

ORDINANCE NO. O-2017-12-11-IPC

International Plumbing Code Adoption

AN ORDINANCE ADOPTING THE 2015 *INTERNATIONAL PLUMBING CODE*; PROVIDING FOR THE ADOPTION OF FUTURE AMENDMENTS AND EDITIONS THERETO; PROVIDING FOR RECORDING OF SUCH CODE AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Nixon, Texas is a General Law City acting under the laws of the State of Texas, including, but not limited to, the Texas Local Government Code and the Texas Government Code; and

WHEREAS, City Council of the City of Nixon deems it necessary to adopt this ordinance governing requirements for the installation and maintenance of plumbing systems including requirements for materials, in order to protect the health, safety and welfare of the citizens of the City of Nixon.

WHEREAS, The North Central Texas Council of Governments (NCTCOG) and their Regional Codes Coordinating Committee (RCCC) and its four advisory boards previously conducted open review meetings over a 1-year period to review the International Codes and to develop regional amendments. Their review and recommendations were completed and endorsed by NCTCOG's Executive Board. Now NCTCOG encourages jurisdictions in North Central Texas to adopt the *International Plumbing Code* along with its respective amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIXON, TEXAS:

SECTION 1

That the *International Plumbing Code, 2015 Edition*, and any subsequent edition published by The International Code Council, Inc. (ICC), is hereby adopted as the Plumbing Code of the City of Nixon, except for plumbing systems otherwise regulated under the International Residential Code as adopted. A true and correct

copy of this 2015 Code, or any subsequent edition published by the ICC, can be found at the ICC website at www.iccsafe.org and is also attached as Exhibit "A".

SECTION 2

The City of Nixon may from time to time determine that additional local modifications to the 2015 International Plumbing Code, or any subsequent edition, are necessary and appropriate to meet the unique construction needs of the City of Nixon. To effectuate these modifications, the City council shall enact individual ordinances amending this ordinance fully setting forth the change to be made in the code.

SECTION 3

The material contained in Exhibit "A" to this ordinance shall not be included in the formal municipal codification of ordinances, but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

SECTION 4

This ordinance shall be cumulative of all provisions of ordinances of the City of Nixon, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section. It is not the intention of this ordinance to conflict in any way with the Plumbing License Law of Texas.

SECTION 6

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than five hundred dollars (\$500) for

all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7

All rights and remedies of the City of Nixon are expressly saved as to any and all violations of the provisions of any ordinances affecting the installation and maintenance of systems which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8

The City Secretary of the City of Nixon is hereby directed to publish in the official newspaper of the City of Nixon, the caption, penalty clause, publication clause and effective date of this ordinance one time, as required by the Texas Local Government Code.

SECTION 9

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

SECTION 10

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, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this 11th day of December 2017.

CITY OF NIXON, TEXAS



Gladys Finch, Mayor

ATTEST:

APPROVED AS TO FORM:



Gina Trotter, City Secretary



Eduardo "Eddie" X. Escobar, City Attorney