

ORDINANCE NO. 2006-021

AN ORDINANCE OF THE VILLAGE OF WIMBERLEY, TEXAS AMENDING SECTION NO. 151.80 ADOPTING 2003 EDITIONS OF THE INTERNATIONAL PLUMBING CODE; THE INTERNATIONAL MECHANICAL CODE; THE INTERNATIONAL FIRE CODE; THE INTERNATIONAL ELECTRICAL (ADMINISTRATIVE PROVISIONS) CODE; AND THE 2005 NATIONAL ELECTRIC CODE: SECTION NO. 151.01 ADOPTING 2003 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE; REMOVE SECTION II, SUPPLEMENT I & II (FEE SCHEDULE & PERMIT APPLICATION) AND REMOVE SECTION III: SECTION NO. 151.02 ADOPTING 2003 EDITION OF THE INTERNATIONAL BUILDING CODE; REMOVE SECTION II, SUPPLEMENT I & II (FEE SCHEDULE AND PERMIT APPLICATION) AND REMOVE SECTION III; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Village of Wimberley seeks to provide for the safe and orderly development of property within its corporate limits and extraterritorial jurisdiction; and

WHEREAS, the City Council finds that buildings that do not meet minimum standards for mechanical systems, fire protection and prevention, plumbing, and electrical wiring and systems, constitute a threat to the public health, safety and general welfare; and

WHEREAS, the City Council finds that poorly constructed buildings constitute a threat to the public health, safety and general welfare; and

WHEREAS, the City Council finds it to be in the best interest of the public to provide for the uniform regulations of the construction, design, repair, and maintenance of residential buildings within the Village; and

WHEREAS, the 2003 editions of the International Residential Code for residential buildings, the 2003 edition of the International Building Code for all other buildings, the 2003 editions of the International Plumbing Code, International Mechanical Code, International Fire Code, International Electrical (Administrative Provisions) Code; and the 2005 National Electrical Code are all part of the family of international building codes, and provide more specific guidance and standards regarding and related to the requirements of the International Building Code and the International Residential Code; and

NOW THEREFORE, be it ordained by the City Council of the Village of Wimberley, County of Hays, State of Texas:

I: FINDINGS OF FACT

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

II: AMENDMENTS TO ORDINANCE 2005-009

A. The Village of Wimberley hereby amends Section II, Adoption of International Mechanical Code to read as follows:

“The Village of Wimberley (“Village”) hereby adopts a certain documents, three (3) copies which are on file in the office of the Mayor of the Village, being marked and designated as the International Mechanical Code, 2003 edition, as it may be amended from time to time, as published by the International Code Council.”

B. The Village of Wimberley hereby amends Section III, Adoption of International Fire Code to read as follows:

“That a certain document, three (3) copies of which are on file in the office of the Mayor of the Village of Wimberley, being marked and designated as the International Fire Code, 2003 edition...”

C. The Village of Wimberley hereby amends Section IV, Adoption of International Plumbing Code to read as follows:

“That a certain document, three (3) copies of which are on file in the office of the Mayor of the Village of Wimberley, being marked and designated as the International Plumbing Code, 2003 edition...”

D. The Village of Wimberley hereby amends Section V, Adoption of International Electrical (Administrative Provisions) Code to read as follows:

“That a certain document, three (3) copies of which are on file in the office of the Mayor of the Village of Wimberley, being marked and designated as the International Electrical (Administrative Provisions) Code, 2003 edition...”

E. The Village of Wimberley hereby amends Section VI, Adoption of 2002 National Electric Code to read as follows:

“That a certain document, three (3) copies of which are on file in the office of the Mayor of the Village of Wimberley, being marked and designated as the 2005 National Electric Code (“NEC”) is hereby adopted...”

III: AMENDMENTS TO ORDINANCE 2001-004

A. The Village of Wimberley hereby amends Section II, Adoption of Building Code to read as follows:

“... and each and all regulations, provisions, conditions and terms of such International Residential Code, 2003 Edition ...”

Remove Supplement I – Fee Schedule
Remove Supplement II – Permit Application

B. The Village of Wimberley hereby amends Section III, Building Code Revisions

Remove Section III – Building Code Revisions

IV: AMENDMENTS TO ORDINANCE 2001-005

A. The Village of Wimberley hereby amends Section II, Adoption of Building Code to read as follows:

“... and each and all of the regulations, provisions, penalties, conditions and terms of said Commercial Building Code, 2003 Edition, ...”

Remove Supplement I – Fee Schedule
Remove Supplement II – Permit Application

B. The Village of Wimberley hereby amends Section III, Building Code Revisions

Remove Section III – Building Code Revisions

V: REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

SECTION 6: EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION 7: NO VESTED INTEREST

No person shall acquire any vested interest in this Ordinance or any specific regulations contained herein. This Ordinance and any regulation enacted hereby may be amended or repealed by the City Council in the manner provided by law.

SECTION 8: SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be 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 or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

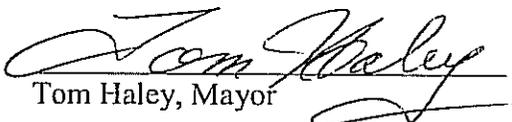
SECTION 9: PROPER NOTICE AND MEETING

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.

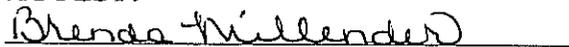
PASSED AND APPROVED on First Reading this 7th day of December, 2006, by a 4 to 0 vote of the City Council of the Village of Wimberley, Texas.

PASSED AND APPROVED on Second Reading this 18th day of January, 2007, by a 5 to 0 vote of the City Council of the Village of Wimberley, Texas.

VILLAGE OF THE WIMBERLEY

By: 
Tom Haley, Mayor

ATTEST:


Brenda Millender, City Secretary

APPROVED AS TO FORM:

Patty L. Akers, City Attorney