



LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS
VIA TELEPHONE CONFERENCE
TOWN COUNCIL MEETING
JUNE 10, 2021 7:00 P.M.

NOTICE IS HEREBY GIVEN Pursuant to section 551.127 of the Texas Government Code, and in conjunction with the guidance and provisions provided by the Governor of Texas in the declaration of disaster and subsequent executive orders altering certain Open Meetings Act requirements and banning gatherings of more than 10 people, the Town Council of the Town of Lakewood Village will conduct the meeting scheduled at the date and time above at Lakewood Village Town hall, 100 Highridge Drive by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be **no in-person public access** for the agenda items at the location described above and less than a quorum may be physically present at the location.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at lakewoodvillagetx.us. The public toll-free dial-in number to participate in the telephonic meeting is hosted through ZOOM. The dial in number is: 346-248-7799. You will be prompted to enter the meeting ID number: 818 4381 3212, and you will be prompted to enter the passcode: 960320.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. **Persons wishing to speak before the Council must notify the Town Secretary via email, linda@lakewoodvillagetx.us, no later than 6:30 p.m. on the date of the scheduled meeting. The email must include your name, full address, and the agenda item on which you wish to speak.** A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. **PLEDGE TO THE FLAG:**

B. VISITOR/CITIZENS FORUM: Pursuant to Texas Government code 551.007 (adopted in 2019): A governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body’s consideration of the item. A person who addresses the Council concerning an agenda item, including a Public Hearing, must limit his/her remarks to the specific subject matter being considered by the Council under that agenda item.

C. PUBLIC HEARING – A public hearing is scheduled to provide an opportunity for citizen comment on the proposed ordinances related to building codes (Agenda Items E.1. – E.7.)

D. CONSENT AGENDA: All the items on the Consent Agenda are considered to be self-explanatory and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests an item be removed from the Consent Agenda.

1. Minutes of May 13, 2021 Council Meeting (Asbell)
2. Minutes of May 20, 2021 Council Meeting (Asbell)
3. Minutes of June 3, 2021 Council Meeting (Asbell)

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REGULAR AGENDA
JUNE 10, 2021**

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E. REGULAR AGENDA:

1. Consideration of 2018 Residential Code (Bushong)
2. Consideration of 2018 Swimming Pool and Spa Code (Bushong)
3. Consideration of 2017 Electrical Code (Bushong)
4. Consideration of 2018 Fuel Gas Code (Bushong)
5. Consideration of 2018 Mechanical Code (Bushong)
6. Consideration of 2018 Plumbing Code (Bushong)
7. Consideration of 2018 Energy Conservation Code (Bushong)

F. EXECUTIVE SESSION: – In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:

1. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards; and
2. § 551.071(1), Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village v. Town of Little Elm regarding boundaries, interlocal agreement and disannexation, and Town of Lakewood Village v. The Sanctuary Texas LLC, Marlon McMakin, and Brian Banner regarding development.
3. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, Project Boy Scout, and Project Lakewood Village Partners; and
4. § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Slade Rock, Project Boy Scout, and Project Lakewood Village Partners; and

G. RECONVENE: Reconvene into regular session and consideration of action, if any, on items discussed in executive session.

H. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice at 4:30 p.m. on Monday, June 7, 2021.



Linda Asbell

Linda Asbell, TRMC, CMC, Town Secretary

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development), 418.183 (Homeland Security)

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more board members of the LAKWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by the MDD board.

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 13, 2021

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Regular Meeting of the Town Council to order at 7:00 p.m. on Thursday, May 13, 2021 in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Mayor Vargus led the Pledge of Allegiance.

EXECUTIVE SESSION:

(Agenda Item B)

At 7:01 p.m. Mayor Vargus recessed into executive session in accordance with § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements.

RECONVENE:

(Agenda Item C)

Mayor Vargus reconvened the regular session at 7:30 p.m. No action was taken.

PRESENTATIONS:

(Agenda Item D)

Mayor Vargus administered the oath of office and presented the election certificate to re-elected Councilman Bushong. Mayor Pro-Tem West administered the oath of office and presented the election certificate to re-elected Councilman Bissonnette. Councilwoman Serena Lepley administered the oath of office to newly elected Councilman Eric Farage. Council members Bushong, Bissonnette, and Farage took their seats on the dais.

VISITOR/CITIZENS FORUM:

(Agenda Item E)

Eric Hancock, 8249 Treemont Place, Frisco, Texas, stated he is a one-third owner of a property at Eldorado and Lakecrest near the entrance to town. Mr. Hancock stated that several years ago Ms. Elizabeth Shields was elected to office. Mr. Hancock reported that Ms. Shields told him that she was given the keys to the Town Secretary's office. Mr. Hancock reported that Ms. Shields reported to him that she went to the office in the evening, was unable to get into the office, and was unable access records. Mr. Hancock stated that Ms. Shields told him only signers on the bank accounts will have access to the office that holds the official financial records. Mayor Vargus told Mr. Hancock that he was over the allotted speaking time and asked him to finish up his comment. Mr. Hancock stated he would hold his comments for a future date.

PUBLIC HEARING:

(Agenda Item F)

A public hearing was held to provide an opportunity for citizen comment on the proposed ordinances related to building codes (Agenda Items H.7. – H.12.)

No one requested to speak

MOTION: Upon a motion made by Councilman Bissonnette and seconded by Mayor Pro-Tem West, council voted five (5) "ayes", no (0) "nays" to close the public hearing at 7:38 p.m. *The motion carried.*

CONSENT AGENDA:

(Agenda Item G)

1. Minutes of March 11, 2021, 2020 Council Meeting (Asbell)
2. Resolution Naming the Denton Record Chronicle as the Official Newspaper (Asbell)
3. Professional Services Agreement with Corson Cramer Development (Asbell)
4. Engagement of P3Works Public Improvement District Consultants (Asbell)
5. Reappointment of Robin West, Linda Loudon, and Linda Asbell to the Municipal Development District Board of Directors (Asbell)

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted four (5) “ayes”, no (0) “nays” to approve the consent agenda items as presented. *The motion carried.*

REGULAR AGENDA:

(Agenda Item H)

**Consideration of Election of Mayor Pro-Tem
(Asbell)**

(Agenda Item H.1)

Mayor Vargus stated Darrell West has been doing a great job as Mayor Pro-Tem. Council thanked Darrell West for his efforts.

Eric Hancock, 8249 Treemont Place, Frisco, Texas, previously requested to speak but stated he would no longer wished to speak on this agenda item.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to re-elect Darrell West to the position of Mayor Pro-Tem. *The motion carried.*

**Consideration of Variance for 780 Carrie
Lane for Front Facing Garage (Asbell)**

(Agenda Item H.2)

Mayor Vargus reported that cul-de-sac lots present a challenge when complying with the zoning requirements for front facing garages. Mayor Vargus reported that house will be set back from the street.

Julie Petaros, 770 Carrie Lane, read a statement prepared by her husband and herself. Ms. Petaros stated previous variances have been granted based on limited space. This property has space available for a side facing garage and there is no need to grant the variance. Ms. Petaros stated front facing garages are unsightly.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Farage, council voted four (4) “ayes”, one (1) “nays” (Councilman Bushong) to approve the variance for 780 Carrie Lane for front facing garage. *The motion carried.*

**Consideration of Resolution Nominating a
Candidate to the Denco Area 9-1-1 Board of
Managers (Asbell)**

(Agenda Item H.3)

Sue Tejml, 835 Orchid Hill Lane, Argyle, Texas reported on a problem the Lewisville Police Department experienced during the 2021 Winter Storm due to loss of power. Denco 9-1-1 was able within 30 minutes to move the police call center to the Denco Annex and bring dispatching services back online. There was some discussion about the importance of Denco 9-1-1 services.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the resolution nominating Sue Tejml to the Denco Area 9-1-1 Board of Managers. *The motion carried.*

**Consideration of Hiring a Part-Time Utility
Billing/Building Department Clerk (Vargus)**

(Agenda Item H.4)

Mayor Vargus reported that Shannon Bushong has been assisting with the conversion of the Building Department to digital records. Mayor Vargus stated that Councilman Bushong has created an automated building department interface which has been very helpful. Mayor Vargus stated Shannon has been doing a great job and recently has taken on the management of utility billing accounts.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West, council voted four (4) “ayes”, no (0) “nays” (with Councilman Bushong abstaining), to authorize the mayor to hire a part-time utility billing/building department clerk. *The motion carried.*

**Consideration of Interlocal Agreement with
the Town of Little Elm for Fire and
Emergency Medical Services (Vargus)**

(Agenda Item H.5)

Mayor Vargus reviewed the contract. The town averages approximately 30 runs each year. Little Elm Fire Chief Rust reviewed the policy on standardized reporting which differentiates between a “lock-in” which might be a child locked in a car versus a “lock-out” which would be someone locking their keys in their car or house. Little Elm Fire Department will no longer respond to “lock-out” situations. Council expressed appreciation to Chief Rust for the services they provide to the Town of Lakewood Village.

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette, council voted five (5) “ayes”, no (0) “nays” to approve the interlocal agreement with the Town of Little Elm for fire and emergency medical services. *The motion carried.*

Consideration of the Consolidated Fee Ordinance (Bushong)

(Agenda Item H.6)

Councilman Bushong reviewed the changes to the fee ordinance. Councilman Bushong reviewed the new procedure for processing building permits. There was some discussion about the new building permit process. Councilman Bushong continued to review the changes to the ordinance. Councilman Bushong reported on the procedure implemented to collect reinspection fees prior to a final inspection. There was some discussion about the number of reinspections permitted before a contractor will be charged a reinspection fee. There was some discussion about plan reviews and inspections on retaining walls.

MOTION: Upon a motion made by Mayor Pro-Tem West and seconded by Councilwoman Lepley, council voted five (5) “ayes”, no (0) “nays” to approve the consolidated fee ordinance. *The motion carried.*

Discussion of 2018 Residential Code (Bushong)

(Agenda Item H.7)

Mayor Vargus reported that every three years the International Code Council updates all the codes. The Town of Lakewood Village typically waits a few years before adopting new codes. The local amendments that the town adopts is usually similar to surrounding municipalities. The ordinance only addresses the local amendments. Councilman Bushong reported that he will include the entire paragraph referenced in the local amendment. Councilman Bushong stated he would like council to review the ordinances and hold a public hearing at this council meeting and hold another public hearing and adopt at the next council meeting.

Councilman Bushong reviewed some of the substantive changes from the previous ordinance. The ordinance would allow for finishing work to be completed at a construction site on Sundays but the work cannot cause a noise nuisance. Mayor Vargus reported that he allowed some construction work on Sundays during the pandemic to allow workers to spread out and be working on different days. No complaints have been received about the work on Sundays. There was some discussion about allowing work on Sundays.

Discussion of 2018 Swimming Pool and Spa Code (Bushong)

(Agenda Item H.8)

Councilman Bushong reported the swimming pool code has been removed from the residential code and is now a stand-alone code. Pools will be prohibited from discharging into the town sewer system and must be discharged into a vegetated area within the owner's property.

Discussion of 2017 Electrical Code (Bushong)

(Agenda Item H.9)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Fuel Gas Code (Bushong)

(Agenda Item H.10)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Mechanical Code (Bushong)

(Agenda Item H.11)

Councilman Bushong reviewed the proposed code.

Discussion of 2018 Plumbing Code (Bushong)

(Agenda Item H.12)

Councilman Bushong reviewed the proposed code. There was some discussion about a property maintenance code.

Discussion of Discussion of Concrete Roads (Vargus)

(Agenda Item H.13)

Mayor Vargus reported the detour on Green Meadow will be opened next week. Mayor Vargus reported on some shrinkage cracks on Melody. There was some discussion about a property owner on Carrie that dropped approximately 80 yards of gravel across the middle of the concrete road. Mayor Vargus reported on the problems caused by the Bobcat scraping its bucket across the road to pick up the gravel and the gravel filling in the expansion joint on the road. There was some discussion about a change order cancelling the installation of asphalt on the transitions to Lakecrest. There was some discussion on Fugro going over budget on inspections due to multiple smaller inspections. Mayor Vargus reported on the current expected financial gap on bond funds and the cost of the roads. There was some discussion on sodding drainage easements.

Town Finance Update (Vargus)

(Agenda Item H.14)

Mayor Vargus reviewed the general fund and reported on several properties that have not received their tax bills yet because Denton Central Appraisal District did not send them out until May 12, 2021. Mayor Vargus reviewed the general fund revenues. Mayor Vargus reported the Town will receive approximately \$210,000 in federal stimulus funds. Mayor Vargus reviewed the general fund expenditures and debt servicing. Attorney Fees are approximately \$7,000 year to date which is significantly reduced from last year. Mayor Vargus reported on the effect of damage to town hall during the winter storm and the subsequent insurance claim has on the financials.

Mayor Vargus reviewed the utility fund revenues. There was some discussion on the comparison of year to date numbers with this point in the budget last year. Mayor Vargus reported on utility fund expenditures. There was some discussion on the sludge removal. Mayor Vargus reported that the previous operator Patterson Professional Services did not operate the sewer plant properly which resulted in sludge infiltrating the entire system. Wet hauls were required to remove the sludge because the drying bed would not operate correctly due to the permeation of sludge throughout the plant. There was some discussion about the rebuilding of the Highridge lift station due to the road construction.

**Discussion of Federal Emergency
Management Agency Reimbursement and
Texas Municipal League Claims (Asbell)**

(Agenda Item H.15)

Town Secretary Asbell reviewed the damage to town facilities caused by the winter storm and the claim filed with Texas Municipal League to cover those expenses. The insurance has paid \$29,322.32 to date with an expected additional \$7594.94 to be received when work is completed. Secretary Asbell reported on the status of the application with the Federal Emergency Management Agency to cover the extra costs of incurred for emergency operations during the winter storm. Town Secretary reviewed the status of the federal stimulus funds and the expected timeline for receiving funds.

EXECUTIVE SESSION:

(Agenda Item I)

At 9:08 p.m. Mayor Vargus recessed into executive session in accordance with

- (1) § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards;
- (2) § 551.072 Texas Government Code to wit: deliberations about real property regarding

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REGULAR SESSION
MAY 13, 2021**

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- Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field; Project Slade Rock, and Project Boy Scout, and
(3) § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, and Sanctuary at Sunset Cove, Project Left Field; Project Slade Rock, and Project Boy Scout.

RECONVENE:

(Agenda Item I)

Mayor Vargus reconvened the regular session at 9:12 p.m. No action was taken.

ADJOURNMENT

(Agenda Item J)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 9:12 p.m. on Thursday May 13, 2021. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of June 2021.

APPROVED:

Darrell West
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC, CMC
TOWN SECRETARY

LAKWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

MAY 20, 2021

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette - ABSENT
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary
Andy Messer, Town Attorney

SPECIAL SESSION - 6:30 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Special Meeting of the Town Council to order at 6:30 p.m. on Thursday, May 13, 2021 in the 3rd floor conference room, 6351 Preston Road, Frisco, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Mayor Vargus led the Pledge of Allegiance.

EXECUTIVE SESSION:

(Agenda Item B)

At 6:30 p.m. Mayor Vargus recessed into executive session in accordance with

1. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards; and
2. § 551.072 Texas Government Code to wit: deliberations about real property regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Left Field, Project Slade Rock, Project Boy Scout, and Project Waffle; and
3. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures, Sanctuary at Sunset Cove, Project Left Field, Project Left Field, Project Slade Rock, Project Boy Scout, and Project Waffle; and
4. § 551.076 Texas Government Code to wit: deliberations about Security Devices.

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SPECIAL SESSION
MAY 20, 2021**

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RECONVENE:

(Agenda Item C)

Mayor Vargus reconvened the regular session at 9:10 p.m. No action was taken.

ADJOURNMENT

(Agenda Item D)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Mayor Pro-Tem West council voted four (4) “ayes” and no (0) “nays” to adjourn the Special Meeting of the Lakewood Village Town Council at 9:10 p.m. on Thursday May 20, 2021. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of June 2021.

APPROVED:

Darrell West
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC, CMC
TOWN SECRETARY

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

JUNE 3, 2021

Council Members:

Dr. Mark Vargus, Mayor
Darrell West – Mayor Pro-Tem
Clint Bushong
Serena Lepley
Matt Bissonnette
Eric Farage

Town Staff:

Linda Asbell, TRMC, CMC – Town Secretary
Andy Messer – Town Attorney

SPECIAL SESSION - 6:30 P.M.

With a quorum of the Council Members present, Mayor Vargus called the Special Meeting of the Town Council to order at 6:30 p.m. on Thursday, June 3, 2021 in the 2nd floor conference room, 6371 Preston Road, Frisco, Texas.

PLEDGE TO THE FLAG:

(Agenda Item A)

Mayor Vargus led the Pledge of Allegiance.

EXECUTIVE SESSION:

(Agenda Item B)

At 6:31 p.m. Mayor Vargus recessed into executive session in accordance with

1. § 551.071(2), Texas Government Code to wit: consultation with Town Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter to receive legal advice re: Development agreements, development and zoning standards; and
2. § 551.071(1), Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village v. Town of Little Elm regarding boundaries, interlocal agreement and disannexation, and Town of Lakewood Village v. The Sanctuary Texas LLC, Marlon McMakin, and Brian Banner regarding development; and
3. § 551.087 Texas Government Code to wit: Economic Development Negotiations regarding Sam Hill Ventures.

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SPECIAL SESSION
JUNE 3, 2021**

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RECONVENE:

(Agenda Item C)

Mayor Vargus reconvened the regular session at 8:23 p.m. No action was taken.

ADJOURNMENT

(Agenda Item D)

MOTION: Upon a motion made by Councilwoman Lepley and seconded by Councilman Bissonnette council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Meeting of the Lakewood Village Town Council at 8:23 p.m. on Thursday June 3, 2021. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 10th day of June 2021.

APPROVED:

Darrell West
MAYOR PRO-TEM

ATTEST:

Linda Asbell, TRMC, CMC
TOWN SECRETARY

TOWN OF LAKEWOOD VILLAGE
RESIDENTIAL CODE ~~16-1121-xx~~

**AN ORDINANCE TO ADOPT THE ~~2012~~2018
INTERNATIONAL RESIDENTIAL CODE, WITHIN THE
TOWN OF LAKEWOOD VILLAGE; PROVIDING A
SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY
CLAUSE, PROVIDING A SEVERABILITY CLAUSE,
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the ~~2012~~2018 Edition of the International Residential Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the ~~2012~~2018 International Residential Code

The International Residential Code, ~~2012~~2018 Edition, copyrighted by the International Code Council, Inc., including Appendix ~~G, J, and K~~, save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Residential code for Lakewood Village, regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and related accessory structures in Lakewood Village (the "~~2012~~2018 International Residential Code"). The ~~2012~~2018 International Residential Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Residential Code ~~16-1115-04~~ ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 13th day of October, 2016.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~



Exhibit A

Town of Lakewood Village Amendments

~~2012~~2018 International Residential Code



RESIDENTIAL CODE

Adopted: ~~June 10-October 13th, 2021~~ 2016

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CHAPTER 1. ADMINISTRATION

The following additions, deletions and amendments to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

R101 General

General of the ~~2012~~2018 International Residential Code is amended as follows:

R101.1 Title

These ~~provisions~~regulations shall be known as the ~~International Residential Code~~ *for SingleOne- and Two-family Dwellings* of The Town of Lakewood Village hereinafter referred to as "this code."

R102 Applicability

Applicability of the ~~2012~~2018 International Residential Code is amended as follows:

R102.4 Referenced Codes and Standards

The codes, when specifically adopted by the Town of Lakewood Village, and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. Any reference made to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted. Where requirements in this code conflict with any requirements of other adopted codes by the Town of Lakewood Village the most stringent requirements shall apply.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

R103 Department of Building Safety

R103.2 Appointment

The building official shall be appointed by the ~~chief appoint authority of the jurisdiction~~ Town Council of the Town of Lakewood Village, TX.

Building Application Handbook

The Town Council may from time to time amend, supplement or change the text of the Building Application Handbook.

R105 Permits

Permits of the ~~2012~~2018 International Residential Code is amended as follows:

R105.1 Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

R105.2 Work Exempt from Permit

Permits shall not be required for the following. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*.

Building

- 1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed ~~200~~ 250 square feet (~~18.8m²~~) (23.23 m²).
- ~~2) Fences not over 7 feet (2134 mm) high.~~
- 3) Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- 4) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (19 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- ~~5) Sidewalks and driveways.~~
- 6) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- 7) Prefabricated swimming pools installed entirely above ground that are less than 24 inches (610 mm) deep and do not exceed 5,000 gallons.
- 8) Swings and other playground equipment.
- 9) Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- 10) Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by Section R311.4.
- 11) Temporary motion picture, television and theater stage sets and scenery.
- 12) Shade cloth structures not exceeding 250 square feet.
- 13) Non-fixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
- 14) Repairs to existing flatwork or new flatwork of area less than 50 square feet (23.23 m²).

R105.3 Application for Permit

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

- 1) Identify and describe the work to be covered by the permit for which application is made.
- 2) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- 3) Indicate the use and occupancy for which the proposed work is intended.
- 4) Be accompanied by construction documents and other information as require in Section R106.1.
- 5) ~~State the valuation of the proposed work.~~
- 6) Be signed by the applicant or the applicant's authorized agent.
- 7) Give such other data and information as required by the building official.

Expiration of Application

An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

R105.5 Expiration

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. ~~not commenced and received a minimum of one approved inspection within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.~~ The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year.

R105.8 Responsibility

It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

Licensing and Registration Requirements

- 1) No person shall engage in the business of construction of new buildings or structures, or make any repairs, alterations, or changes to an existing building or structure, unless that person is registered as a contractor by the Town. Provided however that:
 - a. No license shall be required for work on any building or structure for which a building permit is not required by this code; and
 - b. Persons who occupy and reside within any property as their home shall not be required to obtain a license or register with the Town when performing work on their home. Section R105 remains applicable.
- 2) All contractors shall register with the Town in accordance with Contractor Registration requirements, as provided in the Building Application Handbook, before applying for permits or performing any work.

R106 Construction Documents

Construction Documents of the ~~2012~~2018 International Residential Code is amended as follows:

R106.1 Submittal Documents

Construction documents, special inspection and structural observation programs and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. Foundation plans shall be submitted with each application and shall be sight specific. These plans shall be designed by an engineer licensed by the State of Texas and shall bear that engineers seal. Structural framing plans shall be submitted with each new construction or addition application. Structural framing plans shall be designed by a registered design professional licensed by the State of Texas and shall bear that design professionals seal.

Exception

The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

Construction Plan Packet Submission and General Requirements

Plans shall be submitted in accordance with Building Inspection requirements, as provided in the Building Application Handbook. Incomplete plans shall not be accepted and such plans shall be returned to the applicant.

R108 Fees

Fees of the ~~2012~~2018 International Residential Code are amended as follows:

R108.3 Building Permit Valuations

Building *permit* valuation shall include total value of the work for which a *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor.

R108.6 Work Commencing Before Permit Issuance

Any person who commences work requiring a *permit* on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee established by the applicable governing authority that shall be in addition to the required *permit* fees.

R109 Inspections

Inspections of the ~~2012~~2018 International Residential Code are amended as follows:

R109.1 Types of Inspections

For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code.

Inspections shall be in accordance with Building Inspection requirements, as provided in the Building Application Handbook.

Inspection Protocol

Members of the Board of Appeals shall not be involved in or interfere with any aspect of an active inspection.

R109.1.1 Foundation Inspection

Inspection of the foundation shall be made after poles or piers are set or trenches or *basement* areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or *equipment* and special requirements for wood foundations. A registered design professional, or their designated representative, must perform a pre-pour inspection and provide the Building Official with a signed and sealed document stating that the foundation has been inspected and approved. The inspection must take place prior to requesting a foundation inspection from the Building Official.

R109.4 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as

completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Re-Inspections

The costs of inspections are included with the issuance of a permit(s). Upon the failure of an inspection, the contractor shall be subject to the cost of a re-inspection as defined in the Town's Fee Ordinance. The payment for the re-inspection shall be paid in full prior to scheduling the subsequent inspection.

R110 Certificate of Occupancy

Certificates of Occupancy of the ~~2012~~2018 International Residential Code are amended as follows:

R110.1 Use and Occupancy

~~A~~No building or structure shall be used or occupied, and ~~an~~a change ~~of in the existing~~ occupancy or change of use/classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. Violation of this requirement will result in all utilities being disconnected until such time as a Certificate of Occupancy has been issued after all the proper inspections has been performed.

Exceptions to Certificate of Occupancy

- 1) Certificates of occupancies are not required for work exempt from permits under R105.2.
- 2) Accessory buildings or structures.

R111 Service Utilities Requirements

Service utilities requirements of the ~~2012~~2018 International Residential Code are amended as follows:

R111.1 Connection of Service Utilities

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official.

Water and/or Sewer Taps

A licensed plumber that is registered with the Town shall perform all work connecting to the Town utilities.

R112 Board of Appeals

Board of Appeals of the ~~2012~~2018 International Residential Code is amended as follows:

R112.1 General

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

The Town Council shall act as the Board of Appeals. The powers of the Board shall be as follows:

- 1) To hear appeals from decisions of the building official;
- 2) To hear requests for the use of a material or method of construction not prescribed or authorized by this code, and to authorize the use when, in the Board's judgment, the material or method of construction is at least equivalent to that prescribed; and
- 3) To grant or deny variance requests.

Variance Requests

- 1) Variances will be considered only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the building and zoning ordinances would cause an undue hardship. Financial considerations are not relevant and shall not be considered in the request;
- 2) A variance which would have a detrimental effect on public health and/or safety shall not be considered;
- 3) Variances for self-imposed hardships shall not be considered;
- 4) Approved variances shall expire if the project is not completed;
- 5) A site plan and/or construction plans shall be submitted with each variance request; and
- 6) The applicant shall cite the paragraph in the code for which the variance is requested.

CHAPTER 2. DEFINITIONS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

R202 Definitions

Definitions of the ~~2012~~2018 International Residential Code

Building Official: the officer or other designated authority charged with the administration and enforcement of this Code.

Construction Site Refuse Control: the containment of and weekly or monthly removal of both construction and laborer refuse to prevent said materials from encroaching onto adjacent homeowner

properties, town easements, drainage ditches and culverts, and should be in compliance with OSHA and local codes.

Contractor: any person, firm, corporation, or other entity that is hired by a homeowner or landowner to perform any new construction, remodel, or repair on said homeowner or landowner's real property.

Dwelling Area: the area devoted to the living area in a residence or dwelling and is exclusive of porches, enclosed or open breezeways or other non-living space.

Erosion control: the containment of all dirt, soils, sand, fill or grass, in such a manner, to prevent said materials from encroaching onto adjacent properties, town easements, drainage culverts, or utility placements.

Glazing Area: ~~The interior surface area of all glazed fenestration, including the area of sash, curbing or other framing elements, that enclose conditioned space. Includes the area of glazed fenestration assemblies in walls bounding conditioned basements.~~ Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditioned space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditioned basements. For doors where the daylight opening area is less than 50 percent of the door area, the glazing area is the daylight opening area. For all other doors, the glazing area is the rough opening area for the door including the door and the frame.

Masonry: brick, concrete hollow clay tile, concrete block, natural stone, or any combination of these materials that are laid up by unit and set in mortar.

Town: the Town of Lakewood Village

CHAPTER 3. BUILDING PLANNING

The following additions and amendments to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

R301 Design Criteria ~~Building Planning~~

Design Criteria ~~Building Planning~~ of the ~~2012~~2018 International Residential Code is amended as follows:

Work Hours

Construction work times shall be 7:00 a.m. to 7:00 p.m., Monday through Saturday.

Exceptions to Work Hours

The final stages of interior finish work may be conducted on Sunday between the hours of 7:00 a.m. to 7:00 p.m. in a manner that does not create a noise nuisance.

Electrical Service

The Town shall grant approval to initiate electrical service for permanent or temporary use.

Reinforced Concrete Driveways & Flat Work

Reinforced concrete driveway requirements are as follows:

- 1) Sub Grade shall be free of debris, roots and grass and compacted in areas where trees or shrubs were removed. Spray with water to dampen prior to pouring.
- 2) Reinforcement shall be three eights (3/8) inch rebar on 1618 inch centers in both directions and tied at every intersection. The chair height must place the rebar in middle of nominal thickness and spaced a maximum of 36 inches apart.
- 3) Strength shall be a minimum of 3,000 psi after 28 days.
- 4) Thickness shall be a minimum of 4 inches and uniform throughout.
- 5) Mixer delivery trucks are prohibited from driving on top of reinforcement rebar.

~~6) Connection to Asphalt Street:~~

~~7)5) Saw cut the street and remove edge to allow for concrete forms. An asphalt patch must be installed upon removal of forms.~~

8)6) Connection to Concrete Street

Saw cuts are prohibited. Dowels may be placed on 18" centers at an elevation that is the middle of the nominal thickness of the driveway.

The compacted rock base that extends 1 foot beyond the street paving shall not be altered or removed.

Concrete Paver Driveways

Concrete paver driveway requirements are as follows:

- 1) Sub grade shall be a minimum of 6 inches of base and 1 inch of bedding. Install sub base compacting in 3 inch lifts and dampen with water as required to aid the compaction process.
- 2) Edge restraints must be installed.
- 3) Pavers to be installed per manufacturer's specifications.

4) Connection to Asphalt Street:

~~5)3) Saw cuts are permissible.~~

6)4) Connection to Concrete Street

Saw cuts are prohibited.

The compacted rock base that extends 1 foot beyond the street paving shall not be disturbed.

Table R301.2(1) Climate and Geographic Design Criteria

Ground Snow Load	Wind Design		Seismic Design Category ^f	Subject to Damage from		
	Speed (mph)	Topographic effects ^k		Weathering ^a	Frost Line Depth ^b	Termite ^c
5 lb/ft ²	90 (3 sec gust / 76 fastest mile)	No	A	Moderate	6"	Very Heavy

Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
22 °F	No	Local Code	150	64.9 °F

CHAPTER 4. FOUNDATIONS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

R401 General

General of the ~~2012~~2018 International Residential Code is amended as follows:

R401.3 Drainage

Surface drainage shall be diverted to a storm sewer conveyance or other *approved* point of collection that does not create a hazard. *Lots* shall be graded to drain surface water away from foundation walls and adjacent lots. Lot to lot drainage shall not be permitted. The grade at the foundation wall shall fall ~~not fewer than a minimum of~~ 6 inches (152 mm) within the first 10 feet (3048 mm).

R403 Footings

Footings of the ~~2012~~2018 International Residential Code is amended as follows:

R403.1.8 Foundations on Expansive Soils

Foundation and floor slabs for buildings located on expansive soils shall be designed in accordance with R1808.6 of the International Building Code, the American Society of Civil Engineers Texas Recommended Practice for the Design of Residential Foundations Version 1 as it currently exists or may be amended, or other accepted industry standards that are acceptable to the Building Official. All foundations shall be designed by a registered Professional Engineer in the State of Texas and all drawings and documentation shall be signed and sealed. Documentation shall include:

- 1) Design letter referencing soils report number, date of report, soils, and engineer name; specific location including lot, block, and subdivision; specific design criteria including soil bearing capacity, plasticity index, and potential vertical rise. The Engineer shall approve a concrete mix design with performance criteria based on soils and seasonal conditions.
- 2) Signed and sealed drawings indicating strand and reinforcement placement, pier size, depth, location, and reinforcing, beam size and location, and special details. Design calculations shall

be included. One 11" X 17" (B size) copy of plans and calculations shall be included in the permanent permit file for each project.

- 3) Design engineer shall perform a pre-pour inspection and provide the Building Official with signed and sealed document stating that the foundation has been inspected and approved. This inspection shall occur prior to requesting a foundation inspection from the Building Official. The engineer shall be present during placement of concrete to verify concrete mix and seasonal conditions during placement, and verify tensioning and elongation of cables.
- 4) Rough grading of lot after form removal to maintain drainage away from foundation during the construction process.
- 5) Prior to receiving a Certificate of Occupancy, a final survey indicating final grade elevations and verifying positive drainage away from the foundation, and evidence from the homeowner that they have received a copy of foundation maintenance instructions must be submitted to the Building Official.
- 6) The Engineer must provide to the Building Official a letter of Final Acceptance stating that the foundation has been placed in compliance with the design prior to the issuance of a Certificate of Occupancy.
- 7) Anchorage shall be installed before foundation is approved for pouring, per R403.1.6.

CHAPTER 11. ENERGY EFFICIENCY

The following adoptions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

N1102 Building Thermal Envelope

Building Thermal Envelope of the ~~2012~~2018 International Residential Code is amended as follows:

Table N1102.1.~~21~~ (R402.1.~~21~~) Insulation and Fenestration Requirements by Component^a

WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 = 13

Table N1102.1.~~43~~ (R402.1.~~43~~) Equivalent U-Factors

WOOD FRAME WALL U-FACTOR for CLIMATE ZONE 3 = 0.082

CHAPTER 13. GENERAL MECHANICAL SYSTEM REQUIREMENTS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

M1305 Appliance Access

Appliance Access of the ~~2012~~2018 International Residential Code is amended as follows:

M1305.1.3 Appliances in Attics

Attics containing appliances shall be provided with an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches (762

mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) long measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present along all sides of the *appliance* where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor approved by the Building Official. As a minimum, access to the attic space shall be provided by one of the following:

- 1) A permanent stair.
- 2) A pull down stair with a minimum 300 lb. (136 kg) capacity.
- 3) An access door from an upper floor level.

Exceptions:

- 1) The passageway and level service space are not required where the appliance can be serviced and removed through the required opening.
- 2) Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not more than 50 feet (15 250 mm) long.

CHAPTER 24. FUEL GAS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

G2415 (404) Piping System Installation

Piping System and Installation of the ~~2012~~2018 International Residential Code is amended as follows:

G2415.12 (404.12) Minimum Burial Depth

Underground *piping systems* shall be installed a minimum depth of ~~12~~ 18 inches (~~305 mm~~) (457 mm) below grade, except as provided for in Section G2415.12.1.

G2415.12.1 (404.12.1) Individual Outside Appliances

Individual lines to outside lights, grills or other *appliances* shall be installed a minimum of ~~8~~ 12 inches (~~203 mm~~) (305 mm) below finished grade, provided that such installation is *approved* and is installed in locations not susceptible to physical damage.

CHAPTER 25. PLUMBING ADMINISTRATION

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

P2503 Inspection and Tests

Inspection and tests of the ~~2012~~2018 International Residential Code is amended as follows:

P2503.8 Inspection and Testing of Backflow Prevention Devices

Inspection and testing of backflow prevention devices shall comply with Sections P2503.8.1 and P2503.8.2.

P2503.8.2 Testing

Reduced pressure principle, double check, double check detector and pressure vacuum breaker backflow preventer assemblies shall be tested at the time of installation, immediately after repairs or relocation and ~~every year thereafter~~ at ~~least annually~~ regular intervals as required by the Town.

CHAPTER 26. GENERAL PLUMBING REQUIREMENTS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

P2603 Structural and Piping Protection

Structural and Piping Protection of the ~~2012~~2018 International Residential Code is amended as follows:

P2603.5 Freezing

Freezing of the ~~2012~~2018 International Residential Code is amended as follows:

~~P2603.5.1~~ Sewer Depth

Building sewers that connect to private sewage disposal systems shall be a not less than 12 inches (305 mm) below finished *grade* at the point of septic tank connection. *Building sewers* shall be not less than 12 inches (305 mm) below *grade*.

P2603 Trenching and Backfilling

Trenching and Backfilling of the 2018 International Residential Code is amended as follows:

P2604.2 Water Service and Building Sewer in Same Trench

Where the water service piping and building sewer piping in installed in same trench, the installation shall be in accordance with Section P2906.4.1. The potable water supply shall be protected from contamination with a backflow prevention assembly in accordance with Sections 2503.8 and 2902.3.

CHAPTER 28. WATER HEATERS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

~~P2804.3~~ Relief Valves

Relief Valves of the ~~2012~~2018 International Residential Code is amended as follows:

~~P2804.3.6~~ Installation of Relief Valves

Installation of Relief Valves of the ~~2012~~2018 International Residential Code is amended as follows:

P28043.6.1 Requirements for Discharge Pipe

10. Not terminate ~~more~~ less than 6 inches (152 mm) or more than 24 inches (610 mm) above the grade floor or nor more than 6 inches (152 mm) above the waste receptor.

CHAPTER 29. WATER SUPPLY AND DISTRIBUTION

The following additions to the ~~2012~~2018 International Residential Code adopted herein and herby approved and adopted.

P2902 Protection of Potable Water Supply

Protection of Potable Water Supply of the ~~2012~~2018 International Residential Code is amended as follows:

P2902.5 Protection of Potable Water Connections

Protection of Potable Water Connections of the ~~2012~~2018 International Residential Code is amended as follows:

P2902.5.3 Lawn Irrigation Systems

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker assembly, a double-check assembly or a reduced pressure principle backflow prevention assembly. Valves shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly.

P2903 Water-Supply System

Water-Supply System of the ~~2012~~2018 International Residential Code is amended as follows:

P2903.7 Size of Water-Service Mains, Branch Mains and Risers

The internal diameter size of the water service line, including fittings, pipe shall not be less than 1 3/4 inch (25.4 19 mm) diameter. The size of water service mains, branch mains and risers shall be determined according to water supply demand [gpm (L/m)], available water pressure [psi (kPa)] and friction loss caused by the water meter and *developed length* of pipe [feet (m)], including *equivalent length* of fittings. The size of each water distribution system shall be determined according to design methods conforming to acceptable engineering practice, such as those methods in Appendix P and shall be *approved* by the code official.

CHAPTER 30. SANITARY DRAINAGE

The following additions to the 2018 International Residential Code adopted herein and herby approved and adopted.

P3005 Drainage Systems

Drainage Systems of the 2018 International Residential Code is amended as follows:

P3005.2.2 Building Sewers

Building sewers smaller than 8 inches (203 mm) shall have cleanouts located at intervals of not more than 100 feet (30 480 mm). No building sewer, including cleanouts, shall not be less than 4 inch (102 mm) pipe diameter. Building sewers 8 inches (203 mm) and larger shall have a manhole located not more than 200 feet (60 960 mm) from the junction of the building drain and building sewer and at intervals of not fore that 400 feet (122 m). The interval length shall be measured from the cleanout or manhole opening, along the developed length of the piping to the next drainage fitting providing access for cleaning, a manhole or the end of the building sewer.

CHAPTER 31. VENTS

The following additions to the ~~2006~~2018 International Residential Code adopted herein and herby approved and adopted.

P3114 Air Admittance Valves

Air Admittance Valves of the ~~2006~~2018 International Residential Code is amended as follows:

P3114.3 Where Permitted

Individual vents, branch vents, circuit vents, and stack vents ~~may shall~~ be permitted to terminate with a connection to an air admittance valve. Individual and branch-type air admittance valves shall vent only fixtures that are on the same floor level and connect to a horizontal branch drain. Air admittance valves shall only be installed with the prior written approval of the Building inspector.

CHAPTER 34. GENERAL REQUIREMENTS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and herby approved and adopted.

E3406 Electrical Conductors and Connections

Electrical Conductors and Connections of the ~~2012~~2018 International Residential Code is amended as follows:

E3406.2 Conductor Material

Conductors used to conduct current shall be of copper ~~or aluminum~~ except as otherwise provided in Chapters 34 through 43. Where the conductor material is not specified, the material and the sizes given in these chapters shall apply to copper conductors. Where other materials are used, the conductor sizes shall be changed accordingly.

E3406.3 Minimum Size of Conductors

The minimum size of conductors for feeders and branch circuits shall be ~~12~~ 14 AWG copper ~~and 12 AWG aluminum~~. The minimum size of service conductors shall be as specified in Chapter 36. The minimum size of class 2 remote control, signaling and power-limited circuits conductors shall be as specified in Chapter 43.

CHAPTER 36. SERVICES

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

E3601 General Services

General Services Ratings of the ~~2012~~2018 International Residential Code is amended as follows:

E3601.2 Number of Services

Property zoned one- and two-family dwellings shall be supplied by only one service. Additional service for an accessory use(s) shall only be installed with the prior approval of the Town.

CHAPTER 37. BRANCH CIRCUIT FEEDER REQUIREMENTS

The following additions to the ~~2012~~2018 International Residential Code adopted herein and hereby approved and adopted.

E3702 Branch Circuit Ratings

Branch Circuit Ratings of the ~~2012~~2018 International Residential Code is amended as follows:

E3702.5 Branch Circuits Serving Multiple Loads or Outlets

General-purpose branch circuits shall supply lighting outlets, appliances, equipment or receptacle outlets, and combinations of such. Multi-outlet branch circuits serving lighting or receptacles shall be limited to a maximum branch-circuit rating of 20 amperes. The maximum number of outlets connected to general purpose branch circuits shall be ten (10) for 15-amp circuits, and thirteen (13) for 20-amp circuits.

End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 10, 2021</u>	<ul style="list-style-type: none"> • <u>Referenced 2018 IRC</u> • <u>R301 – Added exception for finish work on Sunday</u> • <u>R301 – Driveway rebar spacing was 16”</u> • <u>Added section P3005</u>
16-11	October 13, 2016	<ul style="list-style-type: none"> • Removed ETJ
15-04	May 14, 2015	<ul style="list-style-type: none"> • Added amendments to R191.1.1, R191.1.4, R301.2, R313.2, Chapter 11, Chapter 25, Chapter 26 and Chapter 28. • Removed amendments to Chapter 15. • Revised amendments to Chapter 24 and Chapter 29. • Chapter 34 was 33. • Chapter 36 was 35. • Chapter 37 was 36.
14-07	June 26, 2014	<ul style="list-style-type: none"> • Added Building Official Appointment • Added Inspection Protocol • Added authority to amend Building Application Handbook • Removed garage requirement. • Removed roof pitch requirement. • Removed driveway width requirement. • Updated driveway construction requirements. • Removed contractor registration; moved to handbook. • Removed construction guidelines; moved to handbook. • Removed building packet submission; moved to handbook.
11-16	September 8, 2011	REPEALED
10-01	January 14, 2010	REPEALED

**TOWN OF LAKEWOOD VILLAGE
SWIMMING POOL CODE 21-xx**

**AN ORDINANCE TO ADOPT THE 2018 INTERNATIONAL
SWIMMING POOL AND SPA CODE, WITHIN THE TOWN OF
LAKEWOOD VILLAGE; PROVIDING A
SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY
CLAUSE, PROVIDING A SEVERABILITY CLAUSE,
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the 2018 Edition of the International Swimming Pool and Spa Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the 2018 International Swimming Pool and Spa Code

The International Swimming Pool and Spa Code, 2018 Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Residential code for Lakewood Village, regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and related accessory structures in Lakewood Village (the "2018 International Swimming Pool and Spa Code"). The 2018 International Swimming Pool and Spa Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Appendix G of Residential Code 16-11 ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC



Exhibit A

Town of Lakewood Village Amendments

2018 International Swimming Pool and Spa Code



SWIMMING POOL & SPA CODE

Adopted: June 10th, 2021



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CHAPTER 1. SCOPE AND ADMINISTRATION

The following additions, deletions and amendments to the 2018 International Swimming Pool and Spa Code adopted herein and hereby approved and adopted.

101 General

General of the 2018 International Swimming Pool and Spa Code is amended as follows:

[A] 101.1 Title

These regulations shall be known as the Swimming Pool and Spa Code of The Town of Lakewood Village hereinafter referred to as "this code."

102 Applicability

Applicability of the 2018 International Swimming Pool and Spa Code is amended as follows:

[A] 102.7 Referenced Codes and Standards

The codes, when specifically adopted by the Town of Lakewood Village, and standards referenced in this code shall be those listed in Chapter 11 and such codes and standard shall be considered to be part of the requirements of this code to the prescribed extent of each such reference. ~~Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements.~~ Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. Any reference made to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted. Where requirements in this code conflict with any requirements of other adopted codes by the Town of Lakewood Village the most stringent requirements shall apply.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

103 Department of Building Safety

[A] 103.2 Appointment

The building official shall be appointed by the Town Council of the Town of Lakewood Village, TX.

Pool / Spa Procedures

The Town Council may from time to time amend, supplement or change the text of the Pool / Spa Procedures.

105 Permits

Permits of the 2018 International Swimming Pool and Spa Code is amended as follows:

[A] 1.5.6.2 Fee Schedule

The fees for work shall be as indicated in the following schedule:

The fees associated with the required permits, inspections and re-inspections are established in the Town's Consolidated Fee Ordinance.

[A] 1.5.6.3 Fee Refunds

The refund policy is established in the Town's Consolidated Fee Ordinance.

The code official shall authorize the refunding of fees as follows:

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [SPECIFY PERCENTATE] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

107 Violations

Violations of the 2018 International Swimming Pool and Spa Code is amended as follows:

[A] 107.4 Violation Penalties

~~Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a [SPECIFY OFFICES], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

[A] 107.5 Stop Work Orders

Upon notice from the code official, work on any system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. ~~Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

108 Means of Appeal

Means of Appeal of the 2018 International Swimming Pool and Spa Code is amended as follows:

[A] 108.2 Membership of Board

~~The Town Council shall serve as the board of appeals. The board of appeals shall consist of five members appointed by the chief appoint authority as follows: one for 5 years, one for 4 years, one for 3 years, one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

[A] 108.2.1 Qualifications, [A] 108.2.2 Alternate Members, [A] 108.2.3 Chairman, [A] 108.2.4 Disqualification of Member, [A] 108.2.5 Secretary & [A] 108.2.6 Compensation of Members

Delete sections in their entirety.

[A] 108.3 Notice of Meeting

~~Appeals shall be heard at regular Town Council meetings in accordance with Local Government Codes. The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal or stated periodic meetings.~~

CHAPTER 2. DEFINITIONS

The following additions to the 2018 International Swimming Pool and Spa Code adopted herein and hereby approved and adopted.

R202 Definitions

Definitions of the 2018 International Swimming Pool and Spa Code

Building Official: the officer or other designated authority charged with the administration and enforcement of this Code.

Construction Site Refuse Control: the containment of and weekly or monthly removal of both construction and laborer refuse to prevent said materials from encroaching onto adjacent homeowner properties, town easements, drainage ditches and culverts, and should be in compliance with OSHA and local codes.

Contractor: any person, firm, corporation, or other entity that is hired by a homeowner or landowner to perform any new construction, remodel, or repair on said homeowner or landowner's real property.

Erosion control: the containment of all dirt, soils, sand, fill or grass, in such a manner, to prevent said materials from encroaching onto adjacent properties, town easements, drainage culverts, or utility placements.

Masonry: brick, concrete hollow clay tile, concrete block, natural stone, or any combination of these materials that are laid up by unit and set in mortar.

Town: the Town of Lakewood Village

CHAPTER 3. GENERAL COMPLIANCE

The following additions and amendments to the 2018 International Swimming Pool and Spa Code adopted herein and hereby approved and adopted.

302 Electrical, Plumbing, Mechanical and Fuel Gas Requirements

Electrical, plumbing, mechanical and fuel gas requirements of the 2018 International Swimming Pool and Spa Code is amended as follows:

302.6 Wastewater Discharge

Wastewater from pools or spas constructed after the adoption of this ordinance shall be discharged into the storm sewer, or to a vegetated area contained on the same property as the pool once the water has been dechlorinated and the ph of the water is between 6 and 9.

Where wastewater from existing pools or spas, such as backwash water from filters and water from deck drains discharge to a building drainage system, the connection shall be through an air gap in accordance with the International Plumbing Code or the International Residential Code as applicable in accordance with Section 102.7.1.

305 Barrier Requirements

Barrier requirements of the 2018 International Swimming Pool and Spa Code is amended as follows:

305.2 Outdoor Swimming Pools and Spas

Outdoor pools and spas and indoor swimming pools, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier that complies with Sections 305.2 through 305.7.

305.4 Structure Wall as a Barrier

Where a wall of a dwelling or structure serves as part of a barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

- 1) Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. The alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. ~~In dwellings or structures not required to be Accessible unites, Type A units or Type B unites, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible unites, Type A unites or Type B unites, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1291 mm) above the finished floor.~~

Remainder is unchanged.

310 Suction Entrapment Avoidance

Suction entrapment avoidance of the 2018 International Swimming Pool and Spa Code is amended as follows:

310.1 General

Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7. The use of single blockable or unblockable main drains shall not be permitted.

Exceptions unchanged

320 Waste Water Disposal

320.1 Backwash Water or Draining Water

Backwash water and draining water shall be discharged to the ~~sanitary or storm sewer, or to a vegetated area contained on the same property as the pool once the water has been dechlorinated and the ph of the water is between 6 and 9. into an approved disposal system on the premise, or shall be disposed of by other means approved by the state or local authority.~~ Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

320.3 Waste Post Treatment – Commercial or Public Pools

Where necessary, filter backwash water and drainage water shall be treated chemically or through the use of settling tanks to eliminate or neutralize chemicals, diatomaceous earth, and contaminants in the water that exceed the limits set by the state or local effluent discharge requirements.

CHAPTER 8. PERMANENT INGROUND RESIDENTIAL SWIMMING POOLS

The following additions and amendments to the 2018 International Swimming Pool and Spa Code adopted herein and hereby approved and adopted.

811 Safety Features

Safety features of the 2018 International Swimming Pool and Spa Code is amended as follows:

811.1 Rope and Float

In pools where the point of first slope break occurs, a rope and float assembly ~~may shall~~ be installed across the width of the pool. If a rope and float assembly is installed, the rope assembly shall be located not less than 1 foot (305mm) and not greater than 2 feet (610mm) towards the shallow side of the slop break. If a rope and float assembly is installed, rope anchoring devices shall be permanently attached to the pool wall, coping or deck. Rope ends shall attach to the rope anchor devices so that the rope ends can be disconnected from the rope anchor device.



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
21-xx	June 10, 2021	• Initial adoption

TOWN OF LAKEWOOD VILLAGE
ELECTRICAL CODE ~~21-xx16-17~~

AN ORDINANCE TO ADOPT THE ~~2011~~2017 NATIONAL ELECTRICAL CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE; PROVIDING A SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the ~~2011~~2017 Edition of the National Electrical Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the ~~2011~~2017 National Electrical Code

The National Electrical Code, ~~2011~~2017 Edition, copyrighted by the National Fire Protection Association, including Annex H, save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Electrical Code for Lakewood Village, regulating the construction, alteration, removal, use and/or maintenance of any electrical wiring, apparatus, device or system within Lakewood Village (the "~~2011~~2017 National Electrical Code"). The ~~2011~~2017 National Electrical Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Electrical Code ~~16-17~~15-13 ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 13th day of October, 2016.~~

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC



Exhibit A

Town of Lakewood Village Amendments

~~2011~~2017 National Electrical Code



ELECTRICAL CODE

Adopted: ~~June~~ ~~October~~ 10³~~th~~, 20~~21~~~~16~~

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CHAPTER 2. WIRING AND PROTECTION

The following additions, deletions and amendments to the ~~2011~~2017 National Electrical Code adopted herein and herby and adopted.

ARTICLE 230 SERVICES

The following additions, deletions and amendments to the ~~2011~~2017 National Electrical Code adopted herein and herby and adopted.

230.71 Maximum Number of Disconnects

(A) General. The service disconnecting means for each service permitted by 230.2, or for each set service-entrances conductors permitted by 230.40. Exception No. 1, 3, 4, or 5, shall consist of not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard. There shall be not more than six sets of disconnects per service grouped in any one location.

For the purpose of this section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:

- (1) Power monitoring equipment
- (2) Surge-protective devices(s)
- (3) Control circuit of the ground-fault protection system
- (4) Power-operable service disconnecting means

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

ARTICLE 250 GROUNDING AND BONDING

The following additions, deletions and amendments to the 2017 National Electrical Code adopted herein and herby and adopted.

250.62 Grounding Electrode Conductor Material

The grounding electrode conductor shall be of copper, aluminum, copper-clad aluminum as permitted in 250.68(C). The material selected shall be resistant to any corrosive condition existing at the installation or shall be protected against corrosion. Conductors of the wire type shall be solid or stranded, insulated, covered, or bare.

CHAPTER 3. WIRING METHODS AND MATERIALS

The following additions, deletions and amendments to the ~~2011~~2017 National Electrical Code adopted herein and herby and adopted.

ARTICLE 310 CONDUCTORS FOR GENERAL WIRING

The following additions, deletions and amendments to the ~~2011~~2017 National Electrical Code adopted herein and hereby adopted.

310.106 Conductors

(A) Minimum Size of Conductors. The minimum size of conductors shall be as shown in Table 310.106(A), except for low voltage control circuits as permitted elsewhere in this Code.

(B) Conductor Material. Conductors in this article shall be of aluminum, copper-clad aluminum, or copper unless otherwise specified. Use of aluminum 1/0 and larger is allowed for multifamily and commercial use only. All grounding and bonding conductors shall be of copper and sized per 250.66, 250.102(C)(1) and 250.122. Refer to amendments in Article 250 for cable assemblies.

Solid aluminum conductors 8, 10, and 12 AWG shall be made of an AA-8000 series electrical grade aluminum alloy conductor material. For multifamily and commercial use only, stranded aluminum conductors 8 AWG 1/0 through 1000 kcmil marked as Type RHH, RHW, XHHW, THW, THHW, THWN, THHN, service-entrance Type SE Style U, and SE Style R shall be made of an AA-8000 series electrical grade aluminum alloy conductor material.

Table 310.106(A) Minimum Size of Conductors

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG)	
	Copper	<u>Aluminum or Copper-Clad Aluminum (Only Feeders Allowed)</u>
0 - 2,000	<u>14</u> 12	<u>12</u> 1/0
2,001 - 5,000	8	<u>8</u> 1/0
5,001 - 8,000	6	<u>6</u> 1/0
8,001 - 15,000	2	<u>2</u> 1/0
15,001 – 28,000	1	<u>1</u> 1/0
28,001 – 35,000	1/0	<u>1</u> /0

ARTICLE 334 NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC AND NMS

The following additions, deletions and amendments to the ~~2011~~2017 National Electrical Code adopted herein and hereby adopted.

334.12 Uses Not Permitted

(A) Types NM, NMC and MNS. Types NM, NMC and NMS cables shall not be permitted as follows:

- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2) and (5).
- (2) Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings.
- (3) As service-entrance cable.
- (4) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (5) In theaters and similar locations, except where permitted in 518.4(B).
- (6) In motion picture studios
- (7) In storage battery rooms
- (8) In hoist ways or on elevators or escalators
- (9) Embedded in poured cement, concrete or aggregate.
- (10) In hazardous (classified) locations, except where specifically permitted by other articles in this Code.
- (11) In structures where it would be required to pass through either factory or field punched, cut or drilled slots or holes in metal members.

(B) Types NM and NMS. (No edits)

ANNEX H. ADMINISTRATION AND ENFORCEMENT

The ~~2011~~2017 National Electrical Code is amended by deleting the entire article and replacing it with the following:

[H] 101 GENERAL

[H] 101.1 Title

These regulations shall be known as the *National Electrical Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[H] 101.2 Scope

The provision of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems within this jurisdiction. This code shall also regulate the installation of electrical conductors, equipment, and raceways; signaling and communications conductors equipment, and raceways; and optical fiber cables and raceways as identified in Article 90 of this code. Provisions in the appendices shall not apply unless specifically adopted.

Exception

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

[H] 101.3 Intent

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of electrical systems and equipment.

[H] 102 APPLICABILITY**[H] 102.1 General**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[H] 102.2 Existing Installations

Electrical systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continue if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such electrical system.

[H] 102.3 Maintenance

All electrical systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of electrical systems. To determine compliance with this provision, the code official shall have the authority to require any electrical system to be reinspected.

[H] 102.4 Additions, Alterations or Repairs

Additions, alterations, renovations or repairs to any electrical system shall conform to that required for a new electrical system without requiring the existing electrical system to comply with all the

requirements of this code unless otherwise determined by the code official that it is necessary to change part of or all of the existing electrical system to safeguard life or limb, health, property and public welfare. Additions, alterations or repairs shall not cause an existing system to become unsafe, insanitary or overloaded. Minor additions, alterations, renovations and repairs to existing electrical systems shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

[H] 102.5 Change in Occupancy

It shall be unlawful to make any change in the occupancy of any structure that will be subject the structure to any special provision of this code applicable to the new occupancy without approval of the code official. The code official shall certify that such structure meets the intent of the provisions of the law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

[H] 102.6 Moved Buildings

Except as determined by section 102.2, electrical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

[H] 102.7 Referenced Codes and Standards

The codes and standards referenced in this code, when specifically adopted, shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

[H] 102.7.1 Conflicts

Where conflicts occur between provisions of this code and the referenced standards, the provision of this code shall apply.

[H] 107.2 Provision in Referenced Codes and Standards

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provision of this code, as applicable, shall take precedence over the provisions in the 'referenced code or standard.

[H] 102.8 Requirements not Covered by Code

Any requirements necessary for the strength, stability or proper operation of an existing or proposed electrical system, or for public safety, health and general welfare, not specifically covered by this code shall be determined by the code official.

[H] 102.9 Other Laws

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[H] 102.10 Application of References

Reference to chapter section numbers, or provision not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[H] 103 DEPARTMENT OF ELECTRICAL INSPECTION**[H] 103.1 General**

The department of electrical inspection is hereby created and the executive official in charge thereof shall be known as the code official.

[H] 103.2 Appointment

The code official shall be appointed by the chief appoint authority of the jurisdiction.

[H] 103.3 Deputies

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appoint authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[H] 103.4 Liability

The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final terminate of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[H] 104 DUTIES AND POWERS OF THE CODE OFFICIAL**[H] 104.1 General**

The code official is hereby authorized and directed to enforce the provision of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and

procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[H] 104.2 Applications and Permits

The code official shall receive applications, review construction documents and issue permits for the installation and alteration of electrical systems, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

[H] 104.3 Inspections

The code official shall make all the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appoint authority.

[H] 104.4 Right of Entry

Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or upon an premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall be present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. When the code official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

[H] 104.5 Identification

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[H] 104.6 Notices and Orders

The code official shall issue all necessary notices or orders to ensure compliance with this code.

[H] 104.7 Department Records

The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

[H] 105 APPROVAL**[H] 105.1 Modifications**

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification conforms to the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the electrical inspection department.

[H] 105.2 Alternative Materials, Methods and Equipment

The provisions of this code of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provision of this code and is at least the equivalent of that prescribed in this code.

[H] 105.2.1 Research Reports

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[H] 105.3 Required Testing

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

[H] 105.3.1 Test Methods

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

[H] 105.3.2 Testing Agency

All tests shall be performed by an approved agency.

[H] 105.4 Approved materials and Equipment

Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

[H] 105.4.1 Material and Equipment Reuse

Materials, equipment and devices shall not be reused unless such elements have been reconditions, tested, placed in good and proper working condition and approved.

[H] 106 PERMITS**[H] 106.1 When Required**

Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work.

[H] 106.2 Exempt Work

The following work shall be exempt from the requirements for a permit:

1. The work identified in Article 90.2(B) as not being covered by this Code.

[H] 106.3 Application for Permit

Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official.

[H] 106.3.1 Construction Documents

Construction documents, engineering calculations, diagrams and other such data shall be submitted, as required by the code official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, conduits, wiring, equipment, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking.

Exception

The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such reviewing of the construction documents is not necessary to determine compliance with this code.

[H] 106.3.2 Preliminary Inspection

Before a permit is issued, the code official is authorized to inspect and evaluate the systems, equipment, buildings, devices, premises and spaces or areas to be used.

[H] 106.3.3 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued: except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.4 By Whom Application is Made

Application for a permit shall be made by the person or agent to install all or part of any electrical system. The applicant shall meet all qualifications established by statute, or by rules promulgated by this code, or by ordinance or by resolution. The full name and address of the applicant shall be stated in the application.

[H] 106.5 Permit Issuance

The application, construction documents and other data filed by an applicant for permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section [H] 106.6 have been paid, a permit shall be issued to the applicant.

[H] 106.5.1 Approved Construction Documents

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. All work shall be done in accordance with the approved construction documents. The code official shall have the authority to issue a permit for the construction of a part of a electrical system before the entire construction documents for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire electrical system will be granted.

[H] 106.5.2 Validity

The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or any other ordinance of the jurisdiction. Not permit presuming to give authority to violate or cancel the provisions of this code shall be valid. The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter required the correction of errors in said construction documents and other data or from preventing building

operations being carried on thereunder when in violation of this code of other ordinances of this jurisdiction.

[H] 106.5.3 Expiration

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after the issuance, or if the work authorized by such permit is suspended, abandoned or lacks any required inspection for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.5.4 When Extensions

Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. Not permit shall be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

[H] 106.5.5 Suspension or Revocation of Permit

The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis on incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

[H] 106.5.6 Retention of Construction Documents

One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. Once set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

[H] 106.5.7 Previous Approvals

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[H] 106.5.8 Posting of Permit

The permit or a copy shall be kept on the site of the work until the completion of the project.

[H] 106.6 Fees

A permit shall not be issued until the fees prescribed in Section 106.6.2 have been paid, and an amendment to a permit shall not be released until the additional fee, if any, due to an increase of the electrical systems, has been paid.

[H] 106.6.1 Work Commencing before Permit Issuance

Any person who commences any work on an electrical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

[H] 106.6.2 Fee Schedule

The fees for all electrical work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[H] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[H] 107 INSPECTIONS AND TESTING**[H] 107.1 General**

The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

[H] 107.2 Required Inspections and Testing

The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or an agent of any violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conduit installed, and before any backfill is put in place.
2. Rough-in inspection shall be made after the roof, framing, fire blocking, fire stopping, draft stopping and bracing is in place and all electrical systems are rough-in, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made after the building is complete, all electrical fixtures are in place and properly connected, and the structure is ready for occupancy.

[H] 107.2.1 Other Inspections

In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced.

[H] 107.2.2 Inspection Requests

It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

[H] 107.2.3 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not covered or concealed until authorized by the code official.

[H] 107.2.4 Approved Agencies

The code official is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

[H] 107.2.5 Evaluation and Follow-up Inspection Services

Prior to the approval of a closed, prefabricated, electrical system and the issuance of an electrical permit, the code official may require submittal of an evaluation report on each prefabricated electrical system indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the electrical system is being evaluated, test

results and similar information, and other data as necessary for the code official to determine conformance to this code.

[H] 107.2.5.1 Evaluation Service

The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

[H] 107.2.5.2 Follow-up Inspection

Except where ready access is provided to all electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the frequency of in-plant inspections necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspection have been performed.

[H] 107.2.5.3 Test and Inspection Records

All required test and inspection records shall be available to the code official at all times during the fabrication of the electrical system and the erection of the building, or such records as the code official designates shall be filed.

[H] 107.3 Special Inspections

Special inspections of alternative engineered design electrical systems shall be conducted in accordance with Sections 107.3.1 and 107.3.2.

[H] 107.3.1 Periodic Inspection

The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the approved construction documents. All discrepancies shall be brought to the immediate attention of the electrical contractor for correction. Records shall be kept of all inspections.

[H] 107.3.2 Written Report

The registered design professional shall submit a final report in writing to the code official upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents. A notice of approval for electrical system shall not be issued until a written certification has been submitted.

[H] 107.4 Testing

Electrical work and systems shall be tested as required by this code and in accordance with Sections 107.4.1 through 107.4.3. Tests shall be made by the permit holder and observed by the code official.

[H] 107.4.1 new, Altered, Extended or Repaired Systems

New electrical systems and parts of existing systems that have been altered, extended or repaired shall be inspected and tested as required by the code official.

[H] 107.4.2 Equipment, Material and Labor for Tests

All equipment, material and labor required for testing a electrical system or part thereof shall be furnished by the permit holder.

[H] 107.4.3 Reinspection and Testing

Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

[H] 107.5 Approval

After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[H] 107.5.1 Revocation

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.6 Temporary Connection

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provision of this code wherever the notice issued in error, or on the basis of incorrect information supplied, or where it is determined that the build or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.7 Connection of Service Utilities

A person shall not make connections from a utility, source of energy, or power system to any building or system that is regulated by this code for with a permit is required until authorized by the code official.

[H] 108 VIOLATIONS**[H] 108.1 Unlawful Acts**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any electrical system, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[H] 108.2 Notice of Violation

The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of electrical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[H] 108.3 Prosecution of Violation

If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[H] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair electrical work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification.

[H] 108.5 Stop Work Orders

Upon notice from the code official, work on any electrical system that is being done contrary to the provision of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or that owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as required herein by this code.

[H] 108.6 Abatement of Violation

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premise, or to stop an illegal act, conduct, business or utilization of the electrical system on or about an premises.

[H] 108.7 Unsafe Electrical Systems

Any electrical system regulated by this code that is unsafe or that constitutes a fire or health hazard, or is otherwise dangerous to human life is hereby declared unsafe. Any use of electrical systems regulated by this code constituting a hazard to safety, health or public welfare by reason of

inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe used. Any such unsafe electrical system is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

[H] 108.7.1 Authority to Condemn Equipment

Whenever the code official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property the code official shall order in writing that such electrical system either be removed or restored to a safe conditions. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain a defective electrical system after receiving such notice. When such electrical system is to be disconnected, written notice as prescribed in Section 108.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without notice.

[H] 108.7.2 Authority to Disconnect Service Utilities

The code official shall have the authority to authorize disconnection to utility service to the building, structure or system regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner or occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.

[H] 108.7.3 Connection after Order to Disconnect

No person shall make connections from any energy or power supply system or supply energy or power supply to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment. When any electrical system is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the code official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

[H] 109 MEANS OF APPEAL

[H] 109.1 Application for Appeal

Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the Town of Lakewood Village's enabling ordinance.

End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 10, 2021</u>	<ul style="list-style-type: none"> • <u>Referenced 2017 NEC</u> • <u>Added section 250</u> • <u>Added feeder column to table 310.106(A)</u> • <u>Removed Article 334</u>
16-17	October 13, 2016	<ul style="list-style-type: none"> • Removed ETJ
15-13	August 13, 2015	<ul style="list-style-type: none"> • Removed amendments to Article 680 • Removed amendments to Annex G • Added Annex H
11-08	April 14, 2011	REPEALED

TOWN OF LAKEWOOD VILLAGE
FUEL GAS CODE ~~16-1421-xx~~

**AN ORDINANCE TO ADOPT THE ~~2012~~2018
INTERNATIONAL FUEL GAS CODE, WITHIN THE TOWN
OF LAKEWOOD VILLAGE ; PROVIDING A
SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY
CLAUSE, PROVIDING A SEVERABILITY CLAUSE,
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the ~~2012~~2018 Edition of the International Fuel Gas Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the ~~2012~~2018 International Fuel Gas Code

The International Fuel Gas Code, ~~2012~~2018 Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Fuel Gas code for Lakewood Village, regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of fuel gas systems within Lakewood Village (the "~~2012~~2018 International Fuel Gas Code"). The ~~2012~~2018 International Fuel Gas Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Fuel Gas Code ~~16-1415-07~~ ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC



Exhibit A

Town of Lakewood Village Amendments

~~2012~~2018 International Fuel Gas Code



FUEL GAS CODE

Adopted: ~~June~~ ~~October~~ 10³~~th~~, 20~~21~~~~16~~



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CHAPTER 1. SCOPE AND APPLICATION

The following additions, deletions and amendments to the ~~2012~~2018 International Fuel Gas Code adopted herein and hereby approved and adopted.

[A] 101 General

General of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 101.1 Title

These regulations shall be known as the *International Fuel Gas Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[A] 102 Applicability

Applicability of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 102.8 Referenced Codes and Standards

The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference, ~~and as further regulated in Sections 102.8.1 and 102.8.2.~~ Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

[A] 106 Permits

Permits of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 106.3 Application for Permit

Application for Permit of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 106.3.2 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned ~~180~~ 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding ~~180~~ 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 106.5 Permit Issuance

Permit Issuance of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 106.5.3 Expiration

~~Every permit issued by the code official under the provisions of this code shall expire by limitation and shall become null and void if invalid unless the work authorized by such permit is not commenced within 180 days from the date of such permit after the issuance, or if the work authorized by such permit is suspended, or abandoned or at any time after the work is commenced lacks any required inspection for a period of 180 days after the time the work is commenced. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year. The Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

[A] 106.6 Fees

Fees Issuance of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 106.6.2 Fee Schedule

The fees for all fuel gas work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[A] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] 108 Violations

Violations of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

[A] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the

~~approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification. of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

[A] 108.5 Stop Work Orders

Upon notice from the code official, work on any fuel gas system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as required herein by this code. ~~of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

CHAPTER 3. GENERAL REGULATIONS

The following additions, deletions and amendments to the ~~2012~~2018 International Fuel Gas Code adopted herein and hereby approved and adopted.

306 Access and Service Space

Appliances in Attics of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

306.3 Appliances in the Attic

Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest *appliance*. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous unobstructed solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the *appliance*. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest *appliance*. As a minimum, access to the attic spaces shall be provided by one of the following:

1. Permanent stairs or ladder fastened to the building
2. A pull down stair with a 300 lb. rating
3. An access door from an upper floor.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

CHAPTER 4. GAS PIPING INSTALLATIONS

The following additions, deletions and amendments to the ~~2012~~2018 International Fuel Gas Code adopted herein and hereby approved and adopted.

404 Piping System and Installation

Installation of the ~~2012~~2018 International Fuel Gas Code is amended as follows:

404.12 Minimal Burial Depth

All underground *pipng* systems shall be installed a minimum depth of ~~12~~ 18 inches (~~305~~ 457 mm) below grade, except as provided for in Section 404.12.1.

404.12.1 Individual Outdoor Appliances

Individual lines to outside lights, grills or other *appliances* shall be installed a minimum of ~~8~~ 12 inches (~~203~~ 305 mm) below finished grade, provided that such installation is *approved* and is installed in locations not susceptible to physical damage.

404.17.2 Connections

Connections made outdoors and underground between metallic and plastic piping shall be made only with transition fittings conforming to ASTM D 2513 Category I or ASTM F 1973. Compression-type mechanical joints are not permitted below ground.



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 10, 2021</u>	<ul style="list-style-type: none">• <u>Referenced 2018 IRC</u>• <u>Added section 404.17.2</u>
16-14	October 13, 2016	<ul style="list-style-type: none">• Removed ETJ
15-07	May 14, 2015	<ul style="list-style-type: none">• Removed amendments to section R305• Added amendments to Chapter 4• Removed amendments to Chapter 6
11-13	April 14, 2011	REPEALED

TOWN OF LAKEWOOD VILLAGE
MECHANICAL CODE ~~16-1321-xx~~

**AN ORDINANCE TO ADOPT THE ~~2012~~2018
INTERNATIONAL MECHANICAL CODE, WITHIN THE
TOWN OF LAKEWOOD VILLAGE; PROVIDING A
SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY
CLAUSE, PROVIDING A SEVERABILITY CLAUSE,
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the ~~2012~~2018 Edition of the International Mechanical Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the ~~2012~~2018 International Mechanical Code

The International Mechanical Code, ~~2012~~2018 Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Mechanical code for Lakewood Village, regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of mechanical systems within Lakewood Village (the "~~2012~~2018 International Mechanical Code"). The ~~2012~~2018 International Mechanical Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Mechanical Code ~~16-1315-05~~ ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 13th day of October, 2016.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~



Exhibit A

Town of Lakewood Village Amendments

~~2012~~2018 International Mechanical Code



MECHANICAL CODE

Adopted: ~~June~~ ~~October~~ 10th, 20~~21~~16



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CHAPTER 1. SCOPE AND APPLICATION

The following additions, deletions and amendments to the ~~2012~~2018 International Mechanical Code adopted herein and hereby approved and adopted.

[A] 101 General

General of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 101.1 Title

These regulations shall be known as the *International Mechanical Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[A] 102 Applicability

Applicability of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 102.8 Referenced Codes and Standards

The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. ~~and as further regulated in Sections 102.8.1 and 102.8.2.~~ Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

[A] 106 Permits

Permits of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 106.3 Application for Permit

Application for Permit of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 106.3.2 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned ~~180~~ 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding ~~180~~ 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 106.5 Permit Issuance

Permit Issuance of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 106.5.3 Expiration

Every permit issued ~~by the code official under the provisions of this code shall expire by limitation and shall become null and void if~~ invalid unless the work authorized by such permit is ~~not~~ commenced within 180 days ~~from the date of such permit after the issuance,~~ or if the work authorized by such permit is suspended, ~~or abandoned or at any time after the work is commenced~~ lacks any required inspection for a period of 180 days after the time the work is commenced. ~~Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year. The Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

[A] 106.6 Fees

Fees Issuance of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 106.6.2 Fee Schedule

The fees for all mechanical work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[A] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] 108 Violations

Violations of the ~~2012~~2018 International Mechanical Code is amended as follows:

[A] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the

~~approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification. of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

[A] 108.5 Stop Work Orders

Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as required herein by this code. ~~of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

CHAPTER 3. GENERAL REGULATIONS

The following additions, deletions and amendments to the ~~2012~~2018 International Mechanical Code adopted herein and hereby approved and adopted.

306 Access and Service Space

Appliances in Attics of the ~~2012~~2018 International Mechanical Code is amended as follows:

306.3 Appliances in the Attic

Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest *appliance*. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous unobstructed solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the *appliance*. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger and large enough to allow removal of the largest *appliance*. As a minimum, access to the attic spaces shall be provided by one of the following:

1. Permanent stairs or ladder fastened to the building
2. A pull down stair with a 300 lb. rating
3. An access door from an upper floor.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 10, 2021</u>	• <u>Referenced 2018 IRC</u>
16-13	October 13, 2016	• Removed ETJ
15-05	May 14, 2015	• Removed amendments to [A] 304 • Removed amendments to Chapter 5 • Removed amendments to Chapter 6
11-04	May 12, 2011	REPEALED

TOWN OF LAKEWOOD VILLAGE
PLUMBING CODE ~~21-xx16-12~~

AN ORDINANCE TO ADOPT THE 201~~82~~ INTERNATIONAL PLUMBING CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE; PROVIDING A SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the ~~2012~~2018 Edition of the International Plumbing Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the 201~~82~~ International Plumbing Code

The International Plumbing Code, 201~~82~~ Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Plumbing code for Lakewood Village, regulating the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within Lakewood Village (the "201~~82~~ International Plumbing Code"). The 201~~82~~ International Plumbing Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Plumbing Code ~~16-125-06~~ ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 13th day of October, 2016.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.~~

~~Dr. Mark E. Vargus
Mayor~~

~~ATTEST:~~

~~Linda Asbell
Town Secretary, TRMC~~



Exhibit A

Town of Lakewood Village Amendments

201~~8~~² International Plumbing Code



PLUMBING CODE

Adopted: ~~June~~ ~~October~~ 10³~~th~~, 20~~21~~~~16~~

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CHAPTER 1. SCOPE AND APPLICATION

The following additions, deletions and amendments to the ~~2012~~2018 International Plumbing Code adopted herein and hereby approved and adopted.

[A] 101 General

General of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 101.1 Title

These regulations shall be known as the *International Plumbing Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[A] 102 Applicability

Applicability of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 102.8 Referenced Codes and Standards

The codes and standards referenced in this code shall be those that are listed in Chapter 14 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. ~~and as further regulated in Sections 102.8.1 and 102.8.2.~~ Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

[A] 106 Permits

Permits of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 106.3 Application for Permit

Application for Permit of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 106.3.3 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned ~~180~~ 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding ~~180~~ 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 106.5 Permit Issuance

Permit Issuance of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 106.5.3 Expiration

~~Every permit issued by the code official under the provisions of this code shall expire by limitation and shall become null and void if invalid unless the work authorized by such permit is not commenced within 180 days from the date of such permit after the issuance, or if the work authorized by such permit is suspended, or abandoned or at any time after the work is commenced lacks any required inspection for a period of 180 days after the time the work is commenced. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year. The Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

[A] 106.6 Fees

Fees Issuance of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 106.6.2 Fee Schedule

The fees for all plumbing work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[A] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] 108 Violations

Violations of the ~~2012~~2018 International Plumbing Code is amended as follows:

[A] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the

~~approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification. of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

[A] 108.5 Stop Work Orders

Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as required herein by this code. ~~of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

CHAPTER 3. GENERAL REGULATIONS

The following additions, deletions and amendments to the ~~2012~~2018 International Plumbing Code adopted herein and hereby approved and adopted.

305 Protection of Pipes and Plumbing System Components

Protection of Pipes and Plumbing System Components of the ~~2012~~2018 International Plumbing Code is amended as follows:

305.4 Freezing

Freezing of the ~~2012~~2018 International Plumbing Code is amended as follows:

305.4.1 Sewer Depth

Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (305 mm) below grade.

312 Tests and Inspections

Tests and Inspections of the ~~2012~~2018 International Plumbing Code is amended as follows:

312.10 Inspection and Testing of Backflow Prevention Assemblies

Inspection and Testing of Backflow Prevention Assemblies of the ~~2012~~2018 International Plumbing Code is amended as follows:

312.10.1 Inspections

~~Annual~~ Inspections shall be made of all backflow prevention assemblies and air gaps, as required by the Town, to determine whether they are operable.

312.10.2 Testing

Reduced pressure principle, double check-valve, pressure vacuum breaker, reduced pressure detector fire protection, double check detector fire protection, and spill-resistant vacuum breaker backflow preventer assemblies and hose connection backflow preventers shall be tested at the time of installation, immediately after repairs or relocation as required by the Town. ~~and at least annually~~. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5013, ASSE 5015, ASSE 5020, ASSE 5047, ASSE 5048, ASSE 5052, ASSE 5056, CSA B64.10 or CSA B64.10.1.

CHAPTER 5. WATER HEATERS

The following additions, deletions and amendments to the ~~2012~~2018 International Plumbing Code adopted herein and hereby approved and adopted.

502 Installation

Installation of the ~~2012~~2018 International Plumbing Code is amended as follows:

502.3 Water Heaters Installed in Attics

Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall be not less than 30 inches (762 mm) in height and 22 inches (559 mm) in width and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous unobstructed solid flooring not less than 24 inches (610 mm) in width. A level service space not less than 30 inches (762 mm) in length and 30 inches (762 mm) in width shall be present at the front or service side of the water heater. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater. As a minimum, access to the attic space shall be provided by one of the following:

1. Permanent stairs or ladder fastened to the building
2. A pull down stair with a 300 lb. rating
3. An access door from an upper floor.

504 Safety Devices

Safety Devices of the ~~2012~~2018 International Plumbing Code is amended as follows:

504.6 Requirements for Discharge Piping

Item number 10 of the International Plumbing Code is amended as follows:

10. Terminate not more than 6 inches (152 mm) ~~above and not less than two times the discharge pipe diameter~~ or more than 24 inches (610 mm) above grade nor more than 6 inches (152 mm) above the floor or waste receptor.

CHAPTER 6. WATER SUPPLY AND DISTRIBUTION

The following additions, deletions and amendments to the ~~2012~~2018 International Plumbing Code adopted herein and herby approved and adopted.

603 Water Service

Water Service of the ~~2012~~2018 International Plumbing Code is amended as follows:

603.1 Size of Water Service Pipe

The water service line pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The internal diameter of the water service line, including fittings, pipe shall not be less than 1 3/4 inch (25.4 19.1 mm), ~~in diameter.~~

608 Protection of Potable Water Supply

Protection of Potable Water Supply of the 2018 International Plumbing Code is amended as follows:

608.17.5 Connections to Lawn Irrigation Systems

The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure vacuum breaker assembly, a double-check assembly or a reduced pressure principle backflow prevention assembly. Valves shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly.

CHAPTER 7. SANITARY DRAINAGE

The following additions, deletions and amendments to the 2018 International Plumbing Code adopted herein and herby approved and adopted.

710 Drainage System Sizing

Drainage System Sizing of the 2018 International Plumbing Code is amended as follows:

710.1 Maximum Fixture Unit Load

The maximum number of drainage fixture units connected to a given size of building sewer, building drain or horizontal branch of the building drain shall be determined using Table 710.1(1). The maximum number of drainage fixture units connected to a given size of horizontal branch or vertical soil or waste stack shall be determined using Table 710.1(2). No building sewer, including cleanouts, shall not be less than 4 inch (102 mm) pipe diameter.

CHAPTER 9. VENTS

The following additions, deletions and amendments to the ~~2012~~2018 International Plumbing Code adopted herein and herby approved and adopted.

903 Vent Terminals

Vent Terminals of the ~~2012~~2018 International Plumbing Code is amended as follows:

903.1 Roof Extension

~~Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall terminate not less than 7 feet (2134 mm) above the roof.~~

Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152 mm) above the roof. Where a parapet wall or similar roof obstruction exists, the vent shall terminate not less than the height of the wall or obstruction. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

918 Air Admittance Valves

Air Admittance Valves of the 2006 International Residential Code is amended as follows:

918.3 Where Permitted

Individual, *branch* and circuit vents ~~may shall~~ be permitted to terminate with a connection to an individual or branch-type air admittance valve in accordance with Section 918.3.1. *Stack vents* and vent *stacks* shall be permitted to terminate to stack-type air admittance valves in accordance with Section 918.3.2. Air admittance valves shall only be installed with the prior written approval of the Building inspector.

End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 10, 2021</u>	<ul style="list-style-type: none"> • <u>Referenced 2018 IRC</u> • <u>Added section 608</u> • <u>Added section 710</u> • <u>Added parapet requirement to section 903.1</u>
16-12	October 13, 2016	<ul style="list-style-type: none"> • Removed ETJ
15-06	May 14, 2015	<ul style="list-style-type: none"> • Added amendments to R108.4 and R108.5 • Added amendments to Chapter 3 • Added amendments to Chapter 6 • Added amendments to Chapter 5 • Added amendments to 903.1 • Amendments to 918.3 was 917.3
11-09	May 12, 2011	REPEALED

**TOWN OF LAKEWOOD VILLAGE
ENERGY CONSERVATION CODE 21-
xx16-18**

**AN ORDINANCE TO ADOPT THE 20152018
INTERNATIONAL ENERGY CONSERVATION CODE,
WITHIN THE TOWN OF LAKEWOOD VILLAGE;
PROVIDING A SAVINGS/REPEALING CLAUSE, PROVIDING
A PENALTY CLAUSE, PROVIDING A SEVERABILITY
CLAUSE, PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas to adopt the 20152018 Edition of the International Energy Conservation Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the 20152018 International Energy Conservation Code

The International Energy Conservation Code, 20152018 Edition, copyrighted by the International Code Council, Inc., save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Energy Conservation code for Lakewood Village, regulating the design of building and selection of mechanical, electrical, service water-heating and illumination systems and equipment which will enable effective use of energy in new building construction located within Lakewood Village (the "20152018 International Energy Conservation Code"). The 20152018 International Energy Conservation Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Energy Conservation Code 16-186 ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

~~The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.~~

~~**PASSED AND APPROVED** by the Town Council of the Town of Lakewood Village, Texas this the 10th day of November, 2016.~~

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC



Exhibit A

Town of Lakewood Village Amendments

~~2015~~2018 International Energy Conservation Code



ENERGY CONSERVATION CODE

Adopted: ~~June~~November 10th, 20~~21~~16



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CHAPTER 1. SCOPE AND ADMINISTRATION

The following additions, deletions and amendments to the 2012 International Energy Conservation Code adopted herein and hereby adopted.

R101 General

General of the ~~2015~~2018 International Energy Conservation Code is amended as follows:

R101.1 Title

These regulations shall be known as the *International Energy Conservation Code* of The Town of Lakewood Village hereinafter referred to as "this code."

R106 Applicability

Applicability of the ~~2015~~2018 International Energy Conservation Code is amended as follows:

R106.1 Referenced Codes and Standards

The codes, when specifically adopted, and standards referenced in this code shall be those listed in Chapter 5, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R106.1.1 and R106.1.2. Whenever amendments have been adopted to the reference codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

Exception

Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

R107 Fees

Fees of the ~~2015~~2018 International Energy Conservation Code is amended as follows:

R107.2 Schedule of Permit Fees

The fees for all energy conservation work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

R107.3 Work Commencing Before Permit Issuance

Any person who commences any work before obtaining the necessary permits shall be subject to a penalty of 100% of the usual permit fee ~~an additional fee established by the code official, which shall be in addition to the required permit fees.~~

R107.5 Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

R108 Stop Work Order

Stop Work Order of the ~~2015~~2018 International Energy Conservation Code is amended as follows:

R108.4 Failure to Comply

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of separate offenses for each day during which the violation is continued after notification.

CHAPTER 2. DEFINITIONS

The following additions, deletions and amendments to the ~~2015~~2018 International Energy Conservation Code adopted herein and hereby adopted.

R202 General Definitions

Glazing Area. Total area of the glazed fenestration measured using the rough opening and including sash, curbing or other framing elements that enclose conditions space. Glazing area includes the area of glazed fenestration assemblies in walls bounding conditions basements. For doors where the daylight opening area is less than 50 percent of the door area. The glazing area is the daylight opening area for the door including the door and the frame.

CHAPTER 4. RESIDENTIAL ENERGY EFFICIENCY

The following additions, deletions and amendments to the ~~2015~~2018 International Energy Conservation Code adopted herein and hereby adopted.

Table R402.1.2 Insulation and Fenestration Requirements by Component^a

WOOD FRAME WALL R-VALUE for CLIMATE ZONE 3 = 13

Table R402.1.4 Equivalent U-Factors

WOOD FRAME WALL U-FACTOR for CLIMATE ZONE 3 = 0.082

R402.2 Specific Insulation Requirements (Prescriptive)

In addition to the requirements of Section R402.1, insulation shall meet the specific requirements of Sections R402.2.1 through R402.2.12.

Insulation Installed in Walls

To ensure that insulation remains in place, insulation batts installed in walls shall be totally secured by an enclosure on all sides consisting of framing lumber, gypsum, sheathing, wood structural panel sheathing, netting or other equivalent material approved by the building official.

Table R406.4 Maximum Energy Rating Index

Climate Zone	Energy Rating Index	<u>Compliance Date Texas HB 1736</u>
1	52	
2 & 3	65	<u>9/1/2016 – 8/31/2019</u>
2 & 3	63	<u>9/1/2019 – 8/31/2022</u>
2 & 3	59	<u>After 9/1/2022</u>
4	<u>69</u>	<u>9/1/2016 – 8/31/2019</u>
4	<u>67</u>	<u>9/1/2019 – 8/31/2022</u>
4	<u>63</u>	<u>After 9/1/2022</u>
5	55	
6	54	
7	53	
8	53	



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
<u>21-xx</u>	<u>June 11, 2021</u>	• <u>Referenced 2018 IRC</u>
16-18	November 10, 2016	<ul style="list-style-type: none">• Adopted 2015 Standard• Added Table R406.4
16-16	October 13, 2016	<ul style="list-style-type: none">• Removed ETJ
15-08	May 14, 2015	<ul style="list-style-type: none">• Removed amendments to R304• Removed amendments to Chapter 5• Removed amendments to Chapter 6
11-17	April 14, 2011	REPEALED