

ORDINANCE O-14-1938

ADOPTING THE 2012 EDITION OF THE *INTERNATIONAL FIRE CODE* BY REFERENCE; AMENDING ORDINANCE O-05-1520 AND SECTION 46 OF THE COLLEYVILLE CODE OF ORDINANCES IN ITS ENTIRETY SAVE AND EXCEPT FOR SECTION 903.2.10.7; PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO BY REFERENCE; PROVIDING A PENALTY CLAUSE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE

WHEREAS, the City of Colleyville, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Colleyville wishes to adopt the 2012 edition of the *International Fire Code* by reference to provide for the safety of the citizens of Colleyville; and

WHEREAS, Section 903.2.10.7 of Ordinance O-05-1520, which states: "Automatic Sprinkler Requirements for Group R-3. An automatic sprinkler system shall be installed in all Group R3 buildings with a building area over 7,500 sq. ft. or living area over 6,000 sq. ft. For the purpose of this provision, living area shall include all areas included in "air conditioned", future or "bonus rooms" or other areas determined to be actual or intended living areas", shall remain in full force and effect; and

WHEREAS, beginning in the spring of 2012, North Central Texas Council of Governments (NCTCOG) Regional Codes Coordinating Committee (RCCC) and its four advisory boards conducted open review meetings over a one year period to review the 2012 editions of the International Codes and to develop regional amendments. Their review and recommendations were completed and endorsed by NCTCOG's Executive Board in March 2013. Now NCTCOG encourages jurisdictions in North Central Texas to adopt the *2012 International Fire Code* along with its respective NCTCOG amendments.

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

Sec. 1. THAT the City of Colleyville hereby adopts the 2012 edition of

the *International Fire Code*, including Appendix Chapters A, B, C, D, E, F, G, H, and I published by the International Code Council, Inc., save and except such portions as are deleted or amended by this ordinance, and the same are hereby adopted by reference and incorporated as fully as if set out at length herein.

- Sec. 2. THAT this ordinance shall be cumulative of all provisions of ordinances of the City of Colleyville, Texas, except where provisions of this ordinance are in direct conflict with the provisions of another ordinance, in which event the conflicting provisions of the other ordinance are hereby repealed.
- Sec. 3. THAT it is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since they would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.
- Sec. 4. THAT any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than five hundred dollars (\$500) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.
- Sec. 5. THAT all rights and remedies of the City of Colleyville are expressly saved as to any and all violations of the provisions of Chapter 46 "Fire Code" of the Code of Ordinances, City of Colleyville, Texas, as amended, or any other ordinances affecting such code which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same

shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Sec. 6. THAT a copy of all codes and amendments adopted by this ordinance shall be kept on file with the City Secretary.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 21st day of October 2014.

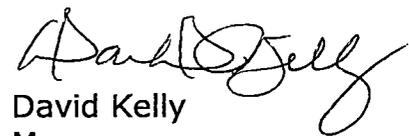
The second reading and public hearing being conducted on the 5th day of November 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of November 2014.

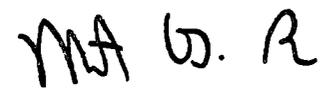
ATTEST:

CITY OF COLLEYVILLE


Amy Shelley, TRMC
City Secretary


David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:


Matthew C. G. Boyle
City Attorney