

ORDINANCE NO. 78-2005

AN ORDINANCE OF THE CITY OF ORCHARD, TEXAS ADOPTING VARIOUS 2003 INTERNATIONAL STANDARDIZED CODES.

Section 1. WHEREAS, it is the desire of the City of Orchard, Texas, to adopt, in all respects, the various 2003 Codes;

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by the City of Orchard relating to construction and to maintenance of buildings within said City of Orchard, and relating to public safety, health and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ORCHARD, that the following codes are hereby adopted by reference as though they were copied herein fully:

1. 2003 International Building Code
2. 2003 International Fire Code
3. 2003 International Gas Code
4. 2003 International Mechanical Code
5. 2003 International Plumbing Code
6. 2003 International Property Maintenance Code
7. 2003 International Residential Code
8. 2003 International Residential Code for One and Two Family Dwellings
9. ICC International Electrical Code
10. 2005 National Electric Code

Section 2. BE IT FURTHER ORDAINED BY THE CITY COUNCIL FOR THE city of Orchard, that any matters in said codes which are contrary to existing Ordinances of the City of Orchard, the codes shall prevail.

Section 3. BE IT FURTHER ORDAINED that within said codes, when reference is made to the duties of a certain official named therein, that the designated official of the City of Orchard who has duties corresponding to those of the named official in said codes shall be deemed to be the responsible official insofar as enforcing the provision of said codes are concerned.

Section 4. Enforcement and penalty.

1. The Mayor or his/her designee shall have the authority to issue citations for any violation of this ordinance.
2. A violation of any provision of the listed Codes incorporated by reference In this section shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

3. Each day of occurrence of any violation or failure to perform such act shall constitute a separate offense.
4. The imposition of a fine under this ordinance shall not prevent the revocation, suspension or denial of any permit issued or granted by the City of Orchard, nor shall it be deemed to prevent impede or delay the rights of the city to proceed in any other court of competent jurisdiction to secure equitable relief, including but not limited to, injunctions or to file suits in the name of the city or as member of a class for damages or other relief as provided for by law.
5. Any person or corporation who permits, aids, assists or employs another person or corporation in doing and prohibited act or failing to do any act as shall be required in this ordinance shall be deemed in violation of this ordinance, as if such person or corporation had actually committed such act or failed to actually perform such act as herein required.
6. In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any provisions of this ordinance shall be deemed a public nuisance and may be abated by the city as provided by law.
7. The penalty for starting work prior to obtaining a valid permit, all fees will be doubled.

Section 5. Adoption of ordinances.

This ordinance shall become effective upon its approval and passage.

PASSED by and affirmative vote of all members of the City Council this

9th day of November, 2005.

APPROVED:

Eugene L. Demny
Eugene L. Demny, Mayor

ATTEST:

Kayla K. Villagomez
Kayla Villagomez, City Secretary