

## **ORDINANCE NO. 24-04-04-04**

**AN ORDINANCE OF THE CITY COUNCIL OF LAGO VISTA, TEXAS, AMENDING SECTION 3.108 AND SECTION 3.109 OF CHAPTER 3 OF THE LAGO VISTA CODE OF ORDINANCES TO UPDATE PROVISIONS RELATED TO NFPA 70 AND THE INTERNATIONAL ENERGY CONSERVATION CODE; 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**, Ordinance No. 24-01-04-05 recently updated those provisions to adopt with specific exclusions the 2021 editions of the model building and fire codes published by the International Code Congress and the National Fire Protection Association together with the 2020 edition of the National Electrical Code (NEC) published by the National Fire Protection Association as NFPA Chapter 70; and

**WHEREAS**, it was subsequently discovered that an administrative determination by the Texas Department of Licensing and Regulation (TDLR) would potentially impact electrician licenses required to comply with version of the National Electrical Code prior to the 2023 Edition; and

**WHEREAS**, it was also subsequently discovered that an exclusion for testing required by the International Energy Conservation Code that was once unavailable locally has been more recently resolved; 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 March 6, 2024; 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 3.108, 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 3.108, 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 April 2024.

  
Kevin Sullivan, Mayor

ATTEST:

  
Lucy Aldrich, City Secretary



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

**EXHIBIT “A”**

**CHAPTER 3**

**BUILDING REGULATIONS**

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**Sec 3.108 Electrical Code**

This section contains the electrical code for the city.

- (a) The 2023 National Electrical Code (NFPA 70) including all appendices is hereby adopted as part of this article, except as specifically amended in this section.

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**Sec 3.109 Mechanical, Fuel Gas Code, and Energy Efficiency**

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- (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 in its entirety.

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- (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.

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