chapter 25 Plumbing Administration; Section P2503 Inspection and Tests).
- (c) Exterior. No building or structure shall be placed or maintained on any lot in the city with outside walls which are not finished with a protected coating or covering sufficient to protect said building or structure from deterioration and the action of the elements. The exterior of all residential and nonresidential structures shall be as provided elsewhere in Chapter 3 herein.
- (d) Building Materials and Construction Equipment. Except during construction, no building materials or construction equipment of any kind shall be placed or stored upon any lot; and then such material shall be placed within the property lines of the lot on which the improvements are to be made unless there is on file in the city office a letter for permission from the adjoining lot owner

authorizing temporary use of such lot. Such a letter is also required where an adjoining lot is used for ingress/egress by vehicles and/or equipment.

- (e) Address. All principal buildings shall have address numbers at least four inches (4") tall displayed in a prominent place on the front of such building or on a sign in the building's front yard, and able to be clearly seen from a street adjoining the property on which the building is located to identify the address to police, emergency medical service and firefighting personnel.

Sec 3.107 Plumbing Code

- (a) This section contains the plumbing code for the city.
 - (1) The purpose and intent of this section is to regulate the construction, erection, and enlargement, alteration or repair of all fittings, fixtures, etc., used for conduction of water and wastewater in, on, or about any premises.
 - (2) The ~~2015~~ 2021 International Plumbing Code, and the ~~2015~~ 2021 International Private Sewage Disposal Code, including all appendices, except Appendix A "Plumbing Permit Fee Schedule" of the ~~2015~~ 2021 International Plumbing Code, are hereby adopted as part of this article, except as amended by this section.
 - (3) All connections to the city's water supply system shall meet the requirements of the city's ordinance for the control of backflow and cross connections, as amended from time to time. Required testing of all systems or devices shall be documented on a form approved by the city.
 - (4) Effective, March 1, 2013, all new structures utilized for human habitation or occupancy that are not utilizing a water well at the time of permitting shall connect to a city water supply if such supply is within 300 feet as measured within street ROW or a utility easement from the water supply to the nearest property line on which the structure is to be located. Afterwards, the use of any other water supply source, except for non-domestic use of harvested rainwater, shall be prohibited for any purpose.
 - (5) Once a structure is occupied for human habitation and is connected to a city water supply, it shall not be disconnected.
- (b) Amendments to the ~~2015~~ 2021 International Plumbing Code. The following provisions shall be included as cumulative and additional local requirements.
 - (1) All exterior cleanout caps installed at grade in both commercial and residential applications shall be of the threaded type (Chapter 7 Sanitary Drainage, Section 708.1.6 Cleanout plugs).
 - (2) Grinder pumps shall be in accordance with the city standard drawings for grinder pumps (Chapter 7 Sanitary Drainage, Section 712.4 Sewage pumps and sewage ejectors).
 - (3) Public water supply shall be determined to be available if the city water supply is within 300 feet as measured within a street ROW or a utility easement from the water supply to the nearest property line on which the structure is to be located (Chapter 6 Water Supply and Distribution, Section 602.3 Individual water supply).

Sec 3.108 Electrical Code

This section contains the electrical code for the city.

- (a) The ~~2014~~ 2020 National Electrical Code (NFPA 70) including all appendices, is hereby adopted as part of this article, except as specifically amended ~~or made more stringent by local requirements contained~~ in this section.

Sec 3.109 Mechanical, Fuel Gas Code, ~~And~~ and Energy Efficiency

- (a) This subsection contains the mechanical code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, and requirements for safe and suitable design, material and methods of installation, construction, alteration, movement, maintenance, or repair of heating, air-conditioning and refrigeration units in the city.
 - (2) The ~~2015~~ 2021 International Mechanical Code and all appendices, except Appendix B "Recommended Permit Fee Schedule," are hereby adopted as part of this section.
- (b) This subsection contains the fuel gas code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, requirements and methods of fuel and gas infrastructure in the city.
 - (2) The ~~2015~~ 2021 International Fuel Gas Code and all appendices are hereby adopted except for the following sections which are excluded in their entirety:
 - (A) Section 106.5.3 Expiration (Chapter 1 Scope and Administration, Section 106 Permits);
 - (B) Section 106.5.4 Extensions (Chapter 1 Scope and Administration, Section 106 Permits); and
 - (C) Section 109 Means of Appeal (Chapter 1 Scope and Administration).
- (c) This subsection contains the energy conservation code of the city.
 - (1) The purpose and intent of this section is to provide certain minimum standards, provisions, requirements, and methods to reduce energy consumption in the city.
 - (2) The ~~2015~~ 2021 International Energy Conservation Code and all appendices are hereby adopted except for Section R402.4.1.2 Testing (Chapter 4 Residential Energy Efficiency, Section R402 Building Thermal Envelope) which is excluded in its entirety.
